



Department for  
Energy Security  
& Net Zero

# Habitats Regulations Assessment for an Application Under the Planning Act 2008

## Springwell Solar Farm

Regulation 63 of The Conservation of Habitats  
and Species Regulations 2017

April 2026



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## List of abbreviations

<b>Term</b>	<b>Abbreviation</b>
Adverse Effect on Integrity	AEoI
Appropriate Assessment	AA
Battery Energy Storage System	BESS
Development Consent Order	DCO
Environmental Statement	ES
Examining Authority	ExA
Functionally Linked Land	FLL
Hectare	Ha
Habitat Regulations Assessment	HRA
Likely Significant Effect	LSE
Megawatt	MW
National Site Network	NSN
Nationally Significant Infrastructure Project	NSIP
Natural England	NE
National Grid Navenby Substation	NGNS
National Electricity Transmission System	NETS
No Significant Effects Report	NSER
Planning Inspectorate	PINS
Photovoltaic	PV
Royal Air Force	RAF
Special Area of Conservation	SAC
Special Protected Area	SPA
Statement of Common Ground	SoCG
Supplementary Advice on Conservation Objectives	SACOs
The Secretary of State for Energy Security and Net Zero	The Secretary of State

## 1. Introduction

### 1.1 Background

This is a record of the Habitats Regulations Assessment (“HRA”) that the Secretary of State for Energy Security and Net Zero (“the Secretary of State”) has undertaken under the Conservation of Habitats and Species Regulations 2017<sup>1</sup> (“the Habitats Regulations”) as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019<sup>2</sup> for the Springwell Solar Farm and its associated infrastructure (the “Project”), submitted by Springwell Energy Farm Limited (“the Applicant”). The Examining Authority (“ExA”) defines this as the “Proposed Development”. It is defined as the “Project” within this HRA for consistency with the terminology of the Habitats Regulations. For the purposes of the Regulations, the Secretary of State is the competent authority.

The Project comprises the construction, operation, maintenance and decommissioning of a ground-mounted solar photovoltaic (“PV”) electricity generating facility, on-site substation and battery energy storage system (“BESS”) with a total capacity of approximately 800 megawatts (“MW”) (exceeding 50 megawatts MW) and associated infrastructure. The associated development includes, but is not limited to, access provision ; underground cabling between the different areas of solar PV arrays; and areas of landscaping and biodiversity enhancement.

The Project constitutes a nationally significant infrastructure project (“NSIP”) as defined by s. 15(2) of the Planning Act 2008<sup>3</sup> as provided for under the transitional savings provisions in the Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025 for solar projects with a capacity exceeding 50 MW.

The Project was accepted by the Planning Inspectorate (“PINS”) on 18 December 2024 and a lead and panel member were appointed as the ExA for the Project on 5 February 2025 [PD-004]. The Examination of the Project application began on 7 May 2025 and was completed on 8 October 2025. The ExA submitted its report of the Examination including its recommendation (“the ExA’s Report”) to the Secretary of State on 8 January 2026. Numbered references to the ExA’s Report are presented in the format “[ER \*.\*]”.

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<sup>1</sup> <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

<sup>2</sup> [The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019](#)

<sup>3</sup> [Planning Act 2008](#)

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### 1.2 Habitats Regulations Assessment

The Habitats Regulations aim to ensure the long-term conservation of certain species and habitats by protecting them from possible adverse effects of plans and projects. In the UK, the Habitats Regulations apply as far as the 12 nautical miles limit of territorial waters.

The Habitats Regulations provide for the designation of sites for the protection of habitats and species of international importance. These sites are called Special Areas of Conservation (“SACs”). They also provide for the classification of sites for the protection of rare and vulnerable birds and for regularly occurring migratory species within the UK and internationally. These sites are called Special Protection Areas (“SPAs”). SACs and SPAs together form part of the UK’s National Site Network (“NSN”).

The Convention on Wetlands of International Importance 1972 (“the Ramsar Convention”) provides for the listing of wetlands of international importance. These sites are called Ramsar sites. Government policy is to afford Ramsar sites in the United Kingdom the same protection as sites within the NSN (collectively referred to in this HRA as “protected sites”).

Candidate SACs, SACs and SPAs are afforded protection as protected sites. As a matter of policy<sup>4</sup> the Government affords potential SPAs the same level of protection.

Regulation 63 of the Habitats Regulations provides that:

*...before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in-combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, [the competent authority] must make an appropriate assessment of the implications of the plan or project for that site in view of that site’s conservation objectives.*

And that:

*In the light of the conclusions of the assessment, and subject to regulation 64, the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).*

This Project is not directly connected with, or necessary to, the management of a protected site. The Habitats Regulations require that, where the Project is likely to have a significant effect on any such site, alone or in-combination with other plans and projects, an appropriate assessment (“AA”) is carried out to determine whether the Project will have an adverse effect on the integrity (“AEol”) of the site in view of that site’s Conservation Objectives. The following assessments are collectively referred to as a HRA:

Stage 1: Assessment of likely significant effects (“LSE”);

Stage 2: Appropriate Assessment to determine whether there is an AEol of a protected site;

Stage 3: Assessment of Alternative Solutions;

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<sup>4</sup> [NPS EN-1 para 5.4.5](#)

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Stage 4: Imperative Reasons of Overriding Public Interest; and  
Stage 5: Compensatory measures.

Consent for the Project may be granted only after having ascertained that it will not adversely affect the integrity of protected sites, and no reasonable scientific doubt remains.

The Secretary of State has had regard to relevant guidance on the application of HRA published by PINS (2025)<sup>5</sup> and the European Commission (2019)<sup>6</sup>, together with published joint guidance by Defra, Natural England (“NE”), the Welsh Government and Natural Resources Wales (2021) on ‘Habitats Regulations Assessment: protecting a European site’<sup>7</sup>.

There are no parallel consents required for the Project which would require an additional HRA to be carried out by any other competent authority.

With regards to the ruling of the European Court of Justice (ECJ) in *People Over Wind, Peter Sweetman v Coillte Teoranta (C-323/17)* (the Sweetman Judgement), in reaching his conclusions regarding LSE, the Secretary of State took no account of measures intended to avoid or mitigate effects on any protected site.

### 1.3 Site conservation objectives

Where an AA is required in respect of a protected site, regulation 63(1) of the Habitats Regulations requires that it be an AA of the implications of the plan or project for the site in view of its conservation objectives. Government guidance also recommends that in carrying out the LSE screening, applicants must check if the proposal could have a significant effect on a protected site that could affect its conservation objectives.

Guidance<sup>7</sup> published by the Ministry of Housing, Communities and Local Government indicates that disturbance to a species or deterioration of a protected site must be considered in relation to the integrity of that site and its Conservation Objectives. It states that “*the integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated*”.

Conservation objectives have been established by NE. When met, each site will contribute to the overall favourable conservation status of the species or habitat feature across its natural range. Conservation objectives outline the desired state for a protected site, in terms of the interest features for which it has been designated. If these interest features are being managed in a way which maintains their nature conservation value, they are assessed as being in a ‘favourable condition’. An AEol is likely to be one which prevents the site from making the same

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<sup>5</sup> [Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments - GOV.UK](#)

<sup>6</sup> European Commission (2019) Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC:

[https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/EN\\_art\\_6\\_guide\\_jun\\_2019.pdf](https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/EN_art_6_guide_jun_2019.pdf)

<sup>7</sup> <https://www.gov.uk/guidance/appropriate-assessment>

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contribution to favourable conservation status for the relevant feature as it did at the time of its designation. There are no set