RWE

Tween Bridge Solar Farm

9.6 Statement of Common Ground with Natural England

Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Deadline ~~6~~ 8 ~~August~~ October 2026

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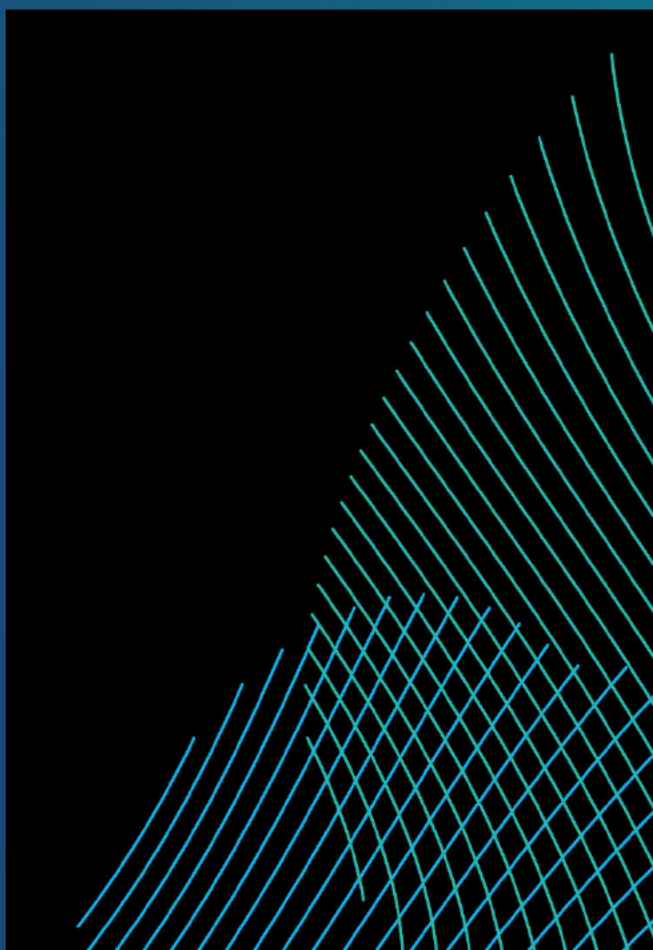


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1 Introduction

1.1. Purpose of this document

1.1.1. This Statement of Common Ground (hereafter referred to as the 'SoCG') has been prepared to support the Examination of the Development Consent Order (DCO) application (the 'DCO Application') for Tween Bridge Solar Farm (the 'Scheme').

1.1.2. The DCO Application is for a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure which would allow for the generation and export of electricity.

1.1.3. The SoCG has been a 'live' document throughout the course of the Examination that has been prepared by the Applicant in consultation with Natural England.

1.1.4. The SoCG has been prepared in accordance with the Guidance for examination of DCO applications which was published in 2024 by the Department for Levelling Up, Housing and Communities[1].

1.1.5. This Guidance comments that:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority'.

1.1.6. The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not made between the Applicant and Natural England on matters relating to the Scheme.

1.2. Parties to this Statement of Common Ground

1.2.1. This SoCG has been prepared by (1) the Applicant and (2) Natural England.

1 Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (April 2024)

1.2.2. Natural England is a non-departmental public body. Their statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

1.2.3. Collectively, the Applicant and Natural England are referred to as 'the parties'.

1.3. Terminology

1.3.1. Section 3 of this document sets out the relevant matters raised though discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter.

1.3.2. All matters in this SoCG are "agreed". This confirms that both parties have no unresolved matters.

2 Record of Engagement

2.1. Summary of consultation and engagement

2.1.1. The parties have been engaged in consultation and engagement throughout the development of the Scheme. Table 2-1 shows a summary of the meetings and correspondence that has taken place between the Applicant and Natural England in relation to the Scheme. This is limited to engagement which is materially relevant to the contents of this SoCG and does not seek to include every correspondence between the parties (e.g. that which was primarily administrative).

2.1.2. Table 2-1: Record of Engagement

Table 2-1 – Record of Engagement since 2023		
Date	**Method**	**Purpose / Description**
6 September 2023	Discretionary Advice Service	Non-breeding bird surveys Requested additional surveys 2022 – 2023 to determine potential for impacts on the Humber Estuary Special Protection Area (SPA). NE state that surveys should include Vantage Point (VP) surveys and increased nocturnal surveys to that completed in Year 1. Nightjar NE requested that the assessment considers the potential for impacts on foraging nightjars during the construction and operational phases of the Scheme.
10 October 2024	Telephone call and email	Discussions on the use and management of mitigation area M1
14 October 2024	Email	Natural England emailed the Applicant to state that they did not have the resources to manage mitigation Area M1.
21 October 2024	Email	The Applicant issued a short summary of the current strategy and thinking with regards to the non-breeding mitigation package, Included Year 1 surveys only.

05 December 2024	Email	Confirming the scope and costs of the Natural England DAS service.
20 December 2024	Discretionary Advice Service	Detail regarding the non-breeding bird mitigation strategy were provided including habitat carrying capacity for different species, habitat management and monitoring. In addition, detail on potential nightjar presence was provided.
13 January 2025	Online meeting	Meeting to discuss the Natural England 20th December 2024 DAS response.
17 March 2025	Online Meeting	Meeting to discuss the project including the detail provided within the PEIR chapter, nightjar assessment and mitigation and cumulative impacts. During the meeting Natural England agreed that the habitats within the Order Limits are not optimal for nightjar and that grassland and new tree planting provision could enhance foraging opportunities for nightjar. Natural England also confirmed no breeding opportunities for nightjar within the Order Limits.
May 2025.	Natural England – Consultation response to PEIR Chapter.	NE provided a detailed response to all aspects of the ecology PEIR chapter.
16 June 2025	Email	NE confirmed that they reviewed the second year of non-breeding bird survey results as part of the PEIR chapter and that their advice is largely the same as for the first year of surveys. They confirmed that this was summarised in the PEIR and is more detailed in their DAS advice.
10 July 2025	Email	Confirmation from Natural England that the Bird Days calculations are correct, although Natural England confirmed that they do not have a nationally recognised method of using bird days in this way within terrestrial ornithology. Natural England highlighted that as mentioned previously, ecological knowledge should supplement the calculations to demonstrate that there is suitable habitat provision for the numbers of birds displaced by the development.

11 September 2025	Email	The Applicant provided an update to Natural England on the timescales of the DCO application.
04 February 2026	Email	Natural England emailed the Applicant with details of the new case officer involved on this project. Confirmed that Natural England are happy to discuss the comments made in their Relevant Representation dated 23 December 2025 through their Discretionary Advice Service (DAS). Natural England also confirmed the current budget in the DAS and that the DAS contract will need extending.
09 February 2026	Email	The Applicant confirmed that the Relevant Representations are being reviewed, that a meeting would be useful, and dates will be issued for this meeting. The Applicant also confirmed that DAS costs will be agreed and DAS contracts will be extended
12 February 2026	Email	Natural England confirmed that once the Examination has begun, engagement through DAS will be limited where there are statutory consultations from the Planning Inspectorate. These consultations would be charged to the Applicant through the Statutory Advice Service. Natural England confirmed that they are happy to provide clarification/discuss comments issued in their Relevant Representations response; however, they state that the timeframe is now very limited for full review of any new information presented prior to Examination
12 February 2026	Email	The Applicant confirmed that Natural England's additional fees for the DAS are agreed and asked for confirmation on when invoices would be issued.
12 February 2026	Email	The Applicant confirmed that they understand the tight timescales to review document and confirmed that they are keen to arrange a meeting to discuss Natural England's Relevant Representation. The Applicant also sent Natural England the documents they stated in their Relevant Representation that they had not received, including 6.3.7.13 Appendix 7.13 Bat Activity Report, Appendix

		7.6 Confidential otter and water vole report, and the BNG metric and 6.3.7.12 BNG Report.
13 February 2026	Email	Natural England emailed the Applicant to confirm details of the DAS contract and to confirm that the documents emailed on the 12 February 2026 were submitted to PINS in advance of the Relevant Representations consultation, or if they are new.
17 February 2026	Email	Natural England confirmed that there is budget in the DAS contract to arrange a meeting and provided potential dates.
17 February 2026	Email	The Applicant confirmed meeting availability, that the reports had been submitted as part of the application and requested that the location of the compounds referenced in Natural England's Relevant Representation point NE9 is confirmed.
23 February 2026	Email	Natural England sent a plan to the Applicant showing all the compound locations - EN010148-000314-6.4.13.4 Indicative Nighttime Noise Contour Plot.pdf
23 February 2026	Email	The Applicant thanked Natural England for the plan and sent a meeting agenda.
24 February 2026	Online Meeting	The Applicant and Natural England had an online meeting to discuss all matters detailed in the Relevant Representation received from Natural England.
04 March 2026	Email	The Applicant sent a meeting summary to Natural England and requested further confirmation on the compound locations detailed in point NE9 of their Relevant Representation and also whether Natural England could provide any examples of solar panels using white borders on solar panels as part of a mitigation approach.
04 March 2026	Email	The Applicant confirmed further updates to the DAS contract.
05 March 2026	Email	Natural England provided further points to the meeting notes sent by the Applicant on the 04 March 2026. This included detail that Natural England will review updated plans and information with regards to

		non-breeding bird mitigation land; that they will discuss internally whether Natural England would manage mitigation area M1; confirmation that the protected species reports have been sent to the to the relevant team; that they cannot currently confirm the location of the 3 compound locations detailed in their Relevant Representations, but that compounds should be 200-300m from Thorne and Hatfield Moors SPA; confirmation that they will investigate the use of white borders on solar panels. In addition, Natural England confirmed receipt of the Rule 9 letter, the updated timescales and requested information on timings that documents would be submitted due to capacity issues in their team.
13 March 2026	Email	Natural England emailed the Applicant In relation to the potential transfer of mitigation parcel M1 to NE and stated that the Senior Reserve Manager at the Humberhead Peatlands NNR was copied in and would begin discussions in relation to this and next steps required.
18 March 2026	Email	The Applicant thanked Natural England for the recent correspondence and provided an update on the DAS contract.
26 March 2026	Email	The Applicant confirmed timings of the Statement of Common Ground and provided further confirmation on the DAS contract.
31 March 2026	Email	Natural England confirmed interest in management mitigation area M1, although stated that internal discussions are required and a further update would be provided regarding this.
01 April 2026	Email	The Applicant thanks Natural England for their response on mitigation area M1 and asked if anything further could be provided regarding this.
02 April 2026	Email	The Applicant issued the Statement of Common Ground to Natural England and confirmed that various documents were being updated based on February meeting and the detail included in the Statement of Common Ground.

		The Applicant confirmed that a further meeting will be arranged after Easter with Natural England.
08 April 2026	Email	The Applicant requested Natural England provided an update to when a response to the Statement of Common Ground would be received and suggested potential meeting dates on the 22 or 23 April.
09 April 2026	Email	Natural England apologies for the delayed response, explaining that there is very limited team capacity. Confirmed that a further response would be provided in the following week.
09 April 2026	Email	The Applicant thanked Natural England for their response and requested meeting dates are provided.
15 April 2026	Email	Natural England emailed the Applicant to confirm that the Statement of Common Ground had not yet been reviewed , but that an update and timescale will be provided.
23 April 2026	Email	Natural England provide a suggested meeting date and requested timings of the Examination.
27 April 2026	Email	The Applicant provided the Examination timescales and suggested alternative meeting dates. In addition the Applicant requested timescales for when a response to the Statement of Common Ground will be provided.
29 April 2026	Email	Natural England email to confirm receipt of the updated PINS timescales, provide information regarding trying to resource meeting availability, provided detail on timescales for the SoCG response and details on the DAS contract.
01 May 2026	Email	The Applicant provided further potential meeting timings and confirmation that the DAS contract queries will be followed up.
08 May 2026	Email	Natural England sent the Applicant their updated Statement of Common Ground and requested the updated version incorporating their comments was submitted for Deadline 2. Natural England confirmed that the protected species additional reports are currently being reviewed by the relevant teams and

		comments should be provided within the next few weeks for otter, water vole, and bats, but due to capacity in the GCN team comments will be delayed at least until the end of June. Natural England confirmed that they have received notice of the Order Limits boundary changes and that from an initial look they do not consider they would have significant comments to make on this. In addition, Natural England confirmed meeting availability.
13 May 2026	Email	The Applicant confirmed receipt of Natural England's updated Statement of Common Ground and confirmed a meeting date would be finalised to discuss the Statement of Common Ground further.
13 May 2026	Email	The Applicant confirmed a meeting for the 14 May with Natural England.
14 May 2026	Email	The Applicant sent a meeting agenda to Natural England.
14 May 2026	Online meeting	The Applicant requested timescales from Natural England for when their reviews of the updated documents would be. Natural England confirmed this would be 2-3 weeks after Deadline 2. The Applicant explained that the mitigation for non-breeding birds does not rely on mitigation parcel M1 and confirmed supporting table and figure are included in the Statement of Common Ground. In addition, the Applicant explained how numerous wide grassland margins are present for the benefit of nightjar across the Order Limits and provided further detail on scrape design. Natural England confirmed that they will be able to respond further on all points in the Statement of Common ground once they have reviewed the updated reports.
14 May 2026	Email	The Applicant thanked Natural England for their time at the meeting and requested confirmation when the Examiner Questions would be answered by Natural England.
14 May 2026	Email	Natural England confirmed that they are working on the examiners questions and they should submit by the 19 May.

01 June 2026	Email	The Applicant emailed Natural England requesting an update on their Statement of Common Ground.
03 June 2026	Email	Natural England confirmed that due to capacity their Statement of Common Ground would be issued by Deadline 3 and they requested a word version of THE Statement of Common Ground. In addition, Natural England provided further detail of their estimated costs.
4 June 2026	Email	The Applicant issued the Deadline 2 version of the Statement of Common Ground as a word document and confirmed receipt of Natural England's estimated costs.
16 June 2026	Email	The Applicant confirmed they have reviewed Natural England's responses to the Examiner's questions and requested a meeting to discuss further. The Applicant also confirmed that plans showing larger than 2m buffers for the benefit of nightjar were being created and would be shared once complete.
16 June 2026	Email	Natural England provided a potential meeting time.
18 June 2026	Email	The Applicant confirmed the meeting time of the 22 June and issued the new plans created to show larger than 2m buffers for the benefit of nightjar were being created.
18 June 2026	Email	Natural England confirmed receipt of the plans and the meeting date of the 22 June.
22 June 226	Online meeting	The Applicant and Natural England discussed all the points within Natural England's Statement of Common Ground and the additional information that Natural England require.
22 June 2026	Email	The Applicant thanked Natural England for their time and asked if they would be happy for the meeting to be summarised at the Examination if the Examiner requested an update.
23 June 2026	Email	Natural England confirmed that there was no problem with summarising their key points from the meeting and stated that their key issues table will be updated

		for Deadline 3, which will outline any extra information that they require and confirm which issues have been resolved. In addition, Natural England confirmed they would be available for further discussions on any points.
29 June 2026	Email	Natural England updated the Applicant on their timescales for submitting their updated information including their Statement of Common Ground and apologised for the delay in issuing this. In addition, potential meeting dates were provided.
30 June 2026	Email	The Applicant confirmed that they would review Natural England's updated Statement of Common Ground and would issue this to PINS with any comments.
02 July 2026	Email	The Applicant confirmed meeting availability for the 09 July.
02 July 2026	Email	Natural England confirmed availability for the meeting on the 09 July.
03 July 2026	Email	Natural England issued their updated Statement of Common Ground, along with a summary email of the updates.
06 July 2026	Email	The Applicant confirmed receipt of the Statement of Common Ground.
09 July 2026	Email	Natural England issued a transcript of the meeting from the 22 June 2026.
09 July 2026	Online meeting	The Applicant and Natural England discussed Natural England's updated Statement of Common Ground submitted at Deadline 3. Natural England confirmed it is now mainly a matter of agreeing the detail and are willing to continue dialogue in order to agree any outstanding items.
31 July 2026	Email	Natural England issued their updated Statement of Common Ground, along with a summary email of the updates.

04 August 2026	Email	The Applicant issued the clean and tracked versions of the Statement of Common Ground to Natural England for their records.
07 August 2026	Email	NE sent a response to the SOCG to state that '*These all look fine to me – no additions to note.*'
01 August 2026	Email	The applicant sent NE an updated version of the SOCG, with a summary of the minor amendments and requested NE's Standing Advice for Air Quality and NSIPs.
03 August 2026	Email	The Applicant requested a meeting date with NE to further discuss the transfer of mitigation Area M1.
04 September 2026	Email	NE confirmed receipt of the updated SOCG, accepted the amendments although requested that point NE23D relating to GCN remained Under Discussion until the specialist team had reviewed the information. Stated that a response would be issued by 22 September.
15 September 2026	Email	The Applicant sent a further request for a meeting date with NE to further discuss the transfer of mitigation Area M1.
16 September 2026	Email	NE confirmed potential meeting dates to discuss M1 further.
17 September 2026	Email	The Applicant thanked NE for confirming their availability and confirmed that a date for the meeting would be provided.
22 September 2026	Letter	NE issued a letter to the Planning Inspectorate with regards to Deadline 6 submissions, and stated that their response confirms that all issues between Natural England and the Applicant can now be marked as 'resolved' and that therefore the issued letter constitutes their final full response in the Examination.
30 September 20265	Online Meeting	Online meeting with Natural England and the Applicant regarding mitigation area M1(A). The Applicant. and Natural England discussed details regarding any future land agreement for, and management of, this area. Following discussions NE and the Applicant confirmed

		that the option of NE taking on this land would not be pursued at the current time. The Applicant confirmed that the proposed ecological enhancements for this land would be implemented by the Applicant in close discussion with NE through its role as statutory consultee where relevant..

3 Current Position

3.1.1. The table below provides a summary of the current position of the Applicant and Natural England in relation to specific matters that have been under discussion to date.

3.1.2. Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has not been the subject of detailed discussion; or (ii) not relevant to the discussion between the parties.

3.1.3. As noted above, this is a 'live' document and there are some aspects that are still under discussion between the parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and where agreement had been reached between the parties.

3.1.4. A summary of the matters addressed in the detailed table below is provided in the following table.

Table 3-1 Current Position Summary:

Ref	Topic	Natural England Position	Applicant Position	Status
NEO	Thorne Moor SAC and Thorne and Hatfield Moors SPA – works within designated sites.	Natural England considers the issue resolved because the Outline Ecological Construction Management Plan confirms that no construction works will take place within the designated sites.	The Applicant confirms that works within the designated sites are prohibited through the **Outline Ecological Construction Management Plan [REP6-034REP6-034]**, secured by Requirement 8(2)(b) of the **draft Development Consent Order**	Agreed

			[Document Reference 3.1 Revision 10].	
NE1a (Previously NE1–NE6)	Humber Estuary SPA and Ramsar – mitigation for loss of functionally linked land.	Natural England considers the mitigation sufficient, subject to its delivery, monitoring and management being secured for the Scheme's operational lifetime and functioning before construction.	The Applicant confirms that sufficient mitigation land and appropriate management, monitoring and remedial measures are provided for the relevant SPA bird species through the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010REP6-006, REP6-008, and REP6-010]**, **Non-Breeding Bird Mitigation Strategy [REP4-029REP4-029]** and **Outline Landscape and Ecological Management Plan [REP6-036].**	Agreed
NE7	Humber Estuary SPA and Ramsar – construction disturbance to non-breeding birds.	Natural England considers the issue resolved on the basis of the November to February restriction and the noise and ECoW controls.	The Applicant confirms that construction noise controls, seasonal buffers and ECoW supervision are set out in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010 REP6-006, REP6-008, and REP6-010]** and **Outline Ecological Construction Management Plan [REP6-034REP6-034]**.	Agreed
NE8	Thorne and Hatfield Moors SPA – loss of nightjar functionally linked land.	Natural England considers that adverse effects can be ruled out following clarification of the	The Applicant confirms that retained and created grassland margins, buffers and strengthened green corridors are set out in the	Agreed

		grassland buffers and habitat provision for foraging nightjar.	**Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010 REP6-006, REP6-008, and REP6-010]** and **Outline Landscape and Ecological Management Plan [REP6-036REP6-036]**.	
NE8a	Thorne and Hatfield Moors SPA – nightjar collision risk.	Natural England agrees that adverse effects can be ruled out, subject to the assessment of impacts being included in the HRA and post-consent monitoring and remedial measures being implemented.	The Applicant confirms that collision risk is assessed in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010 REP6-006, REP6-008, and REP6-010]**, with nightjar carcass monitoring and remedial measures set out in the **Outline Landscape and Ecological Management Plan [REP6-036]**.	Agreed
NE9	Thorne and Hatfield Moors SPA – construction disturbance to breeding nightjar.	Natural England considers the issue resolved on the basis of the April to August restriction within 200 m of the SPA and the ECoW-led noise controls.	The Applicant confirms that the disturbance assessment is provided in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]**, with the seasonal restriction and construction noise controls set out in the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed
NE10	Thorne and Hatfield Moors SPA and Humber Estuary SPA – construction lighting.	Natural England considers the issue resolved because the HRA demonstrates no net increase in	The Applicant confirms that temporary construction lighting will be minimised, directed into the	Agreed

		light spill once the proposed mitigation is applied.	Order Limits and controlled through paragraphs 3.3.27–3.3.31 of the **Outline Ecological Construction Management Plan [REP6-034]**, with the effects assessed in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]**.	
NE11A	Humber Estuary SPA and Ramsar – permissive footpath within M1(A).	Natural England is satisfied that the footpath will not cause an adverse effect on integrity, although it continues to recommend rerouting it if practicable.	The Applicant confirms that M1(A) is not relied upon as core bird mitigation and that the permissive footpath will not cause an adverse effect on the integrity of the SPA, as assessed in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]** and reflected in the **Outline Landscape and Ecological Management Plan [REP6-036]**.	Agreed
NE11B	Thorne Moor SAC – hydrological effects of managing M1(A).	Natural England confirms that the proposed management of M1(A) will not affect or conflict with future hydrological enhancements to the SAC.	The Applicant confirms that the management of M1(A), as set out in the **Outline Landscape and Ecological Management Plan [REP6-036]** and assessed in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]**, will not affect or conflict with future	Agreed

			hydrological enhancements to the SAC.	
NE12	Thorne and Hatfield Moors SAC – construction dust.	Natural England considers the dust controls sufficient to prevent adverse effects on the SAC.	The Applicant confirms that dust-deposition and run-off effects are assessed in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]**, with the relevant controls set out in the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed
NE13	Thorne and Hatfield Moors SAC – construction air quality.	Natural England refers the decision-maker to its standard air-pollution advice and confirms that this issue can be removed from the SoCG.	The Applicant confirms that construction air-quality effects are assessed in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]** and that generators will be located more than 200 m from the SAC, as set out in the **Outline Ecological Construction Management Plan [REP6-034]**.	N/a
NE14	European sites – water abstraction for horizontal directional drilling.	Natural England considers the issue resolved subject to securing that no water will be abstracted from the ditch network for horizontal directional drilling.	The Applicant confirms that water for horizontal directional drilling will be sourced off-site and no water will be abstracted from the ditch network within the Order Limits, as set out in Table 3.2 of the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed
NE15	European sites – construction water quality.	Natural England considers the issue resolved subject to the	The Applicant confirms that construction water-quality effects	Agreed

		water-quality measures being secured through the DCO.	and mitigation are assessed at paragraphs 7.2.55–7.2.57 of the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]**, with measures to control run-off, manage pollutants and protect watercourses set out in the **Outline Ecological Construction Management Plan [REP6-034]**.	
NE16	European sites and Hatfield Chase Ditches SSSI – bentonite breakout during horizontal directional drilling.	Natural England considers the issue resolved subject to consultation on the bentonite breakout plan.	The Applicant confirms that bentonite breakout is assessed at paragraphs 7.2.77–7.2.78 of the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]**, with monitoring and containment controls set out at paragraphs 3.3.43–3.3.44 of the **Outline Ecological Construction Management Plan [REP6-034]**. Natural England will be consulted on the final bentonite breakout plan.	Agreed
NE17	European sites – cleaning of solar photovoltaic modules.	Natural England considers the issue resolved subject to the secured use of de-ionised water and pollution-prevention measures for any exceptional use of cleaning products.	The Applicant confirms at paragraph 7.2.48 of the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]** that panels will normally be cleaned with de-ionised water and that a Pollution	Agreed

			Prevention Plan will apply to any exceptional use of cleaning products.	
NE18	European sites – firefighting water run-off from battery energy storage systems.	Natural England considers the issue resolved and defers further advice on firewater controls to the Environment Agency at the relevant post-consent or permitting stage.	The Applicant confirms that Section 7 of the **Environmental Statement Appendix 10.1 Flood Risk Assessment [REP2-047, REP2-049 and REP2-051]** provides for firewater to be retained on-site and tested before release through the detailed post-consent drainage design.	Agreed
NE19	European sites – in-combination effects.	Natural England agrees with the HRA conclusion that there will be no significant in-combination effects.	The Applicant confirms that in-combination effects are assessed at paragraphs 7.2.109–7.2.118 of the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010]** and that the Scheme will not adversely affect the integrity of the relevant European sites alone or in combination with other plans or projects.	Agreed
NE20	Humber Estuary SSSI – effects on designated features.	Natural England considers the information provided for the Humber Estuary SPA and Ramsar site sufficient to conclude that the SSSI will not be affected.	The Applicant confirms that the assessment and mitigation for the Humber Estuary SSSI align with those for the Humber Estuary European sites, as set out in the **Report to Inform Habitats Regulations Assessment [REP6-006, REP6-008, and REP6-010],**	Agreed

			Outline Landscape and Ecological Management Plan [REP6-036] and **Outline Ecological Construction Management Plan [REP6-034]**.	
NE21	Thorne, Crowle and Goole Moors SSSI – buffers, foraging habitat and honeybee hives.	Natural England considers the issue resolved following further assessment of the SSSI buffers and the proposed honeybee hives.	The Applicant confirms that no development is proposed within the SSSI. The assessment of buffers is provided at paragraphs 7.5.75–7.5.77 of the **Environmental Statement Chapter 7 Ecology and Nature Conservation [REP5-012REP5-012]**, while the reduced number and siting of honeybee hives more than 1 km from the SSSI are addressed in Sections 5.1 and 5.3 of the **Outline Landscape and Ecological Management Plan [REP6-036]**.	Agreed
NE22	Hatfield Chase Ditches SSSI – water quality and protected species.	Natural England considers the issue resolved because the updated assessment and construction controls set out measures to prevent pollution of the SSSI.	The Applicant confirms that the relevant water-quality measures are assessed at paragraph 7.5.81 of the **Environmental Statement Chapter 7 Ecology and Nature Conservation [REP5-012]**, with horizontal directional drilling controls and pre-construction water vole surveys set out in Table 3.2 of the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed

NE23	Protected species – general survey, mitigation and licensing approach.	Natural England advises that surveys should follow best practice and that licensing decisions and any precautionary approach must be properly evidenced.	The Applicant confirms that the general protected-species survey, licensing, precautionary working method and stop-work requirements are set out in the **Outline Ecological Construction Management Plan [REP6-034]**.	N/a
NE23a	Protected species – otter.	Natural England considers the survey limitations acceptable in this case and the proposed retention, buffers, working-hour restrictions and pre-construction surveys appropriate.	The Applicant confirms that updated surveys, pre-works checks and restrictions on works near otter habitat are set out in the **Environmental Statement Chapter 7 Ecology and Nature Conservation [REP5-012]** and Table 3.1 of the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed
NE23b	Protected species – badger.	Natural England considers the issue resolved subject to updated surveys, appropriate licensing lead-in, toolbox talks, sett buffers and secured mammal access measures.	The Applicant confirms that updated surveys, licensing where required are set out in Table 3.2 of the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed
NE23c	Protected species – bats.	Natural England considers the survey approach, habitat retention, lighting controls and reasonable avoidance measures for trees appropriate.	The Applicant confirms that potential roost-tree assessment and reasonable avoidance measures are set out in Table 7.10 of the **Environmental Statement Chapter 7 Ecology and Nature Conservation [REP5-012]** and Table 3.2 of the **Outline Ecological**	Agreed

			Construction Management Plan [REP6-034].	
NE23d	Protected species – great crested newt.	Natural England considers the commitment to further surveys and proposed mitigation and licensing as necessary as acceptable.	The Applicant confirms that updated surveys, repeated access requests, a reasonable-maximum assessment and the approach to any required licence, mitigation or reasonable avoidance measures are set out in Table 3.2 of the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed
NE23e	Protected species – water vole.	Natural England considers the issue resolved subject to updated surveys covering the proposed culverts and works following the Water Vole Mitigation Handbook.	The Applicant confirms that pre-construction surveys covering culvert locations, together with the approach to mitigation and licensing where required, are set out in Table 3.2 of the **Outline Ecological Construction Management Plan [REP6-034]**.	Agreed
NE23f	Protected species – breeding birds.	Natural England supports the proposed skylark measures, wider margins and management objectives but notes that breeding birds fall outside its statutory remit.	The Applicant confirms that skylark plots, wider margins and long-term management targets integrated with non-breeding bird mitigation are set out in the **Outline Landscape and Ecological Management Plan [REP6-036]** and **Non-Breeding Bird Mitigation Strategy [REP4-029]**.	N/a
NE24	Biodiversity Net Gain.	Natural England welcomes the 10% commitment, published metric and monitoring but	The Applicant confirms that at least 10% Biodiversity Net Gain will be delivered and that the trading	N/a

		continues to advise that the proposals should follow the metric trading rules and best practice.	rules have been met, as set out in the **Environmental Statement Appendix 7.12 Biodiversity Net Gain Assessment [REP3-028]**, with long-term management and monitoring secured through the **Outline Landscape and Ecological Management Plan [REP6-036]**.	
NE25a	Soils and best and most versatile agricultural land – survey coverage and peaty soils.	Natural England advises that peat mapping should be supplemented by site investigation and that the extent, handling and carbon effects of peat disturbance should be assessed.	The Applicant confirms that detailed agricultural land classification and the identified peaty subsoils are addressed in the **Environmental Statement Appendix 15.1 Agricultural Land Classification [APP-173]**, with their handling addressed in the **Outline Soil Management Plan [REP2-078REP2-078]**.	N/a
NE25b	Soils and best and most versatile agricultural land – soil handling.	Natural England welcomes the soil-management controls and recommends dry and friable handling from April to September under competent soil-specialist supervision.	The Applicant confirms that the April to September handling period, soil suitability tests, storage and reinstatement measures are set out in Sections 3, 4.3 and 4.5 of the **Outline Soil Management Plan [REP2-078]**.	N/a
NE26	Biodiversity enhancement.	Natural England welcomes the proposed enhancements and advises that further opportunities could be incorporated through good solar-farm design and management.	The Applicant confirms that the proposed biodiversity enhancements and the mechanism for incorporating further appropriate enhancements are set out in the **Outline Landscape and**	N/a

			Ecological Management Plan [REP6-036].	
NE27	Ancient woodland and ancient or veteran trees.	Natural England refers to its standing advice and has not provided bespoke advice on the Scheme's assessment or mitigation requirements.	The Applicant confirms that there is no ancient woodland within or near the Order Limits and that no veteran trees have been identified, as assessed in the **Environmental Statement Chapter 7 Ecology and Nature Conservation** [REP5-012].	N/a

Table 3-2 Current Position:

Ref	Topic	Natural England Position	Applicant Position	Status
NEO	**International designated sites** • Thorne Moor SAC Thorne and Hatfield Moors SPA	Potential loss/ damage to designated habitats (C) and (O) In relation to the 0.54ha of Thorne Moor SAC and Thorne and Hatfield Moors SPA within the Order Limits, it is now clearly stated in Table 3-2 (page 25) of the outline Ecological Construction	The Applicant confirms that no works are proposed within the Thorne & Hatfield Moors SAC, SPA or SSSI. The **Outline Ecological Construction Management Plan [REP6-035]** requires the	Agreed

		Management Plan (oECMP) Rev 4 [REP6-035] that no construction works are to be undertaken within the boundary of Thorne Moor SAC and Thorne and Hatfield Moors SPA. As per the draft DCO, the oECMP is secured under Requirement 8(2)(b). Natural England advise that this point is now resolved.	implementation of habitat protection buffers and prohibits works within retained sensitive areas, with the final Outline Ecological Construction Management Plan secured via requirement 8 of the **Draft Development Consent Order [Document Reference 3.1 Revision 10]**. These measures ensure that no works will occur within the designated site boundaries. The Applicant is also proposing that this land is transferred to Natural England, or another appropriate body, to enable its long-term management in accordance with the conservation objectives of the designated site, although understand that previously this was not considered feasible due to Natural England's lack of resources. As agreed, the Applicant will provide further information to confirm that construction works within the designated site will be avoided to provide Natural England with further comfort.	

			The Applicant can confirm that paragraph 3.2.1 and Table 3-2 of the **Outline Ecological Construction Management Plan [REP6-035]** was updated at Deadline 4 to confirm that no works will take place within the Thorne Moor SAC and Thorne and Hatfield Moors SPA. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE1a (Previously NE1-NE6)	**International designated sites** Humber Estuary SPA Humber Estuary Ramsar	We consider that the updates provided at Deadline 4 in the shadow Habitats Regulations Assessment (HRA) (Rev 6) [REP6-006, REP6-008, AND REP6-010] and outline Landscape Ecological Management Plan (oLEMP) (Rev 5) [REP4-055] sufficiently address our Deadline 3 comments in relation to mitigation for loss of FLL for Humber Estuary SPA/Ramsar birds. This includes further assessment within Table 5 of the HRA around the overall suitability of the mitigation	The Applicant has developed mitigation to ensure that suitable habitat is maintained for all of these species, with measures incorporated into the scheme design to avoid loss of ecological function associated with FLL supporting SPA bird species. In addition, the Applicant notes that the Order Limits are not functionally linked for golden plover and that greylag geese are not an	Agreed

		strategy for each of the target species, alongside further assessment of connectivity, adjacent habitat, and habitat management (including sward heights and scrape management) within the oLEMP for each of the mitigation parcels. To avoid adverse effects on the integrity of the Humber Estuary SPA/Ramsar, the delivery, monitoring, management and remedial measures of/for all mitigation areas (totalling 183.74 hectares across mitigation areas M1–M5, M7-M8 and M11-M13 and M15) as further detailed in sections 6, 7, 8 and 9 of the oLEMP, must be secured through DCO Requirement 8(2)(a) for at least the operational lifetime of the Scheme. As per 6.22 and 6.23 of the oLEMP, the mitigation areas must be available and functioning prior to construction commencing.	SPA qualifying species, although consideration has been given to these species within the mitigation design. The Planning Inspectorate's Section 51 letter (EN010148, dated 15 August 2025) states that greylag geese are not an SPA qualifying species and that it was not clear why this species was being included within the **Report to Inform Habitat Regulations Assessment [REP6-006]**. As such, whilst this species has been considered within the mitigation design as part of a robust approach, mitigation for greylag geese is not required. The Applicant confirms that a full assessment of each parcel has been provided, and includes details on the proposals and management of each parcel. **Environmental Statement Appendix 7.10 Non-Breeding Bird Mitigation Strategy [REP4-029]** was produced and submitted at Deadline 1 in this regard.	

		Please note that Natural England should only be included as a consultee on monitoring reports where the site is failing its targets. Section 8.5. of the oLEMP states that details of specific remedial measures where the site is failing targets will need to be agreed with the relevant local planning authority (LPA) and Natural England prior to implementation. However, we advise that Natural England will not need to be consulted on these and these should be agreed with the relevant LPA. As previous, all details provided in the outline Non-Breeding Bird Mitigation Strategy (oNBBMS) (Rev 7) [REP4-029] must also be within the oLEMP. In relation to our previous comments about the permissive footpath within mitigation area M1(A), please refer to NE11a for further comments as we	The Applicant confirms that Bird Days calculations have been used as a tool to inform the approximate mitigation area required, alongside ecological knowledge of the carrying capacity of different habitat types. Further detail is provided within the **Report to Inform Habitat Regulations Assessment [REP6-006, REP6-008, AND REP6-010]** updated at Deadline 4. Surveys undertaken demonstrate that golden plover are not a functionally linked species and therefore no species-specific mitigation is required. However, the mitigation areas have been designed to provide open vistas suitable for lapwing, which will also provide suitable habitat for golden plover. Section 2 of the Non-Breeding Bird Mitigation Strategy submitted as **Environmental Statement Appendix 7.10 Non-Breeding Bird Mitigation Strategy [REP4-029]** sets out calculations of land availability with 150 m open vistas,	

		consider this aspect a 'yellow' issue (see Part I, page 3 for definition).	with this information also included within the **Report to Inform Habitat Regulations Assessment [REP6-006]** and provided as part of Figure 1 within this document. Several mitigation parcels larger than 10ha with at least 150 m open vistas are provided, including M12 and M13. A total of 43.67ha of mitigation land with 150 m open vistas is located beyond 600 m of wind turbines, in line with point NE3 (see below), and is available for lapwing. Bird Days calculations demonstrate that 24.99 ha is required for lapwing (Appendix 2 of the **Report to Inform Habitat Regulations Assessment [REP6-006]**), confirming that more mitigation land is provided than required. Additional mitigation land within 600 m of turbines, including parcels M1 and M2, is also available, and lapwing have been recorded using these areas, therefore ensuring that additional land is available for this species.	

			When considering mitigation land beyond 600 m of turbines, 108.84ha remains available for pink-footed geese and mallard, the remaining functionally linked species recorded within the Order Limits, even when accounting for the 43.67ha provided for lapwing. Bird Days calculations indicate that 22.98 ha is required for pink-footed geese, and as this species forages in similar habitats to lapwing without competing for the same resources, more than sufficient land is provided. Bird Days calculations are not applicable to mallard, as detailed in the **Report to Inform Habitat Regulations Assessment [REP6-006],** However, substantial mitigation land remains available beyond 600 m of turbines even after accounting for lapwing and pink-footed geese (85.86 ha), in addition to enhancements to the ditch network which will improve habitat suitability for this species.	

			Table 1.1 provides further detail on the mitigation land calculations. The Applicant confirms that mitigation areas have been selected to reflect bird use where possible. Given the mobility of SPA bird species, and the location of the Order Limits approximately 7.7 km from the Humber Estuary SPA, birds will utilise suitable habitat across a large area. This is supported by non-breeding bird survey results that show use of the Order Limits changed between the survey periods, although also show notable lapwing use in the northern part of the Order Limits close to proposed mitigation areas. The Applicant confirms that the parcel M1 is not proposed to be removed, rather it is proposed to be reduced in extent and would therefore continue to perform a mitigation function for breeding and non-breeding birds. Nonetheless, as detailed in Table 1-1: Non-Breeding Bird Mitigation Land Calculations at the end of this document, the mitigation	

			calculations do not include parcel M1 due to its proximity to wind turbines The Applicant confirms that as seen in Table 1-1: Non-Breeding Bird Mitigation Land Calculations at the end of this document, that the calculations do not include parcel M1 and the figures provided demonstrate there is sufficient mitigation land, based on using Bird Days calculations and the habitat requirements and ecological knowledge of the species being mitigation. The Applicant confirms that 108.84ha is in addition to 43.67ha. As detailed in Table 1-1: Non-Breeding Bird Mitigation Land Calculations at the end of this document, and shown in Figure 1: 16413_P16a_600m Buffers_TLR_RR, at the end of this document. The Applicant confirms that reducing in extent parcel M1 would not affect the mitigation strategy and that sufficient mitigation is	

			provided without the inclusion of M1, based on using Bird Days calculations, the habitat requirements and ecological knowledge of the species being mitigated. Table 1-1: Non-Breeding Bird Mitigation Land Calculations at the end of this document provides further detail on the habitat calculations. The Applicant welcomes Natural England accepting mitigation measures for mallard. The Applicant has provided further parcel-specific information on the boundary features and surrounding habitats of Mitigation Parcels M1, M2, M3, M4, M5, M7, M8, M11, M12, M13 and M15 in Section 6 of the **Outline Landscape and Ecological Management Plan [REP6-036**]. This identifies proposed infrastructure within the Order Limits and, where relevant, open arable land and other habitats beyond the Order Limits. The Applicant has provided further information on the connectivity	

			between Mitigation Parcels M11, M12 and M13 at paragraph 6.74 of the **Outline Landscape and Ecological Management Plan [REP6-036].** This confirms that the narrowest connection between M11 and M12 is approximately 110 m, M11 and M13 share a common boundary, and the narrowest point between the northern and southern sections of M13 is approximately 125 m. Existing and proposed vertical features within these areas were considered within the Bird Days calculations. The surrounding open arable land beyond the Order Limits is not relied upon as mitigation, but will provide opportunities for bird species. The Applicant has provided further information in Section 6 of the **Outline Landscape and Ecological Management Plan [REP6-036]** on how the grassland mitigation parcels will provide foraging habitat for pink-footed geese, greylag goose and lapwing, which Natural England have confirmed forage differently in the same habitat. This	

			includes extensive areas maintained at approximately 5 cm and 10 m wide margins maintained at approximately 15 cm throughout the year. Mitigation Parcel M15 will provide arable foraging habitat in addition to the grassland areas that will also provide suitable foraging habitat for pink-footed geese. Parcel-specific details of the grassland margins are provided in Section 6 of the **Outline Landscape and Ecological Management Plan [REP6-036].** The Applicant has provided further information on the management and monitoring of the scrapes within Mitigation Parcels M11, M12 and M13 at paragraphs 6.77 to 6.78, 6.87 to 6.88 and 6.95 to 6.96 of the **Outline Landscape and Ecological Management Plan [REP6-036].** The scrape margins will be managed by light grazing, mowing or topping to retain short wet grassland, damp marginal vegetation and accessible damp ground for foraging waders. The scrapes will also be checked following periods of heavy	

			precipitation to confirm that they retain sufficient water. Monitoring and remedial provisions are set out at paragraphs 7.4 and 8.4 of the **Outline Landscape and Ecological Management Plan [REP6-036]** submitted at Deadline 4. The Applicant has clarified within Table 4-1 of **the Outline Landscape and Ecological Management Plan [REP6-036]** that grazing and mowing will both form part of the regular grassland management regime, with low-density sheep or other livestock grazing used where practicable. The management method, timing and intensity will be selected to achieve the required sward heights and may be adjusted in response to monitoring and ground conditions, including where grazing causes poaching or the ground is too wet to support machinery. The Applicant has provided further information at paragraphs 7.19 to 7.20 of the **Outline Landscape and Ecological Management Plan [REP6-036]** on how **t**he baseline	

			bird survey data will be used to compare against monitoring records to assist with determining any remedial measures that may be required, whilst recognising that bird numbers may be affected by factors beyond the Order Limits and outside the control of the Applicant. Where monitoring records a decline in bird numbers or a change in use of the mitigation parcels, a Suitably Qualified Ecologist will review the habitat conditions, management and relevant wider factors. Remedial measures will be implemented where the required habitat conditions are not being provided. Natural England will be consulted where habitats or mitigation parcels are failing to meet the relevant management objectives, habitat targets or bird numbers are declining. The applicant confirms that monitoring reports will be submitted to Natural England with the results of the relevant bird and habitat surveys as detailed in paragraph 7.21 of the **Outline**	

			Landscape and Ecological Management Plan [REP6-036]. The Applicant has clarified at paragraph 6.10 of **the Outline Landscape and Ecological Management Plan [REP6-036]** that pre-construction monitoring will be undertaken by a Suitably Qualified Ecologist to confirm that the relevant mitigation habitats are functioning as intended and available for use by the target species. Paragraphs 7.3 to 7.6 of the **Outline Landscape and Ecological Management Plan [REP6-036]** provide further details of the pre-construction monitoring and confirm that the results will inform any necessary adjustments before construction begins. In addition the Applicant provides further detail on mitigation area provision prior to construction commencing within paragraphs 3.3.11 to 3.3.12 of the **Outline Ecological Construction Management Plan [REP6-034]**, and 6.10 to 6.11 within the **Outline Landscape and Ecological**	

			Management Plan [REP6-036], both of which were submitted at Deadline 4. The Applicant has provided further information on the permissive footpath within Mitigation Parcel M1 at paragraph 6.19 of the **Outline Landscape and Ecological Management Plan [REP6-036].** The path will be enclosed by post-and-wire fencing and supported by positive signage to direct users and dogs along the defined route and detail the ecological importance of the adjacent SPA and species it supports. A permanent screening fence will not be provided, as this would introduce a substantial permanent vertical feature and reduce the openness of the parcel. The **Outline Landscape and Ecological Management Plan [REP6-036]** also confirms that M1 is not relied upon within the non-breeding bird mitigation calculations as detailed in paragraph 6.19 of the **Outline**	

			Landscape and Ecological Management Plan [REP6-036]. The Applicant updated paragraph 8.3 of the **Outline Landscape and Ecological Management Plan [REP6-036]** to provide further detail on remedial measures where monitoring identifies that bird use has fallen below the pre-construction baseline due to insufficient invertebrate prey availability. Potential interventions include changes to cutting regimes, retention of uncut refuges, overseeding to increase floral diversity, creation of localised bare or disturbed ground and, where appropriate, localised application of well-rotted farmyard manure. Subsequent monitoring will assess the effectiveness of any intervention and inform any further remedial measures required. **Previous NE2 Applicant Response from: 9.9 Statement of Common Ground with Natural England (Clean) (Rev 2) [REP2-095]**	

			The Applicant confirms that further detail on the proposed design, management and monitoring of the proposed mitigation areas was provided within the updated **Outline Landscape Ecological Management Plan [REP6-036]** produced for Deadline 2. Additional details were provided in the Outline Non-Breeding Bird Mitigation Strategy was included in the **Outline Landscape Ecological Management Plan [REP6-036]** at Deadline 2, so they can be secured for the lifetime of the development. Natural England's recommended bird monitoring approach, including the scheduling of surveys, was added to the **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2. Further information was provided regarding the potential remedial strategies which will be applied if habitats are found to be in sub-standard condition or if bird numbers fall below the target level	

			in the updated **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2. **Previous NE3 Applicant Response from: 9.9 Statement of Common Ground with Natural England (Clean) (Rev 2) [REP2-095].** The Applicant notes that despite the presence of operational wind turbines in the north of the Order Limits, surveys demonstrate that the functionally linked SPA bird species do use land within 600m of these turbines. Numbers of lapwing, mallard and pink-footed geese have been recorded using these areas, as demonstrated by updated Figure P1 (16413_P16a_600m Buffers_TLR_RR). Therefore, mitigation land is being provided and secured in areas of existing bird usage, in line with point NE1 'securing areas of higher existing bird usage'. Nonetheless, the majority of mitigation areas proposed are located well beyond 600m of any	

			turbines, including all of areas M4, M7, M8, M11, M12, M13 and M15, and the majority of M3 and M5, totalling 152.51ha out of the total 187.32ha proposed. This ensures that there is sufficient mitigation land provided beyond 600m of turbines, as demonstrated by the Bird Days calculations, which Natural England have confirmed are accurate (see email correspondence dated 10.07.2025 – see Appendix 1), and which have been completed in addition to ecological knowledge of the carrying capacity of different habitat types, which is also in line with Natural England's correspondence when they state that ecological knowledge should supplement the bird days calculations to demonstrate that there is suitable habitat provision for the numbers of birds displaced by the development.. The Applicant confirms that Figure:16413_P16a_600m Buffers_TLR_RR is attached at the end of this document.	

			The Applicant confirm that the use of ecological knowledge has been used to supplement the bird days calculations to demonstrate that there is suitable habitat provision for the numbers of birds displaced by the development.. The Applicant confirms that further detail on monitoring for collision risk was included in the **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2. **Previous NE4 Applicant Response from: 9.9 Statement of Common Ground with Natural England (Clean) (Rev 2) [REP2-095].** The Applicant agrees that mitigation areas intended to compensate for the loss of functionally linked land will be delivered and functioning in advance of construction activities that would result in such loss. As set out in the **Outline Landscape Ecological Management Plan [REP6-036]** initial ground preparation and sowing of	

			mitigation areas will take place in the season prior to the commencement of the relevant construction phase, ensuring that suitable habitat is available for birds to relocate once construction activity begins. The Applicant confirms that further detail on the strategy for the timing and sequencing of mitigation delivery was provided within the updated **Outline Landscape Ecological Management Plan [REP6-036]** provided at Deadline 2. The Applicant confirms that pre-construction checks of the mitigation areas will be undertaken by a suitably qualified ecologist to confirm that habitats have been established to an appropriate standard before construction works commence in line with the **Outline Landscape Ecological Management Plan [REP6-036]**. Where necessary, adaptive management measures will be implemented to ensure the	

			mitigation areas are functioning as intended. The Applicant considers that the potential impacts will be the same regardless of whether construction proceeds in a phased or uniform manner, as the mitigation land will be provided prior to impacts occurring in both scenarios. **Previous NE5 Applicant Response from: 9.9 Statement of Common Ground with Natural England (Clean) (Rev 2) [REP2-095].** The Applicant confirms that the potential effects of recreational disturbance associated with this route on the functionality of the mitigation areas for SPA bird species has been considered. The Applicant can confirm that, in line with Natural England's comments, it engaged with stakeholders, including Natural England, regarding some proposed updates affecting mitigation area M1(A), one of which would include fencing the proposed permissive	

			path route in response to Natural England's comments. The Applicant wrote to Natural England setting out details of the proposed updates and brought these updates forward as part of the examination process on 4 June 2026. The Applicant will continue to liaise with Natural England in relation to this matter via the SoCG process Separately, the Applicant confirms that the mitigation strategy as a whole does not rely upon any single mitigation parcel to achieve the required level of mitigation. As set out in the **Report to Inform Habitat Regulations Assessment [REP6-006]** and supporting Bird Days calculations, the mitigation land provided across the Order Limits provides the area required to offset the predicted effects on SPA bird species, even if area M1 is removed from the mitigation area calculations. **Previous NE6 Applicant Response from: 9.9 Statement of Common**	

			Ground with Natural England (Clean) (Rev 2) [REP2-095]. The Applicant confirms that the **Report to Inform Habitat Regulations Assessment [REP6-006]** was updated at Deadline 2 to demonstrate that the assessed mitigation measures are deliverable. This includes consideration of alternative mitigation approaches to the provision of scrapes, an assessment of any implications for habitat suitability, carrying capacity and the extent of mitigation required. Detail on scrape creation and management of scrapes was detailed in the **Outline Landscape and Ecological Management Plan [REP6-036]**, updated at Deadline 2. The Applicant confirms that scrapes are intended to provide temporary wet features following periods of heavy rainfall. Their ecological value will be derived primarily from the shallow, gently sloping edge habitats and	

			associated wet grassland/damp areas, which will be managed with a short sward to maximise foraging opportunities for waders and other target bird species, as set out in the **Outline Landscape and Ecological Management Plan [REP6-036]**, within Paragraphs 6.77, 6.87 and 6.95. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE7	**International designated sites** • Humber Estuary SPA • Humber Estuary Ramsar	The Applicant has confirmed in the updated HRA point 7.2.71 that "…construction will be timed to avoid being completed when non-breeding birds could be present within mitigation areas, with no construction to take place within 200m of the mitigation areas between November to February." Alongside this, further clarity has been provided around the role of the Ecological Clerk of Works (ECoW) in determining when the requirement for additional noise mitigation (e.g. temporary acoustic	The Applicant confirms in line with the **Outline Ecological Construction Management Plan [REP6-034]** that it is expected that the majority of construction activity will be below 70dB and would therefore not cause any disturbance response to birds which may be utilising retained or adjacent land, including golden plover. Consequently, no specific mitigation is considered necessary for noise impacts with regards to the Humber Estuary SPA/Ramsar and SAC. In addition, the measures	Agreed

		screening/ barriers) has been reached, in paragraph 7.2.73. Following email communications with the Applicant dated 29 July 2026 in which we enquired around the justification for the months of restriction considering the bird survey results, the Applicant has confirmed they will be amending these to October to February in all relevant documents at Deadline 5. Based on the proposed October to February restriction period, alongside the measures outlined in 7.2.67 – 7.2.76 of the HRA, we consider this point is now resolved.	detail in section 3.3.22 of the **Outline Ecological Construction Management Plan [REP6-034]** provide further certainty that noise impacts will be mitigated. Such measures include: • Ensuring vehicles and machinery are regularly serviced and in good condition; • Speed limits; • Installing silencers or attenuators where applicable; • Replacing older equipment with quieter alternatives; • Using broadband reversing alarms; and • Not leaving engines idling when not in use. The Applicant confirms that should construction activities above 70db be required further information will be provided on the location, duration and timing of higher-noise activities, with further detail	

			provided within the **Outline Ecological Construction Management Plan [REP6-035]** submitted at Deadline 2. These activities have been assessed in the updated **Outline Ecological Construction Management Plan [REP6-034]** in the context of the non-breeding bird survey results to determine whether land used by SPA birds may be affected and any measures to be adopted to mitigate those impacts. The Applicant considers that the detail has been provided in the **Outline Ecological Construction Management Plan [REP6-034]** on when visual barriers are required: "*In these instances, the appointed ECoW will review the proposed working areas and risk to birds in adjacent land (if a given phase would require works at a time of year when sensitive estuary birds would be present, taken to be September – March in any given year) and advise if additional screening in the form of hoarding/hessian mesh on the*	

			perimeter heras fencing is necessary." The Applicant is willing to consider specific suggestions for additional text to be included in the **Outline Ecological Construction Management Plan [REP6-034]** which Natural England may have. The Applicant confirms that Visual and acoustic barriers (typically 3m high) installed between bird mitigation areas and the working areas have been assessed within the updated **Report to Inform Habitat Regulations Assessment [REP6-006]** alongside the approach proposed point 7.2.55, provided at Deadline 2. The Applicant confirms that there is no L_{Amax} or L_{Apeak} source data for solar panel frame piling, therefore it is not possible to undertake any predictive calculations. Furthermore, there is no data available relating to repetition rates. However,. the buffer to be provided between construction activities and sensitive receptors, such as	

			the proposed mitigation areas, and also, Thorne and Hatfield Moors SPA, have been increased to 200m buffer during sensitive periods, such as November to February for the mitigation areas and March to August for Thorne and Hatfield Moors SPA, to ensure no impacts occur. This is detailed in the **Report to Inform Habitat Regulations Assessment [REP6-006, REP6-008, AND REP6-010]** within paragraph 7.2.71, which was submitted at Deadline 4. The Applicant considers that due to the short-term and temporary nature of noise impacts during construction, the buffers to be provided and the measures set out to minimise potential effects within the **Outline Ecological Construction Management Plan [Document Reference 7.5 Revision 45**, paragraphs 3.3.32to 3.3.39, that noise impacts will be avoided. The Applicant confirms that further clarity is provided around how the Ecological Clerk of Works (ECoW) will determine when the	

			requirement for mitigation has been reached, with further detail provided at paragraph 7.2.73 in the **Report to Inform Habitat Regulations Assessment [REP6-006, REP6-008, AND REP6-010]**, submitted at Deadline 4, and paragraph 3.3.39 within the **Outline Ecological Construction Management Plan [REP6-035],** submitted at Deadline 4. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE8	**International designated sites** Thorne and Hatfield Moors SPA	Displacement/ disturbance impacts to functionally linked land We welcome the additional assessment and further information provided at Deadline 4, demonstrating the sizes of the neutral grassland buffers to be managed to provide suitable foraging habitat for nightjar in the updated HRA (sections 7.2.7, 7.2.9 and 7.2.93 - 7.2.94, and Figures 7-2 and	The Applicant confirms that as noted by Natural England, nightjar can travel long distances to forage and therefore utilise land beyond the Order Limits boundary. As such, nightjar will not rely solely upon land within the Order Limits for foraging. The Applicant confirms that the **Outline Landscape Ecological Management Plan [REP6-036]** was updated at Deadline 2 to clearly set out and secure the specific	Agreed

		7-3) and oLEMP (2.3.1 and Figures 6 and 7). Based on the assessment throughout the HRA and oLEMP, alongside this additional information, Natural England consider that adverse impacts can be ruled out in relation to potential loss of FLL for Thorne and Hatfield Moors SPA and we now consider this point to be resolved.	management measures intended to deliver strengthened green corridors for nightjar, in line with Objective 3. The Applicant also provides further detail within the updated **Report to Inform Habitat Regulations Assessment [REP6-006]** that was submitted at Deadline 2., on the provision of margins for foraging nightjar in areas within proximity to the SPA and key foraging areas identified in the results of the GPS tagging data. While a minimum 2m buffer will be provided larger buffers comprising grassland margins will be delivered across the Order Limits as detailed in the, **ES Figure 6.4.6.4 Landscape and Visual Mitigation Strategy [REP4-042],** that was submitted at Deadline 1. This includes the entirety of mitigation area M1 in the north of the Order Limits adjacent to Hatfield Moor SPA, the retention and protection of all non-statutory designated drains through minimum 5m buffers, which will be extended to 9m for all Internal	

			Drainage Board (IDB) watercourses, and a 15m buffer to Whittaker's Plantation CLWS, a minimum 3m buffer to all hedgerows, and an approximate 40m to the bank top of River Torne. Additional larger buffers will also be provided between panels and security fencing, comprising grassland margins, with further grassland margin buffers provided outside security fencing throughout the Order Limits. Further detail was provided within the **Outline Landscape Ecological Management Plan [REP6-036]** and the **Report to Inform Habitat Regulations Assessment [REP6-006, REP6-008, AND REP6-010]** submitted at Deadline 2. The Applicant confirms that, considering the majority of the Order Limits currently comprises intensively managed arable farmland, the provision of additional grassland habitat throughout the Order Limits will increase foraging opportunities for nightjar.	

			The Applicant confirms that the enhancement of hedgerows and planting of trees and scrub within margins and along field boundaries will be focused in areas in proximity to the SPA and areas where nightjar have been recorded foraging, with further detail provided within the updated **Outline Landscape Ecological Management Plan [REP6-036]** that was submitted at Deadline 2. The Applicant confirms that the additional information shared with Natural England via email dated 17 June 2026 (see Appendix 2) that demonstrates that that the majority of areas are significantly above the 2m buffer around the northern boundary of the Order Limits, is provided in paragraph 2.3.1 and Figures 4 and 5 within the **Outline Landscape Ecological Management Plan [REP6-036]** and the paragraphs 7.2.7 and 7.2.9 and Figures 7-2 and 7-3 within the **Report to Inform Habitat Regulations Assessment [REP6-006]** submitted at Deadline 4.	

			In addition, further information and details of the distribution of more significant field margins, as well as margins along watercourses, hedgerows and woodland edges is provided in paragraph 2.3.1 and Figures 4 and 5 within the **Outline Landscape Ecological Management Plan [REP6-036]** and paragraphs 7.2.7, 7.2.9 and 7.2.78, as well as Figures 7-2 and 7-3 within the **Report to Inform Habitat Regulations Assessment [REP6-006]**submitted at Deadline 4. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE8a	**International designated sites** Thorne and Hatfield Moors SPA	We welcome the additional information provided at Deadline 4 around monitoring and remedial measures in relation to collision risk in 8.8 of the oLEMP. It is important to note that monitoring and remedial measures cannot be relied on to make a conclusion of no adverse effect on integrity (AEOI); however, we acknowledge the limited available evidence regarding collision risk for nightjar from solar panels. Based on this context, and alongside	The Applicant notes Natural England's advice regarding the potential for polarised light effects associated with photovoltaic (PV) panels, including the attraction of aquatic invertebrates and the potential for an associated increase in collision risk for insectivorous bird species such as nightjar. The Applicant has reviewed the evidence cited by Natural England	Agreed

		the information and assessment provided around the relevant aspects of the scheme design (e.g. retention of nightjar foraging areas, appropriate panel height, layout and spacing, provision of habitat buffers and enhancement etc.), we agree AEOI from collision risk can be ruled out in this case. We consider however, that the monitoring and remedial measures set out for nightjar will be key for the post-consent phase in validating this conclusion of no AEOI. Subject to the additional assessment relating to collision risk in the NE8a section of the Statement of Common Ground (SoCG) (from Rev 2 onwards) [REP2-095] also being included in the HRA to support the overall conclusion of no AEOI in 8.1.3, Natural England advise that this point is now resolved.	(e.g. Horváth et al., 2014), which demonstrates that horizontally polarised light reflected from flat, dark surfaces can attract polarotactic aquatic insects under experimental conditions, and that this effect may be reduced through the use of non-polarising white borders. However, the Applicant notes that the experimental conditions within this study are not representative of the Scheme. In particular, the test surfaces were positioned flat or near-horizontal at ground level, on dark substrates such as asphalt and in close proximity to water bodies. In contrast, the Scheme will comprise tilted PV panels mounted at an angle and raised above ground level (minimum clearance of 0.8 m). The inclination, spacing and layout of panels, together with the presence of vegetation beneath and between panel rows, will substantially reduce the potential for panels to mimic water bodies or present a continuous reflective surface. In addition, the	

			majority of panels are to be located well away from any watercourse, significantly reducing the likelihood of being mistaken for such a habitat. The Applicant further notes that the cited evidence relates to invertebrate behaviour and does not provide empirical evidence of increased collision risk for nightjar or other bird species. Natural England's evidence review (NEER012) confirms that there is currently limited peer-reviewed evidence relating to the ecological effects of solar PV developments and no robust evidence demonstrating significant bird collision risk. In addition, modern PV panels incorporate surface treatments designed to maximise light absorption and minimise reflectivity, further reducing the potential for glint, glare and polarised light effects compared to earlier panel designs. On this basis, the Applicant does	

			not consider that the provision of white borders on PV panels is a necessary or proportionate mitigation measure for the Scheme. Instead, mitigation is embedded through Scheme design, including appropriate panel height, layout and spacing, and the provision of habitat buffers and enhancements, that will increase the biodiversity importance of the site, as demonstrated by the BNG calculations. These habitat enhancements, along with the cessation of chemical input across the Order Limits will create improved habitat conditions for invertebrates and consequently foraging nightjar. This is supported by research by scientists from the RSPB and University of Cambridge[2] as part of the Centre for Landscape Regeneration that concluded– hectare for hectare –	

[2] Copping et al. Solar farm management influences breeding bird responses in an arable-dominated landscape. Bird Study. Volume 72, 2025 - Issue 3

			solar farms situated in agriculturally dominated landscape contained a greater number of bird species and overall number of individuals than surrounding arable land, likely due to increased floral diversity providing food via seeds and invertebrate prey. The Applicant confirms that operational monitoring will also consider the potential for bird collisions within the site in the updated **Outline Landscape Ecological Management Plan [REP6-036]**, including the monitoring of bird carcasses as part of the monitoring approach where appropriate. Sections 7 and 8 of the **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2., provide further detail on monitoring for collision risk and remedial measures. In addition, the **Report to Inform Habitat Regulations Assessment [REP6-006]**	

			submitted at Deadline 2, provided further information on nightjar mitigation and habitat provision. The Applicant considers that with the implementation of the monitoring and remedial measures set out above, no further measures such as removable /clip on grids are required. Additional detail on remedial measures with regards to nightjar carcasses is provided in paragraph 8.8 within the **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 4**.** This states that should any nightjar carcasses be recorded during the monitoring surveys and the carcasses are as a consequence of collision from solar panels, a range of remedial measures will be considered, including moving panels in certain specific locations, adding white borders in certain specific locations and / or amending habitat management prescriptions in certain specific areas. All potential remedial measures will be	

			discussed and agreed with Natural England prior to implementation. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE9	**International designated sites** Thorne and Hatfield Moors SPA	The Applicant has confirmed in the updated HRA point 7.2.71 that "…construction will be timed to avoid being undertaken during sensitive periods adjacent to the Thorne and Hatfield Moors SPA when nightjar could be present, generally between April to August, with no construction to take place within 200m of this SPA within this period." Alongside this, further clarity has been provided around the role of the ECoW in determining when the requirement for additional noise mitigation (e.g. temporary acoustic screening/ barriers) has been reached, in paragraph 7.2.73. With the April to August restriction proposed, alongside the measures outlined in 7.2.67 – 7.2.76 of the HRA, we consider this point is now resolved.	The Applicant notes Natural England's comments regarding potential disturbance to breeding nightjar associated with construction activities in proximity to the SPA. The Applicant confirms that the potential for disturbance to nightjar has already been considered within the Report to Inform Habitat Regulations Assessment (Rev 2) [AS-005] , which recognises that nightjar may nest in close proximity to the SPA boundary and identifies the potential for disturbance from construction noise and lighting during the breeding season (April–August). Clarification has been provided to resolve the difference in buffer distances currently referenced within the **Outline Ecological**	Agreed

			Construction Management Plan [REP6-034] with a single, clearly defined buffer approach presented and secured through **Outline Ecological Construction Management Plan [REP6-034].** The Applicant has carried out an assessment of the potential construction phase ecological effects of the Scheme (including the proposed construction compounds) which includes consideration of disturbance impacts from construction noise. The findings of this assessment are reported in **Environmental Statement Chapter 7 Ecology and Nature Conservation [REP5-012]** and **Report to Inform Habitat Regulations Assessment [REP6-006]**. Measures proposed to control potential noise impacts from construction activity are set out in the **Outline Ecological Construction Management Plan [REP6-034]** and **Outline**	

			Construction Environmental Management Plan [REP6-036]. As outlined in paragraph 3.3.4 of the **Outline Ecological Construction Management Plan [REP6-034]** research recommends that construction noise levels are kept below 70dB to avoid excessive disturbance of birds. **Figure 6.4.13.3 Environmental Statement Figure 13.3 Indicative Daytime Noise Contour Plot [REP2-059]** and **Figure 6.4.13.4 Environmental Statement Figure 13.4 Indicative Nighttime Noise Contour Plot [REP2-060]** demonstrate that noise levels within the boundary of the SPA will be considerably less than 70dB (a maximum of 45dB during both day and night time) and therefore would not cause any disturbance response to birds in the SPA. These figures also show that noise levels within the Order Limits adjacent to the SPA, some of which is considered to be functionally linked, remain considerably below	

			70dB. Consequently, no specific mitigation is considered necessary for noise impacts with regards to the Thorne and Hatfield Moors SPA and the measures proposed to control potential noise impacts from construction activity set out in the **Outline Ecological Construction Management Plan [REP6-034]** and **Outline Construction Environmental Management Plan [REP6-036]** provide further confidence that no impacts will take place. The Applicant notes that this includes a commitment to avoiding construction works within 150m of the SPA between April and August which is considered to be the period when nightjar could be present. Specifically in relation to Natural England's comment regarding night time noise associated with the proposed construction compounds, the Applicant would highlight the core construction working hours set out at Section 4.1	

			of the **Outline Construction Environmental Management Plan [REP6-036],** which is secured via DCO requirement and will ensure construction activities are limited to daytime hours unless otherwise agreed with the relevant local planning authority. The Applicant confirms that paragraph 7.2.73 was updated within the **Report to Inform Habitat Regulations Assessment [REP6-006, REP6-008, AND REP6-010]** at Deadline 4, to confirm that the ECoW will review the effectiveness of the proposed noise mitigation measures during construction. The requirement for mitigation will be considered met where all mitigation measures have been fully implemented and there is evidence that noise within identified sensitive areas, including the mitigation areas between November to February when non-breeding birds are present, and Thorne and Hatfield Moors SPA between April to August when nightjar could be present, have been reduced to levels that are not	

			expected to result in significant adverse effects on ecological receptors. This will be informed by noise monitoring, ensuring levels are below 70dB at the boundary of the sensitive areas during construction, visual inspections ensuring all measures are in place, and observations of species behaviour where relevant, such as whether birds are recorded leaving land within the sensitive areas at the time of noise events. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE10	**International designated sites** • Thorne and Hatfield Moors SPA Humber Estuary SPA	Note – Resolved at Deadline 3 (30 June 2026), see comments below for reference: Lighting impacts We welcome that the updated sHRA assesses the potential increase in light spill to Thorne and Hatfield Moors SPA,	The Applicant notes Natural England's comments regarding potential lighting impacts on qualifying bird features of the Thorne and Hatfield Moors SPA and Humber Estuary SPA. The Applicant confirms that potential construction lighting impacts have been considered within the **Report to Inform Habitat Regulations Assessment**	Agreed

		and FLL to the Humber Estuary SPA, and demonstrates there will not be a net increase in light spill to these once mitigation is applied. Mitigation measures outlined in section 7.2.47 of the sHRA include: no construction works after dusk, shorter hours in the winter, and the use of cool LED lamps avoiding the lighting of hedge rows where required. We recommend the mitigation for light spill is clearly stated in the Ecological Construction Management Plan, making specific reference to the management of light spill impacts to relevant SPA species. Subject to this update, we can confirm this issue can be moved to 'green' status.	**[REP6-006]**and supporting documentation. As set out within the **Outline Ecological Construction Management Plan [REP6-034]**, construction lighting will be temporary and limited to periods where natural lighting is insufficient, primarily during winter months when daylight hours are reduced. Core construction working hours are proposed to be from 07:00 hours to 19:00 hours Monday to Saturday and from 09:00 hours to 13:00 hours on Sundays. Construction temporary site lighting, in the form of mobile lighting towers, will be required in areas where natural lighting is unable to reach (sheltered/confined areas) and during core working hours within winter months. Artificial lighting will be provided to maintain sufficient security and health and safety for the Site, whilst adopting mitigation principles to avoid excessive glare and minimise spill of light to nearby receptors (including ecology and	

			residents) outside of the Order Limits as far as reasonably practicable. All construction lighting will be deployed in accordance with the following recommendations to prevent or reduce impacts on human and ecological receptors, to be secured in **Outline Ecological Construction Management Plan [REP6-035]**: • The use of lighting will be minimised to that required for safe site operations; • Lighting will conform to best practice guidelines with respect to minimising light spill into adjacent habitats and prevent disturbance to bats and other species during construction; • Lighting will utilise directional fittings to minimise outward light spill and glare (e.g. via use of light hoods/cowls which direct light below the horizontal plane,	

			preferably at an angle greater than 20° from horizontal); and • Lighting will be directed towards the interior of the Site rather than towards the boundaries. These measures ensure that light spill to adjacent habitats, including the Thorne and Hatfield Moors SPA and functionally linked land associated with the Humber Estuary SPA, will be minimised as far as reasonably practicable. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE11A	**International designated sites** Thorne Moor SAC	Please note NE11 has been separated into NE11a (Proposed management of mitigation area M1(A)) and NE11b (Potential hydrological impacts to SAC features) for this Deadline 5 response	The Applicant notes Natural England's comments regarding the proposed management of mitigation area M1(A) and the potential opportunities to support	Agreed

		as the points in each section relate to different impact pathways for different sites. NE11A In NE11 of our Deadline 3 response, we referred to comments in NE1a around potential impacts of the footpath on the suitability of the M1(A) site for SPA birds. Although M1(A) comprises part of the overall mitigation strategy/package for impacts to FLL for the Humber Estuary SPA/Ramsar, the Applicant has detailed that it is not relied on as a 'core' aspect (as summarised in 6.33 of the oLEMP). Therefore, we are satisfied that with the measures outlined in 6.33 of the oLEMP and other relevant sections of the HRA, the proposed footpath within M1(A) will not result in AEOI to the Humber Estuary SPA/Ramsar in this case. However, it continues to be our recommendation that re-consideration is given to the location of the footpath, if possible. For example, is there any	the hydrological functioning of Thorne Moor SAC. The Applicant has advised that flooding the mitigation areas could potentially alter downstream water levels and flow dynamics, increasing the risk of flooding elsewhere. On this basis, this approach may not be considered appropriate. The Applicant will undertake further consultation with Natural England. The Applicant will also undertake further discussions regarding these matters in light of the proposed changes to this area as detailed in NE5. The Applicant confirms that mitigation area M1(A) is not being relied upon as part of the mitigation strategy for non-breeding birds, or even breeding birds. The management proposed for this parcel which will improve the biodiversity importance of the grassland habitat will create an ecological enhancement and creating further wet grassland	

		potential for the path be re-routed to the edge of the parcel. Although the Applicant is not relying on this as a 'core' area of mitigation, this could enhance the function of the parcel for various bird species. Therefore, Natural England consider this to be a 'yellow' issue.	through changes to the drainage is not required as part of the mitigation strategy. The Applicant also confirms that the blocking of drainage ditches may have an adverse impact on flood risk and drainage and will unlikely be viewed favourably by the Lead Local Flood Authority (LLFA). Any impacts of the blocking of ditches would need to be assessed for these proposals and for the blocking to be appropriate, it must demonstrate no adverse downstream or off-site. Flood risk and drainage consultation would also be required. As changing the hydrology of this area is not required for any mitigation purposes, this is not being proposed by the Applicant. Natural England's recommendation is therefore noted as a potential further enhancement opportunity rather than a measure required to avoid or mitigate an identified likely significant effect or adverse effect on integrity. Given Natural England's confirmation that the	

			proposed arrangement will not result in an adverse effect on the integrity of the Humber Estuary SPA/Ramsar, the Applicant considers the substantive ecological matter under NE11A to be resolved. ~~The Applicant also confirms that they are still in negotiations with Natural England regarding providing this land to Natural England to manage in the future.~~ Following a meeting on the 30 September 2026 between Natural England and the Applicant, it was agreed that the option of Natural England taking on the ownership and/or management of mitigation area M1(A) would not be pursued at the current time. The Applicant would ensure that all measures detailed in the **Outline Landscape Ecological Management Plan (LEMP) [REP6-036]** are implemented and therefore this would have no affect on the proposed management or mitigation of this area. Natural England would also be closely	

			involved in the development of the final LEMP relating to this land through its role as statutory consultee where relevant.	
NE11B	**International designated sites** Thorne Moor SAC	NE11b We advised in our Deadline 3 response that the proposed management of M1(A) would not result in impacts to, or conflict with any potential future enhancements of, the hydrology of Thorne Moor SAC. We therefore advised that this aspect of the issue was resolved. In our Deadline 3 response, we also re-referred to recommendations from our Relevant Representations response including maintaining higher water levels within the southern permitter ditch, reprofiling the old peat cuttings along the boundary of the mitigation parcel and blocking the boundary ditch at each end. The Applicant has provided comments in their latest SoCG (Rev 3) to be submitted at Deadline 5 around the potential wider	The Applicant notes Natural England's comments regarding the proposed management of mitigation area M1(A) and the potential opportunities to support the hydrological functioning of Thorne Moor SAC. The Applicant has advised that flooding the mitigation areas could potentially alter downstream water levels and flow dynamics, increasing the risk of flooding elsewhere. On this basis, this approach may not be considered appropriate. The Applicant will undertake further consultation with Natural England. The Applicant will also undertake further discussions regarding these matters in light of the proposed changes to this area as detailed in NE5.	Agreed

		drainage impacts from drain blocking and have stated that as this isn't required for any mitigation, this is not proposed. We acknowledge these comments and re-iterate that the proposed management of M1(A) (as detailed in the oLEMP) would not result in impacts to, or conflict with any potential future enhancements of, the hydrology of Thorne Moor SAC.	The Applicant confirms that mitigation area M1(A) is not being relied upon as part of the mitigation strategy for non-breeding birds, or even breeding birds. The management proposed for this parcel which will improve the biodiversity importance of the grassland habitat will create an ecological enhancement and creating further wet grassland through changes to the drainage is not required as part of the mitigation strategy. The Applicant also confirms that the blocking of drainage ditches may have an adverse impact on flood risk and drainage and will unlikely be viewed favourably by the Lead Local Flood Authority (LLFA). Any impacts of the blocking of ditches would need to be assessed for these proposals and for the blocking to be appropriate, it must demonstrate no adverse downstream or off-site. Flood risk and drainage consultation would also be required. As changing the hydrology of this area is not required for any mitigation	

			purposes, this is not being proposed by the Applicant. ~~The Applicant also confirms that they are still in negotiations with Natural England regarding providing this land to Natural England to manage in the future.~~ Following a meeting on the 30 September 2026 between Natural England and the Applicant, it was agreed that the option of Natural England taking on the ownership and/or management of mitigation area M1(A) would not be pursued at the current time. The Applicant would ensure that all measures detailed in the **Outline Landscape Ecological Management Plan (LEMP) [REP6-036]** are implemented and therefore this would have no affect on the proposed management or mitigation of this area. Natural England would also be closely involved in the development of the final LEMP relating to this land through its role as statutory consultee where relevant.	

			The Applicant notes Natural England's confirmation that the proposed management of M1(A), as set out in the oLEMP, would not result in impacts to, or conflict with, any potential future enhancements to the hydrology of Thorne Moor SAC. The Applicant has considered Natural England's suggested opportunities for further hydrological enhancement, including changes to ditch management. As previously set out, these measures are not required as part of the mitigation strategy and could have wider flood risk and drainage implications which would require separate assessment and consultation. They are therefore not proposed as part of the Scheme. On the basis of Natural England's confirmation regarding the effects of the proposed management of M1(A), the Applicant considers this matter to be agreed.	

NE12	**International designated sites** Thorne and Hatfield Moors SAC	*Note – Resolved at Deadline 3 (30 June 2026), see comments below for reference:* <u>Dust impacts on SAC features</u> The HRA now includes assessment of potential impacts from dust, referencing the adoption of the Outline Ecological Construction Management Plan as mitigation for potential dust impacts in Table 7-2. We also note that sections 3.3.16 to 3.3.21 of the oECMP now include additional measures but note that these measures are only referenced for Thorne and Hatfield Moors (SPA) for breeding nightjar. We advise the HRA should include all relevant construction phase impacts for the SAC, as for the SPA. However, subject to this update we consider that the measures outlined for dust will be sufficient for preventing adverse impacts	The Applicant confirms that the potential for dust-related impacts during construction has been considered within **Report to Inform Habitat Regulations Assessment [REP6-006]** which identifies the potential pathway of habitat degradation through dust deposition and run-off. As set out in **Report to Inform Habitat Regulations Assessment [REP6-006],** mitigation measures have been secured within **Outline Ecological Construction Management Plan [REP6-034].** There is no effect from dust deposition and run off due to the measures to be implemented as part of the **Outline Ecological Construction Management Plan [REP6-034]**, as concluded within the **Report to Inform Habitat Regulations Assessment [Document Reference 5.3 Revision 7** and detailed within Table 7.2 of the same document. Accordingly, the Applicant considers that the mitigation	Agreed

		We welcome the clarification - subject to these updates being provided we can move this to 'agreed'.	measures set out within the **Outline Ecological Construction Management Plan [REP6-034]** are sufficient to avoid significant dust-related effects on the SAC. Nonetheless, the updated **Outline Ecological Construction Management Plan [REP6-034]** provided at Deadline 2, will provide further detail regarding the proposed dust-suppression measures for impacts to designated sites within 200 m of the works, and will include confirmation that these measures would result in no significant change from the baseline.	
NE13	**International designated sites** Thorne and Hatfield Moors SAC	Natural England has now changed its approach to responding to air quality impacts and we have attached our standard advice on NSIPs (Appendix 1). You should review any further information received in line with Natural England's advice to assess the	The Applicant confirms that the potential for air quality impacts associated with NRMM and construction plant has been considered within the **Report to**	

		application. This standard advice is Natural England's formal statutory advice. It provides decision makers with the information needed to fulfil their statutory duties when making decisions on NSIP applications with potential air pollution impacts. Any overall conclusion regarding impacts on statutory protected sites must take into account the standard advice for air pollution.	**Inform Habitat Regulations Assessment [REP6-006]** The Applicant can confirm that generators will be >200m from the Thorne and Hatfield Moors SAC boundary, with further detail to be provide in an updated **Outline Ecological Construction Management Plan [REP6-034]** submitted at Deadline 2. The Applicant acknowledges Natural England's comment that this can now be removed from the Statement of Common Ground.	
NE14	**International designated sites** • Humber Estuary SPA • Humber Estuary SAC • Humber Estuary Ramsar • Thorne	The Applicant confirmed in their SoCG (Rev 2) that water is to be sourced offsite. Subject to no water abstraction as part of the directional drilling from the ditch network within the Order Limits being secured through the DCO via. the secured oECMP at Requirement 8(2)(b), Natural England advise that this point is now resolved.	The Applicant confirms that the source of water required for HDD will be offsite. As stated within Table 3.2 of the **Outline Ecological Construction Management Plan [REP6-034]** no water abstraction as part of the directional drilling from the ditch network in the Order Limits is expected.	Agreed

	Moors SAC • Hatfield Moors SAC Thorne and Hatfield Moors SPA			
NE15	**International designated sites** • Humber Estuary SAC • Humber Estuary Ramsar • Humber Estuary SPA • Thorne Moors SAC • Hatfield Moors SAC Thorne and Hatfield Moors SPA	Alongside the measures detailed within the oECMP, the Applicant has set out the relevant measures to prevent impacts on water quality for the relevant designated sites within the updated HRA in 7.2.56-7.2.57. Subject to these measures in the oECMP being secured through Requirement 8(2)(b), Natural England advise that this point is now resolved.	The Applicant confirms that the potential for water quality impacts associated with construction activities has been considered within the **Report to Inform Habitat Regulations Assessment [REP6-006],** including the potential pathway of contaminated run-off affecting nearby watercourses and downstream designated sites. The **Report to Inform Habitat Regulations Assessment [REP6-006]** references the **Outline Ecological Construction Management Plan [REP6-034]** which secures mitigation measures to be implemented to avoid or reduce the potential for contaminated run-off during construction.	Agreed

			The Applicant confirms that the practical measures to avoid or reduce impacts during construction, as set out within **Outline Ecological Construction Management Plan [REP2-068]** and assessed within the **Report to Inform Habitat Regulations Assessment [REP2-011]**, will be implemented to control surface water runoff, manage pollutants and protect nearby watercourses. The Applicant confirms that the measures detailed within the **Outline Ecological Construction Management Plan [REP6-034]** to prevent impacts to water quality of the listed designated sites is also detailed and assessed within sections 7.2.56 to 7.4.57 in the **Report to Inform Habitat Regulations Assessment [REP6-006]** submitted at Deadline 4. The Applicant welcomes Natural England's confirmation that this point is now resolved.	

NE16	**International designated sites** • Humber Estuary SAC • Humber Estuary Ramsar • Humber Estuary SPA • Thorne Moors SAC • Hatfield Moors SAC • Thorne and Hatfield Moors SPA Hatfield Chase SSSI	Note – Resolved at Deadline 3 (30 June 2026), see comments below for reference: Horizontal Directional Drilling - Bentonite breakout We welcome that additional detail has been provided in 7.2.61 of the HRA around bentonite breakout, and the following is included in 7.2.62: "Further details regarding HDD breakout will be included within a HDD Method Statement that will form part of the final Construction Environmental Management Plan(s)." Subject to Natural England being consulted as a statutory consultee on the bentonite breakout plan to be produced, we advise this issue can be moved to 'green'.	The Applicant confirms that HDD activities will be monitored to identify any potential bentonite breakout during construction as detailed in Section 4.9 of the **Outline Ecological Construction Management Plan [REP6-034]**. Appropriate controls detailed in this document will be implemented to ensure that any drilling fluids are contained and managed to prevent pollution of nearby watercourses. The Applicant confirms additional detail regarding HDD activities is also included in the updated **Report to Inform Habitat Regulations Assessment [REP6-006] submitted at Deadline 2.** The Applicant welcomes Natural England's confirmation that this point is now resolved.	Agreed
NE17	**International designated sites** • Humber	Cleaning of solar PV modules	The Applicant confirms that periodic cleaning and maintenance of PV modules will take place	Agreed

	Estuary SAC • Humber Estuary Ramsar • Thorne Moors SAC • Hatfield Moors SAC Thorne and Hatfield Moors SPA	We welcome the additional detail in the updated HRA at 7.2.48 around the details that will be included in a Pollution Prevention Plan for any exceptional cases where cleaning of solar panels with cleaning products is required, rather than de-ionised water. Subject to these measures in the oECMP being secured through Requirement 8(2)(b), Natural England advise that this point is now resolved.	although will be temporary and not considered significant. Furthermore, solar PV modules will be cleaned using de-ionised water, with no chemicals used in the cleaning process, unless required in an exceptional case in which case it would only be in discrete areas. As such, the cleaning of panels will not result in impacts to water quality or any designated sites., with detail provided within the **Report to Inform Habitat Regulations Assessment [REP6-006]** at Deadline 2. The Applicant confirms that an updated response to this question has been completed since Natural England's response and is included above, with the detail also included in the **Report to Inform Habitat Regulations Assessment [REP6-006]** at Deadline 2. The Applicant confirms that paragraph 7.2.48 within the Report	

			to **Inform Habitat Regulations Assessment [REP6-006]** was updated at Deadline 4 to address this comment and now states: 'The Solar PV modules will be cleaned using de-ionised water, with no chemicals used in the cleaning process, unless required in an exceptional case in discrete areas. When an exceptional case is required, a Pollution Prevention Plan for solar panel maintenance will be implemented, including the use of biodegradable cleaning products, avoidance of cleaning during rainfall, containment and appropriate disposal of wash water, maintenance of buffers to watercourses, and provision of spill response equipment to prevent contamination of surface water, groundwater, drainage systems, and sensitive habitats.' The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE18	**International designated sites** • Humber	Firefighting water runoff The Applicant has provided	The Applicant confirms that the **Outline Battery Safety Management Plan [REP5-028]**	Agreed

	Estuary SAC • Humber Estuary Ramsar • Thorne Moors SAC Thorne Moors SAC	comments in their latest SoCG (Rev 3 - to be submitted at Deadline 5), to confirm that the detailed drainage plan will be developed post-consent in relation to retention and testing of firefighting water associated with BESS. It should be ensured that there is no additional nutrient input or contamination of designated site watercourses through release of 'firewater' from BESS following emergency procedures. We defer advice to the Environment Agency at the relevant post consent/permitting stage. Natural England advise that this point is now resolved, however, due to the above we consider this a 'yellow' issue. We defer advice to the Environment Agency at the relevant post consent/permitting stage.	includes provision for the development of a drainage strategy post consent to ensure that firefighting water runoff is retained on site and cannot be released to the wider environment until it has been tested for potential contamination. The Applicant also confirms that detail is provided in Section 7 of **ES Appendix 10.1 –Flood Risk Assessment [REP2-047, REP2-049 and REP2-051** regarding firefighting water run-off and in section 7.42 of this document, it states that procedures are in place to prevent contaminated runoff from entering the receiving waterbodies. The Applicant confirms that the **Outline Surface Water Drainage Strategy included within the Flood Risk Assessment [REP2-047, REP2-049 and REP2-051**] has been designed to ensure potentially contaminated fire water cannot pollute the water environment. The strategy details:	

			•Use of a penstock to be closed in the event on a fire to ensure all potentially contaminated fire water is contained within the proposed drainage system and cannot reach the local water environment. •Use of an impermeable liner below the BESS to ensure any potentially contaminated fire water cannot infiltrate into the ground below and pollute the water environment As stated within the **Battery Safety Management Plan [REP5-028]** the Applicant confirms that the drainage strategy will be developed such that retention of firefighting water runoff is afforded and cannot be released to the wider environment prior to being tested for any contamination. The detailed drainage strategy will be developed post consent. The Applicant welcomes Natural England's confirmation that this point is now resolved.	

NE19	**International designated sites** • Humber Estuary SAC • Humber Estuary Ramsar • Thorne and Hatfield Moors SAC Thorne and Hatfield Moors SPA	We welcome the additional in-combination assessment provided by the Applicant at Deadline 4 in the updated HRA paragraphs 7.2.109 – 7.2.118. We concur with the conclusion that there will be no significant in-combination impacts and advise that this point is now resolved.	The Applicant confirms that the potential for in-combination effects has been considered within the **Report to Inform Habitat Regulations Assessment [REP6-006]**, which draws on the list of plans and projects identified within the cumulative assessment presented in the ES. **Report to Inform Habitat Regulations Assessment [REP6-006]** concludes that, following the application of mitigation measures, the Scheme will not result in significant effects on the relevant designated sites. As no residual effects arise from the Scheme alone, there is no pathway by which in-combination effects could occur. Accordingly, the Applicant considers that the information provided within the **Report to Inform Habitat Regulations Assessment [REP6-006]** and the ES demonstrates that the Scheme will not result in adverse effects on	Agreed

			the integrity of the Humber Estuary SAC, Humber Estuary SPA, Humber Estuary Ramsar site, Thorne and Hatfield Moors SAC or Thorne and Hatfield Moors SPA, either alone or in combination with other plans or projects. The Applicant considers that as mitigation Area M15 is approximately 1,300m from new powerlines to be created as part of the High Marnham overhead powerline development, no potential for collision and/or displacement would take place as this is significantly further than the 600m buffer required for wind turbines as detailed in NE3. The Applicant confirm that further detail on potential in-combination effects is detailed in the **Report to Inform Habitat Regulations Assessment [REP6-006]**, and within ES Appendix 17.4 - Ecology Cumulative Assessment Table **[REP2-056]**.	

			The **Report to Inform Habitat Regulations Assessment [REP6-006]** was updated at Deadline 4 to provide a written summary of Appendix 6 which includes details of potential cumulative impacts. The updates provided at paragraphs 7.2.109 to 7.2.118 highlight the key points and provide a conclusion on in-combination impacts, which confirms that no significant in-combination ecological effects will take place. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE20	**Nationally designated sites** Humber Estuary SSSI	Potential impacts on the Humber Estuary SSSI designated features (C) and (O) We consider that the additional information provided at Deadline 4 for the Humber Estuary SPA/Ramsar is sufficient to also conclude there will be no impacts on the Humber Estuary SSSI and Natural England advise that this point is now resolved	The Applicant confirms that the assessment of potential impacts and mitigation measures for the Humber Estuary SSSI aligns with those set out for the Humber Estuary SPA, SAC and Ramsar site, as reflected within **Report to Inform Habitat Regulations Assessment [REP6-006]**, **Outline Landscape Ecological Management Plan [REP6-036]** and **Outline Ecological Construction Management Plan**	Agreed

			[REP6-034], all submitted at Deadline 2. The Applicant confirms that the requested information relating to the Humber Estuary SAC / SPA / Ramsar has been provided, as detailed for NE11, NE13, NE15, NE17, NE18, NE19 above, and therefore the information is available to concur that no Adverse Effects on the Integrity (AEOI) of the Humber Estuary SSSI will take place. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE21	**Nationally designated sites** Thorne, Crowle & Goole Moors SSSI	Potential impacts on Thorne, Crowle & Goole Moors SSSI designated features (C) and (O) We welcome the additional information provided by the Applicant in paragraphs 7.5.75 to 7.5.77 which provides further consideration around whether the buffers in which no panels are to be sited along the boundary of the SSSI are wide enough to minimise	The Applicant confirms that no development is proposed within the Thorne, Crowle & Goole Moors SSSI and that this area is excluded from the development footprint. The Scheme design includes buffers between solar infrastructure and ecological features including drains, woodland and boundary habitats. Clarification has been provided regarding the extent of buffers adjacent to the	Agreed

		the loss of foraging resource for SSSI assemblage species. We also welcome the additional information in 5.1 and 5.3 of the oLEMP further assessing the impact of the introduction of the honey bee hives which will be located over 1km from Thorne, Crowle & Goole Moors SSSI. We welcome that the above additional information has been provided, and Natural England advise that this point is now resolved.	SSSI boundary in the updated **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2. Given the grassland buffers to be provided to solar panels and ditches, the cessation of agri-chemical inputs and native habitat creation, all of which will enhance habitats for invertebrates, the provision of white borders on panels is not considered necessary by the Applicant. This is also supported by research undertaken by scientists from the RSPB and University of Cambridge[3] as part of the Centre for Landscape Regeneration that concluded– hectare for hectare – solar farms situated in agriculturally dominated landscape contained a greater number of bird species and overall number of individuals than surrounding arable land, likely due	

[3] Copping et al. Solar farm management influences breeding bird responses in an arable-dominated landscape. Bird Study. Volume 72, 2025 - Issue 3

			to increased floral diversity providing food via seeds and invertebrate prey. Further detail on this has been assessed within the updated **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2. Further clarity on the potential effects of introducing honeybee hives on the SSSI invertebrate assemblage, including competition for foraging resources, will also be assessed the updated **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2. The Applicant con confirm that further consideration of whether the buffers in which no panels are to be sited along the boundary of the SSSI are wide enough to minimise the loss of foraging resource for SSSI assemblage species is provided within the updated **Environmental Statement Chapter 7 Ecology and Nature Conservation [REP5-012]**	

			which were submitted at Deadline 4 , in paragraphs 7.5.75 to 7.5.77. The Applicant confirms that the number of bee hives proposed has been reduced to 25, and that the locations will be determined post-consent at the detailed design stage, and can be located over 1km[4] of Thorne, Crowle & Goole Moors SSSI, as 75% of honey bee foraging is within 1km of a hive, in order to reduce any potential impacts from competing with foraging invertebrates from the SSSI. In addition, the new native habitat creation, including neutral grassland and hedgerows, will significantly increase the foraging opportunities for bees within the Order Limits compared to the existing situation, further reducing the potential for and new bees outcompeting with SSSI species This update was provided at paragraphs 5.1 and 5.3 with the updated **Outline Landscape**	

[4] How Far Do Honey Bees Travel From Their Hive? - ScienceInsights

			Ecological Management Plan [REP6-036] submitted at Deadline 4. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE22	**Nationally designated sites** **Hatfield Chase Ditches SSSI**	Potential impacts on the **Hatfield Chase Ditches SSSI** designated features (C) We welcome that the water quality measures to prevent pollution of Hatfield Chase Ditches SSSI are now detailed within 7.5.81 of the updated ES chapter 7. Natural England advise that this point is now resolved.	The Applicant confirms that the further detail was provided on the management of HDD activities in proximity to the SSSI, including clarification of HDD crossing point 3 and the proposed stand-off distances for send and receive pits in the updated **Outline Ecological Construction Management Plan [REP6-034]** submitted at Deadline 2. Potential impacts to water vole are also to be considered in the context of the SSSI through further surveys prior to construction works and if required the implementation of a licence, as detailed in **Outline Ecological Construction Management Plan [REP6-034]** and	Agreed

			summarised in Table 3.2 of the same document. The Applicant confirms that the key measures detailed in the **Outline Ecological Construction Management Plan [REP6-034]** with regards to preventing impacts to water quality are also provided within paragraph 7.5.81 of the **Environmental Statement Chapter 7 Ecology and Nature Conservation [REP5-012]** submitted at Deadline 4. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE23	**Protected Species**	General comments Natural England advise that protected species surveys should be undertaken in line with best practice guidance. Where alternative methods are proposed, information should be provided regarding why best practice is not being followed, what changes have been made, what alternative sources of data and/or	The Applicant confirms that the requirement for any protected species licences will be informed by ecological survey data and specialist advice, in accordance with relevant legislation as set out in the **Outline Ecological Construction Management Plan [REP6-034].** Where works are proposed that could affect	

		certainty and being used/relied upon, and how the bespoke approach relates to the impact assessment and mitigation proposals. It is the responsibility of the person or organisation undertaking the works to make the decision as to whether a protected species licence will be required, typically based on advice from a consultant ecologist and based on appropriate consideration of survey data, specialist knowledge of the species concerned, the specific nature of the works and the habitats present. If the proposed works are likely to result in an impact to a protected species and/or their habitats, and such impacts cannot be avoided or appropriately mitigated for, then a protected species licence will likely be required to cover activities that would otherwise constitute an offence under the relevant legislation. If an individual or organisation chooses to proceed without a licence, and/or in accordance with the measures within a Precautionary Working Method Statement (PWMS),	protected species and cannot be avoided or appropriately mitigated, the necessary licences will be obtained. Where works proceed under a Precautionary Working Method Statement post consent, the decision-making process and avoidance measures will be documented. Should a protected species be identified during works, activities will cease and Natural England will be consulted as required with relevant licences applied for.	

		then Natural England advises that such persons document their decision-making process and outline the measures that will be taken to avoid committing an offence. Natural England does not provide commentary on, or approval for, PWMS approaches. It should be noted that if works are carried out under a non-licensed Method Statement and a protected species is subsequently identified on site, all works must cease immediately and Natural England must be contacted to obtain the appropriate licence.		
NE23a	**Protected species**	Protected species – Otter The Otter and Water Vole Survey Report [APP-077] highlights that the surveys were constrained due to a number of reasons, including not being able to access all water bodies. From review of Figure 1 of the Otter and Water Vole Survey Report [APP-077], it is unclear where the restrictions were, although we note that no details are provided on surveys outside of the redline boundary. Whilst Natural	The Applicant confirms that the otter and water vole addendums were submitted by Tyler Grange and have been forwarded to Natural England for review following submission. As detailed in the **ES Volume 2 ES Chapter 7 Ecology and Nature Conservation [REP5-012],** updated surveys for otter and water vole will be completed following consent and prior to construction. These	Agreed

		England recommend that otter surveys should be completed within 200m of the proposed works, in line with best practice guidance, overall, due to the limited nature of impacts from the development on habitat suitable for otter, we advise that in this case, the survey approach followed is not considered a significant constraint. Natural England note that no evidence of otter was recorded within the site limits in 2025. We therefore advise that the proposed mitigation, such as retention of all ditches, and buffering, are considered appropriate in this case. We welcome the commitment to undertaken pre-construction surveys, and advise that the methodology proposed is considered appropriate, based on the existing survey data and potential impacts. Natural England welcomes the confirmation provided in the Outline Ecological Construction Management Plan [REP2-068] that works in the vicinity of otter habitat will be avoided	surveys will include the ditch network, including D10 and D13, as well as terrestrial habitats. Appropriate working methods are set out to avoid disturbance to otter, including restrictions on working hours in proximity to otter habitat where required are included in Table 3-1 within the updated **Outline Ecological Construction Management Plan [REP6-034]**. Where ditch management or improvement works are proposed, pre-works checks by a suitably qualified ecologist will be undertaken to confirm the absence of otter and other protected species. The Applicant welcomes Natural England's confirmation that this point is now resolved.	

		during the hours of darkness and within 2 hours after sunrise and 2 hours before sunset, with this reduced to one hour between November to February (inclusive) because of the limited daylight. It is additionally welcomed that where ditch management and improvement are proposed, a suitably qualified ecologist will survey the area prior to works to ensure no impacts on protected species are likely to occur. Natural England advise that this point is now resolved.		
NE23b	**Protected species**	Protected species – Badger The Outline Ecological Construction Management Plan [REP2-068] confirms that updated badger surveys will be undertaken prior to the	The Applicant confirms that updated badger surveys will be undertaken prior to works commencing to confirm the current status of setts within the Order Limits as set out in **Outline**	Agreed

		works commencing, in order to record recent signs of badger activity in the Order Limits and evidence of badger setts. Natural England recommend that these surveys should be undertaken in line with best practice guidance. We recommend that the additional surveys are planned to allow sufficient time for a licence application to be submitted and assessed (if required) before works need to begin. Please note that Natural England will expect updated surveys to have been completed if the survey data is 6 months or older in age at the time at which a licence application is formally submitted. Please refer to our Relevant Representations [RR-023] for further advice regarding submitting a licence application, should this be required. Natural England welcomes the confirmation provided in 8.2 Response to Relevant Representations [REP1-043] that the locations of badger setts within the working area will be identified and appropriately marked, with relevant information communicated to the site personnel through toolbox talks and site inductions. We recommend that	**Ecological Construction Management Plan [REP6-034]** in Table 3.2. Where required, surveys will be timed to allow sufficient opportunity for any necessary licence applications to be submitted and determined. Panels will be a minimum clearance of 800mm from the ground (see Table 2-1 of **Appendix A: Design Parameters Document [REP3-014],** ensuring the minimum height of 250-300mm is well exceeded and enabling movement for badgers and other wildlife. Mammal gates are to be used throughout the Order Limits and they will be two way. The locations of badger setts within the working area will be identified and appropriately marked, and relevant information will be communicated to site personnel through toolbox talks and site inductions. The Applicant confirms that a strict 30m buffer for works with heavy machinery or ground investigations within 30m	

		these talks should include informing them of the legal protections afforded to badgers, the locations of setts, actions to be taken if a badger is encountered and contact details for appropriate persons (including an ecologist with relevant experience of badger mitigation). This should be secured via the Ecological Construction Management Plan. Table 2-1 of the Design Parameters Document [REP1-012] confirms that panels will be a minimum clearance of 800mm from the ground, to enable badger movement. Natural England welcome this, and the confirmation provided in 8.2 Response to Relevant Representations [REP1-043] that mammal gates used throughout the order limits will be two-way. We advise that it should be ensured that this measure is appropriately secured. We welcome that the Outline Landscape Ecological Management Plan confirms that these gates will be monitored at the same time as the habitat monitoring, to ensure that they are functioning appropriately.	of a sett will be undertaken and is detailed in the updated **Outline Ecological Construction Management Plan [REP6-034]**. The Applicant welcomes Natural England's confirmation that this point is now resolved.	

		Natural England welcome the confirmation provided in the Outline Ecological Construction Management Plan [REP2-068] that there will be a strict 30m limit for works with heavy machinery or ground investigations within 30m of a sett. Subject to the above measures being adequately secured, Natural England advise that this point is now resolved.		
NE23c	**Protected species**	Protected species – Bats Natural England welcome that the bat activity surveys have been undertaken in line with best practice guidance, based on a low habitat suitability categorisation. We note that the proposed retention of hedgerows, ditch networks, ponds and woodlands will likely result in the avoidance of impacts on key foraging and commuting habitats within the development.	The Applicant confirms that the Bat Survey Report was submitted as part of the DCO application – Technical Appendix 7.13 Doc Ref 6.3.7.13 and has been forwarded to Natural England following receipt of this response. Potential impacts to bat roost are included in the ES and summarised in Table 7.10 of this document, and Table 3.2 of the **Outline Ecological**	Agreed

		The proposed management of lighting during construction, as noted in Section 3.3.25 of the Outline Ecological Construction Management Plan [REP2-068], is considered appropriate for this scheme. We recommend that any lighting installed during the construction and operational phases of the scheme should be in accordance with Guidance Note GN/08 Bats and Artificial Lighting At Night. It has been stated that if PRF-I trees require felling that Reasonable Avoidance Measures (RAMs) will be utilised. We welcome the confirmation provided in the Outline Ecological Construction Management Plan [REP2-068] that any categorisation of tree roost suitability will be conducted by a suitably qualified ecologist. Natural England advise that this point is now resolved.	**Construction Management Plan [REP6-034].** Any trees with bat roosting potential will be assessed by a suitably qualified ecologist as detailed in the ES and summarised in Table 7.10 of this document, and Table 3.2 of the **Outline Ecological Construction Management Plan [REP6-035].** Where felling of trees with roosting potential is required, appropriate Reasonable Avoidance Measures will be applied in accordance with best practice and relevant guidance. The Applicant welcomes Natural England's confirmation that this point is now resolved.	
NE23d	**Protected species**	Protected species – Great crested newt We acknowledge the additional information provided by the Applicant	The Applicant confirms that updated GCN surveys will be undertaken prior to construction as set out in **Outline Ecological Construction Management Plan**	Agreed

		in the updated oECMP in relation to GCN surveys. We have consulted with the relevant internal team, however, due to limited capacity we will need to provide further update at Deadline 6. If we receive advice sooner, we will submit an addendum to our Deadline 5 response. In the meantime, please refer to our Deadline 3 comments below for reference: Natural England advise that the current survey effort is insufficient to provide robust evidence of Great Crested Newt presence/absence across the scheme footprint, with it noted that almost half of the scheme's ponds remain un-surveyed and inaccessible. As such, it is not currently possible to conclude that Great Crested Newts are absent from the site, and their presence cannot be ruled out in un-surveyed areas. To address this uncertainty, we recommend that further survey work should be undertaken. Where this is not possible, a precautionary approach should be adopted, whereby Great Crested Newts are assumed to be present in the areas of	**[REP6-034]** in Table 3.2. Efforts will be made to gain survey access to all ponds within 250m of the Order Limits, unless access permissions are not granted or health and safety constraints prevent surveys from being completed. The Applicant confirms that the full version of the 'Tween Bridge Solar Farm Environmental Statement Appendix 7.7: Great Crested Newt Presence / Absence Survey Report' that includes the missing Pages 20 – 24 have been issued to Natural England. The Applicant confirms that any further documents to be reviewed by Natural England, will provide maps/figures that clearly show the locations of the waterbodies with the survey area, the survey methods that were used for each waterbody, and the results of the surveys. The Order Limits boundary will be clearly outlined, and figure legends provided to explain the symbols used on the figures.	

		highest habitat suitability where there are historical records of the species. Natural England recommends that where access permission to land or waterbodies are denied, we would expect that an effort is made to repeat these access requests. Evidence should be retained to show what efforts have been made to seek access and, should a full licence application eventually be needed, Natural England may request to view these records. Where access is continually denied, or ponds continue not to be surveyable, Natural England recommend that alternative sources of information, such as historical records and terrestrial habitat mapping, should be used to assess the 'reasonable maximum' population of great crested newts that the un-surveyed parts of the site could support, with the scheme designed accordingly. As detailed in our response to EXQ3.2.8, the commitments the Applicant has made regarding GCN, to be secured post-consent, are outlined	The Applicant confirms that updated GCN surveys will be undertaken prior to construction, as set out in Table 3-2 of the **Outline Ecological Construction Management Plan (oECMP) [REP6-034].** The updated survey results will be used to determine whether any protected species licence is required and to inform the detailed mitigation measures. Where GCN are identified, the required mitigation will be implemented under a mitigation licence or another appropriate licensing route. Where GCN are not identified, Reasonable Avoidance Measures for amphibians will be implemented during construction. As part of the updated survey work, reasonable and repeated efforts will be made to obtain survey access to all ponds within 250 m of the Order Limits. A written record will be maintained of access requests, follow-up attempts, responses received, any refusal of access and any health	

		in Rev 3 of the SoCG and further detailed in the oECMP. These will be secured through Requirement 8 (2b). The Applicant also commits to a precautionary approach for any ponds that remain inaccessible to survey efforts in the pre-construction surveys. Although Natural England considers that, wherever possible, such issues should be resolved prior to the granting of consent, in this case we consider that due to the post-consent commitments to further assess and determine need for a licence for GCN prior to construction, that this issue can be moved to a 'yellow'* issue and marked as resolved. Please refer to our detailed comments below in relation to the risks of the approach and advice around information we recommend is provided prior to construction. Surveys and assessment of impacts at the post-consent stage As detailed in Annex C: Natural England and the Planning Inspectorate, we consider that, where necessary, NSIP Applicant's should seek and secure a relevant Letter of	and safety constraints that prevent a survey from being completed. These records will be retained and provided to Natural England upon request, including where they may be required to support any future protected species licence application. Where access is continually denied, or ponds remain unsuitable or otherwise unable to be surveyed, the Applicant confirms that the available survey results, historical records, terrestrial habitat mapping and the connectivity between aquatic and terrestrial habitats will be used to assess the 'reasonable maximum' population of great crested newts that the relevant un-surveyed areas could support. Appropriate mitigation will then be designed and implemented on the basis of that precautionary assessment. Separately, the Scheme will provide benefits for amphibians through the retention and protection of ponds and the ditch network, the provision of grassland	

		No Impediment following Natural England's review of a draft mitigation licence application, at as early a stage as possible. As this has not been completed in this case, uncertainty remains as to whether potential impacts on GCN will be adequately avoided, mitigated and compensated if impacts are identified following the proposed pre-construction surveys and assessment. We acknowledge that whilst the Applicant carried out two years of surveys in 2023 and 2025, around half of the scheme's ponds remain un-surveyed and inaccessible. Whilst Natural England welcomes the Applicant's commitment to undertake further/updated GCN surveys prior to construction, we consider that, as above, carrying out further surveys post-consent/pre-construction leaves uncertainty. This includes understanding of the baseline, the likely magnitude of impacts, the need for protected species licensing, and the mitigation and compensation measures that could be required (including those that may be required as part of a licensed mitigation approach).	buffers alongside ditches and other retained boundary features, and the conversion of intensively managed arable land to grassland. The cessation of intensive arable cultivation and reduction in agricultural inputs adjacent to aquatic habitats will reduce existing pressures on the ditch and pond network. Long-term management of ponds, ditches, grassland margins, hedgerows and scrub, together with the provision of amphibian and reptile refugia, will increase sheltering, foraging, dispersal and hibernation opportunities for amphibians compared with the existing intensively managed arable baseline. The habitat benefits are detailed within the **Outline Landscape Ecological Management Plan [REP6-036]**, which covers retained ponds and ditches, created grassland along ditch buffers and 50 amphibian/reptile refugia. The Applicant considers that the	

		However, we welcome the Applicant's proposed approach in relation to access for future survey efforts; with confirmation now provided that as part of the updated survey work, reasonable and repeated efforts will be made to obtain survey access to all ponds within 250m of the Order Limits. They confirm they will maintain a written record of access requests, follow-up attempts, responses received, and any refusal of access and any health and safety constraints that prevent a survey from being completed. They confirm records will be retained and provided to Natural England upon request, including where they may be required to support any future protected species license application. The Applicant's proposals in relation to using additional and alternative sources of data to address any survey and data gaps caused by limited survey access and/or suitability are welcomed by Natural England. We recommend that alongside the pre-construction surveys, sufficient information to demonstrate a reasonable worst-case assessment of	commitments set out above address the matters raised by Natural England in relation to further survey effort, repeated access requests and the precautionary assessment of ponds that remain inaccessible or otherwise unable to be surveyed. These measures are secured through the oECMP and will ensure that the presence or likely absence of great crested newts is appropriately established prior to construction and that any necessary mitigation or licensing is implemented. The Applicant notes Natural England's updated position and confirmation that this matter can be marked as resolved and therefore agreed.	

		impacts and a clear outline mitigation strategy capable of maintaining the species' favourable conservation status should be submitted prior to construction and include the following: • Details of the age, extent and validity of survey data and details of the update surveys; • Identification of the reasonable worst-case licensing scenario; • Provision of an outline GCN mitigation strategy, including anticipated licensable exclusion, capture, habitat retention, habitat creation and compensation measures where relevant; • Demonstration that suitable mitigation and compensation land (if required) is available and deliverable; • Assessment of effects at an ecologically relevant population or metapopulation scale where appropriate; • Explanation of the circumstances under which a protected species licence would be required; and • Provision of sufficient		

		information to demonstrate a reasonable prospect that any required licence could be granted. Differentiating between construction and operational phase impacts We acknowledge the statements around potential benefits of the scheme during operation. Although the proposed enhancements have potential to reduce longer-term impacts on GCN, if most of these interventions occur after any construction phase impacts, then enhancements will not prevent immediate and short-term impacts to GCN using any habitats impacted. Therefore, whether the scheme could ultimately benefit GCN is not a factor when determining whether impacts require licensing. However, the Applicant's proposed retention of ponds and ditches (together with buffering and habitat creation) is still relevant to the assessment and may help reduce the magnitude of effects on GCN during operation. If the scheme demonstrably retains key breeding habitats and provides additional		

		terrestrial habitat of suitable quality, this could reduce the risk of significant adverse effects at the population level and may ultimately represent a net benefit for the species in the long term. However, as above, habitat enhancements in the completed scheme do not remove the potential for impacts during construction. The licensing process and the related requirements focus not only on the condition of habitats once the development is operational, but also on whether activities such as vegetation clearance, earthworks, installation of infrastructure, temporary habitat loss, or disturbance could result in impacts to individual GCN or their habitats. Where such risks of these effects exist, mitigation measures will be required, and in many cases, a protected species licence as well. Yellow issues are those where Natural England does not agree with the Applicant's position or approach. We would ideally like this to be addressed but are satisfied that for this particular	

		project it is unlikely to make a material difference to our advice or the outcome of the decision-making process. However, we reserve the right to revise our opinion should further evidence be presented. It should be noted by interested parties that whilst these issues/comments are not raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances.		
NE23e	**Protected species**	Protected species – Water vole Natural England note that continued use of suitable ditches within the order limits by water vole was identified in the 2025 surveys. We advise that the proposed embedded mitigation detailed in the Outline Ecological Construction Management Plan [REP2-068], such as buffer distances, are considered appropriate and in line with best practice expectations. Natural England welcomes the commitment in the Outline Ecological Construction Management Plan [REP2-	The Applicant confirms that the updated 6.3.7.6 Confidential Report - Otter and Water Vole Survey Report has been issued to Natural England. The additional water vole surveys were undertaken in accordance with the Water Vole Mitigation Handbook (Dean et al, 2016), including further survey coverage where required to inform works associated with the proposed mitigation and culvert crossings. The results of the additional surveys have informed the	Agreed

		068] that updated water vole surveys will be undertaken prior to construction, along each watercourse within/adjacent to the relevant phase. We recommend that these should be undertaken in accordance with the Water Vole Mitigation Handbook and include coverage of the locations of the proposed 45 culverts. We welcome that where ditch management and improvements are proposed, a suitably qualified ecologist will survey the area prior to works to ensure no impacts on protected species are likely to occur. Natural England notes that Chapter 7: Ecology and Nature Conservation [REP2-035] states that 45 culverts will be installed for access tracks. We recommend that any culverts should be installed in line with the recommendations in the Water Vole Mitigation Handbook, where applicable. Subject to this being secured via the Ecological Construction Management Plan, Natural England advise this point is now resolved.	assessment and the development of appropriate mitigation measures. As detailed in the **Outline Ecological Construction Management Plan [REP6-034]** in Table 3.2 updated surveys will be undertaken prior to construction in accordance with the Water Vole Mitigation Handbook (Dean et al, 2016), including coverage of the locations of the proposed 45 culverts. The Applicant confirms that the Otter and Water Vole Survey reports have been issued to Natural England. The Applicant welcomes Natural England's confirmation that this point is now resolved.	

NE23f	**Protected species**	Protected species – Breeding birds The oLEMP states that skylark plots will be provided in accordance with Countryside Stewardship guidance. Care should be taken to ensure that the actions required for developing/managing skylark habitat work in conjunction with the requirements for wintering birds, given that the intention is to provide mitigation for both within the same plots. The advice provided in Section NE8 regarding the dimensions of field margins for foraging nightjar is relevant for creating/sustaining habitats for other breeding birds. Wider margins will provide greater foraging and nesting opportunities for breeding birds, and is encouraged. When developing habitat for breeding birds, like skylark, we recommend that our advice provided in NE2 regarding setting objectives and targets for species should be applied. This is to	The Applicant confirms that the management of skylark plots will be implemented, in addition the mitigation land will be manged for the benefit of ground nesting birds in line with the **Outline Landscape Ecological Management Plan [REP6-036].** The management approach will ensure that measures for breeding birds operate alongside the requirements for wintering birds where these habitats are delivered within the same areas. As set out in the response to NE8, wider field margins are incorporated within the Scheme design in key locations. These margins will provide additional opportunities for foraging and nesting for breeding birds. The Applicant also confirms that objectives and management targets for breeding birds is included within the **Outline Landscape Ecological**	~~N/a~~

		ensure that habitat can be managed long term, and adapted as need be. The assessment of impacts to skylark, and grey partridge, both of which occur in significant numbers on site, falls outside of Natural England's statutory remit. We advise that the applicant should consult with local stakeholders, including the Local Planning Authority, for advice regarding these species and breeding birds more broadly. We welcome the measures outlined for skylark however note that this was a 'grey' comment in our relevant representations response (Grey comments are notes for Examiners and/or competent authority) - No need to add status for this one	**Management Plan [REP6-036]** to support the long-term management and monitoring of these habitats. The Applicant also confirms that they are responding to representations made by the Local Planning Authority regarding skylark as part of the Examination.	
NE24	**Biodiversity Net Gain (BNG)**	Additional comment for Deadline 5 - *We welcome that the BNG metric has been published following our previous comments. Please note that we will not be providing further comments on BNG for this Application and this remains a 'grey' issue (note for Examiners and/or competent authority). However, please see our Deadline 3 comments below for reference:*	The Applicant confirms that the commitment to delivering at least 10% BNG on this project. As set out in para 6.6.18 of the Planning Statement, whilst the provisions relating to BNG for NSIPs are not currently in force, it is expected that the biodiversity gain statement to be introduced to the	

		As previously stated in our relevant representations response, Natural England welcomes the commitment to delivering Biodiversity Net Gain (BNG) on this project. We welcome that this commitment is reflected in the DCO (Requirement 8 (3a)) to achieve a minimum of at least 10% BNG across all biodiversity unit types, as to be secured via the Landscape and Ecological Management Plan (LEMP). As recommended previously, we consider that it would also be helpful to make the full BNG metric available for stakeholder review. Although BNG is not yet mandatory for NSIPs, we refer to additional information around BNG for NSIPs that has recently been published at: Biodiversity net gain: nationally significant infrastructure projects - GOV.UK. As previously noted, we note that the developer has deviated from the Defra biodiversity metric trading rules. Trading rules are established to ensure losses are compensated for through creating or enhancing habitats on a 'like-for-like' basis, and of equal or higher value. In this case	Planning Act 2008 (via Schedule 15 to the Environment Act 2021) will specify a requirement for new NSIPs to provide a minimum 10% BNG. The drafting of Requirement 8 of the draft DCO is reflective of this. Accordingly, the Applicant does not consider that it is necessary to go further by providing actual percentage gains across habitat types. The Applicant notes Natural England's support for the baseline approach adopted within the metric, including the use of all land within the Order Limits and the precautionary approach taken to habitat condition scoring, informed by available survey data and best practice guidance. The Applicant provides detail on the Trading Rules below in NE24b. The Applicant notes Natural England's comments regarding biodiversity metric trading rules. Although the full extent of scrub	

		scrub habitat is being lost and is being replaced with woodland. We note the updated BNG assessment (Rev 2) states in 3.21 that *"The trading rules for BNG have not been met in relation to loss of scrub as a broad habitat type, as scrub habitats are being lost without like-for-like replacement. However, woodland of the same distinctiveness as the required scrub habitat is being provided, which, while not the same broad habitat type, contributes positively to overall habitat quality. In addition, the scheme is delivering over a 10% net gain in biodiversity units."* We acknowledge that additional justification has been provided, however, it continues to be our advice that although BNG is not mandatory, BNG proposals should be in line with best practice guidance. Following our previous comments around monitoring, we welcome that the updated oLEMP sections 7.1 and 7.2 contain commitment to additional monitoring of planting proposals.	habitat has not been provided, woodland of the same distinctiveness as the required scrub habitat is being provided creating gains, which, while not the same broad habitat type, will comprise similar native woody species to scrub and will contribute positively to overall habitat quality. The Applicant confirms that the BNG assessment was updated at Deadline 3 to address all BNG comments received, including those relating to the trading rules. The Applicant notes Natural England's comments regarding the management and monitoring of Biodiversity Net Gain. Further clarification was provided on the proposed monitoring framework in the **Outline Landscape Ecological Management Plan [REP6-036]** submitted at Deadline 2, including defined monitoring periods during establishment and subsequent longer-term management, to support the delivery of BNG over the lifetime of the Scheme.	

NE25a	**Soils and best and most versatile agricultural land**	Note – This is a 'grey' issue (note for Examiners and/or competent authority), however please see our additional comments around handling of peaty soils below: As noted at Deadline 3, we acknowledged the inclusion of the additional section in the outline Soil Management Plan (oSMP) [REP2-078] at Deadline 2 in relation to handling of any peaty soils and noted we would provide further comments following review. Therefore, please refer to our additional comments below: Paragraph 4.5.10 - The England Peat Map (EPM) provides a national-scale assessment of peat extent, depth and condition across England. The mapping includes all peaty soils containing more than 20% organic matter, with no minimum peat depth threshold applied. As such, the EPM is a useful screening tool for identifying areas where peaty soils are likely to be	The ALC has been completed at a detailed level for all the land within the Order Limits, with the exception of a small number of interconnecting cable route corridors and a small area of biodiversity land at the eastern edge of the Site. The results are detailed in the **Environmental Statement Appendix 15.1: Agricultural Land Classification [APP-120]** and on **Figure 15.1: Agricultural Land Classification [APP-173]**. Natural England's comments in terms of the potential for tracks to be retained on decommissioning are noted. They have been assessed in the **ES Chapter 15 Agricultural Circumstances [REP3-022]** and NE's recommendation to the ExA is noted. In respect of the identification of peat, peaty subsoils were identified at a small number of locations, as set out in the **Environmental**	

		present. However, while the dataset represents the best available evidence at a national level, it is not sufficiently accurate for site-specific decision-making. In particular, the peat depth model has an estimated error margin of approximately ±30 cm, which limits its ability to reliably distinguish between shallow and deep peat deposits. Furthermore, uncertainties remain within the model outputs, especially in lowland areas where ground-truthing data are comparatively limited. The EPM extent probability layer should therefore be used to understand both the likelihood of peat occurrence and the associated level of uncertainty. Although the published peat extent layer uses a 40% probability threshold, peat and peaty soils are known to occur in areas with predicted probabilities as low as 20-30%. Consequently, some locations that contain peat may not be represented within the mapped extent.	**Statement Appendix 15.1: Agricultural Land Classification** [**APP-120**] Appendix 3. The soils recorded as peat were mostly recorded at depth of 50-60cm down to 120cm (ALC maximum depth). Slightly shallower peaty subsoils were found at auger points 120, 122, 141 and 161, all found as a subsoil layer between different soils, with peaty soils at depths of 35/40cm to 45/70cm, with a variable layer of 10cm to 40cm identified. The subsoils identified as peaty subsoils were found below dark topsoils indicating high levels of organic matter, but none of the topsoils were sufficiently high in organic matter to be recorded as organic mineral soil, peaty or peat. It is the Applicant's understanding that these soils do not fall within the "high environmental value" soils identified in the Doncaster Local Plan Policy 60 (D).	

		Mitigation and Recommendations: Given these limitations, the EPM should be treated as a strategic-level planning tool rather than definitive evidence of peat presence or absence. Where development proposals or land management decisions could be affected by peat soils, a precautionary approach should be adopted. This should include a review of the underlying probability mapping, consideration of adjacent areas with lower peat probabilities, and targeted site-specific investigations such as peat probing, soil surveys, and ground-truthing to confirm peat extent, depth and condition. These measures will help reduce uncertainty, ensure appropriate assessment of environmental risks, and inform the design of suitable avoidance, protection or restoration measures where peat is identified. Para 4.5.11 - Given the limitations and uncertainties associated with the EPM, the statement that peaty soils were	Nevertheless, the City of Doncaster Council have made a suggestion that a separate section of the **Outline Soil Management Plan [REP2-078]** could be provided dealing specifically with the peaty subsoils. The **Outline Soil Management Plan [REP2-078]** was expanded at Deadline 2 to include where these soils are, and how they should be handled to minimise any impacts. Subject to NE's further comments on the **Outline Soil Management Plan [REP2-078]**, NE's comments are noted and agreed.	

		not found at depths of less than 120 cm across the Order Limits should be treated with a degree of caution. The EPM is a strategic, national-scale dataset and is not intended to provide definitive evidence at the site level. In addition, the peat depth model has an estimated error margin of approximately ±30 cm and may not reliably distinguish between shallow and deep peat. Peaty soils are also known to occur in areas that fall below the published 40% probability threshold used to define the mapped extent. While peaty soils can often be identified in the field by their typically dark brown to black colouration and high organic matter content, visual appearance alone is not sufficient to confirm the presence, extent or depth of peat. Therefore, the apparent absence of peat at depths shallower than 120 cm should be verified through appropriate site-specific investigations, including soil sampling, peat probing and ground-truthing		

		surveys. A precautionary approach should be adopted in localised areas where peaty soils have been identified, as well as in locations adjacent to mapped peat areas or where EPM probability data indicate a moderate likelihood of peat occurrence. This will help ensure that any peat resources are accurately characterised and that suitable avoidance, protection or management measures are incorporated into the project design where necessary. Please also see Deadline 3 & Relevant Representations comments below for reference: Deadline 3 We welcome the inclusion of Natural England's comments regarding potential permanent loss of BMV across access tracks. In relation to peaty soils, we note that an additional section has been provided in an updated OSMP – we will		

		provide further comments following review. Relevant Representations: Natural England notes that 'The Order Limits consist of approximately 1,831 ha of agricultural land' (page 4, HRA) and Appendix 15.1 Agricultural Land Classification (ALC) assesses the grading of 1848.2 ha. Natural England also note that section 15.3.43 of the ES states that the area involved in the installation of the cables 'involves temporary disturbance' and that 'The works will involve only a small part of this area and soil survey can be completed at a later date once the corridor width has been defined, and can inform the final Soil Management Plan prior to construction works commencing.' Natural England re-iterates that a detailed ALC and soil survey of the agricultural land should be undertaken across the full Study Area. Our advice remains that this data should be		

		provided prior to consent in order to inform decision making. Soil data collected as part of an ALC survey can also be used to inform the soil resource and management plan as set out in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. Natural England advises that there is a risk of soil damage, ALC degradation and long term or permanent loss of BMV from cable installation (grid connection cable route). Therefore, soil will need to be handled according to best practice and reinstated to a high standard to reduce the impacts. The results from a detailed ALC survey would provide soils data to inform a soil management plan for the whole Site regardless of whether the use is permanent or temporary in nature. We advise, however, that the Examining Authority should determine whether the proposed approach is acceptable. Based on the information provided in the ALC survey, we highlight that the proposal has the potential to affect approximately 819.2 ha of BMV		

		agricultural land (although the ES states this is as 813 ha). We also note that of the fixed infrastructure that covers BMV land, 'all except 0.4ha will be restored at decommissioning.' The impact is predicted to be 'temporary and of low magnitude, and the overall effect is minor adverse, which is not significant' (15.7.3 ES). Natural England notes that the ALC report identifies the presence of peat in several sample locations across the Order Limits, with peat recorded at varying depths in the soil profile. The ES concludes that peaty soils were not identified at agricultural depth in a way that would influence ALC grading. However, Natural England advise that the presence of peat within the soil profile warrants consideration in terms of carbon storage, ecological sensitivity, and appropriate handling measures. We recommend that the ES should include a clear estimate of the volume of peat to be disturbed and an assessment of the potential impact on		

		carbon sequestration, in line with the IEMA (2022) guidance, as previously committed to by the applicant.		
NE25b	**Soils and best and most versatile agricultural land**	Comments on the *Outline Soil Management Plan* We welcome the Outline Soil Management Plan (oSMP) now includes Natural England's advice that all soils should be handled in a dry and friable condition and that it is expected that soil handling will be confined to the drier summer period (April through September) to minimise risk of soil damage. Soil handling should normally be avoided during October to March inclusive. Natural England welcomes the inclusion of recommended tests for soil handling in the OSMP section 3. Namely, soil handling methods should be as specified as in the Defra	NE advises that soil handling should normally be confined to April through September, rather than April through October. This is because it is generally not possible to establish green cover to help dry soils out in storage outside this period. This advice accords with the **Outline Soil Management Plan [REP2-078]** which advises on seeding grass over soil storage bunds in 4.3.8. NE's comments on soil suitability tests in the Good Practice Guide for Handling Soils, are noted. These tests are referenced in the OSMP at section 3. NE's comments on short and long-term storage of soil, and on reinstatement of cable trenches,	

		Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks). Natural England welcome that the 'implementation of this outline SMP, and adherence to its principles, will be the responsibility of the Applicant who will appoint a competent Principal Contractor who will implement onsite during the construction and decommissioning stages'. Given the high quality of the agricultural land, we recommend that this should include supervision of soil handling by a competent soil specialist.	are noted and are covered within sections 4.3 & 4.5 of the **Outline Soil Management Plan [REP2-078].**.	
NE26	**Biodiversity enhancement**	Advice regarding the management of solar farms to enhance biodiversity. Section 2.10 of the *National Policy*	The Applicant notes Natural England's comments regarding opportunities for biodiversity enhancement within the Scheme and should further	

		Statement for Renewable Energy Infrastructure (EN-3, 2024) highlights that solar farms have the potential to greatly increase the biodiversity value of a site, especially on land which was previously intensively managed. Research indicates that solar farms managed specifically for biodiversity show significant increases in plants, invertebrates, and birds, compared with sites which are not. Consequently, the implementation of good design and management on solar sites can result in significant environmental enhancements beyond that which is required through Biodiversity Net Gain. We welcome the enhancements which have already been proposed, though we advise that there may be further scope for biodiversity enhancement. Please refer to Annex G for further information regarding the management of solar farms to enhance biodiversity, which may help refine your plans. We welcome the clarifications provided here however we note that this was a 'grey' comment in our relevant representations response (Grey	enhancements be identified these will be included, where appropriate. Further detail is provided within the updated **Outline Landscape Ecological Management Plan [REP6-036REP6-036]**.	

		comments are notes for Examiners and/or competent authority) - No need to add status for this one		
NE27	**Ancient woodland and ancient/veteran trees**	Ancient woodland and ancient/veteran trees - General Natural England has adopted standing advice for ancient woodland, which should be referred to. Natural England is not providing bespoke advice on the ancient woodland information provided in the ES for this project. The requirement for mitigation/compensation has not been assessed by Natural England. We welcome the clarifications provided here however we note that this was a 'grey' comment in our relevant representations response (Grey comments are notes for Examiners and/or competent authority) - No need to add status for this one	The Applicant confirms that there are no Ancient Woodlands within or in close proximity to the Order Limits, and no veteran trees, as detailed in the **Arboricultural Impact Assessment [APP-070].**	

4 Signatures

This Statement of Common Ground is agreed upon:

On behalf of Natural England:



On behalf of the Applicant:

Name: Angus Duncan

Signature: 

Date: 29.09.2026

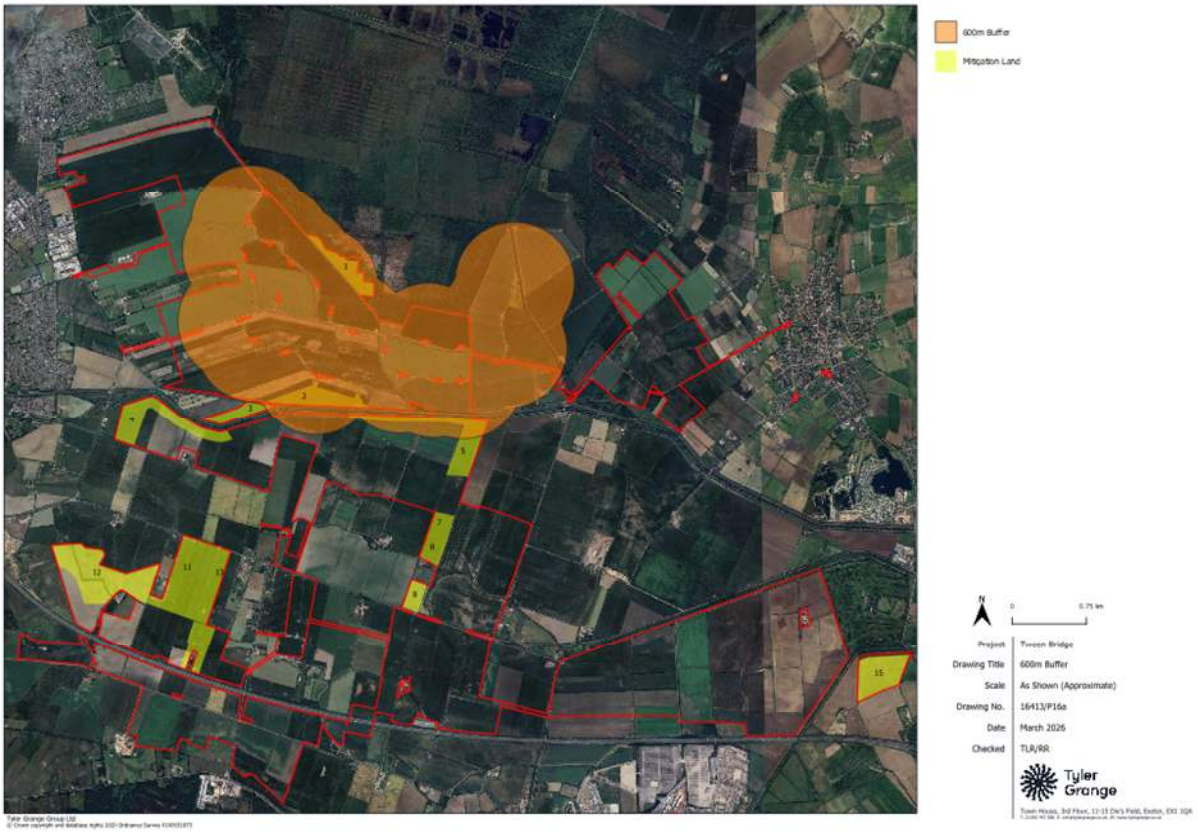
Tables

Mitigation Field Number	Total Area (ha)	Total Area with 150m open vista	Total Area beyond 600m of existing Turbine (ha)	Total Area beyond 600m of existing turbine and with 150m open vista (ha)
M1	10.44	0.00	0.00	0.00
M2	13.42	0.00	0.00	0.00
M3	6.73	1.90	6.17	1.90
M4	19.94	2.97	19.94	2.97
M5	19.24	3.20	8.86	1.98
M7	4.76	0.64	4.76	0.64
M8	10.71	1.17	10.71	1.17
M11	20.84	5.14	20.84	5.14
M12	34.83	12.83	34.83	12.83
M13	29.55	14.03	29.55	14.03
M15	16.85	3.01	16.85	3.01
Total	**187.31**	**44.89**	**152.51**	**43.67**

Table 1-1: Non-Breeding Bird Mitigation Land Calculations

Figures

Figure 1: 16413_P16a_600m Buffers_TLR_RR



Appendices:

Appendix 1: Natural England Email Correspondence – Bird Days

[redacted]

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Rob,

Apologies for the delay on this. Our ornithologist has got back to me and confirmed that the calculations look fine, although NE doesn't have a nationally recognised method of using bird days in this way within terrestrial ornithology. As mentioned previously, ecological knowledge should supplement the calculations to demonstrate that there is suitable habitat provision for the numbers of birds displaced by the development.

Hope that helps.

Best wishes,
Alice

Alice Megaw
Senior Officer – Nationally Significant Infrastructure Projects (NSIPs)
Yorkshire and Northern Lincolnshire Area Team
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Appendix 2. Applicant email to Natural England – 17 June 2026

[redacted]

Categories: Salesforce, Status: Tracked successfully.

Hi Laura

Thanks for getting back to me.

I am available at about 3pm on the 22 June, if that works for you?

I attach the plans that show the buffers being provided to the south of Thorne & Hatfield Moors SPA. I also confirm that the Order Limits is not adjacent to the Hatfield Moor component of the SPA, located to the south of the Order Limits. In this location, the Order Limits are at least 100m from the SPA boundary, followed by a minimum 5m grassland buffer to the security fencing and a further 5m grassland buffer to the solar panels.

Kind regards

Rob

[redacted]

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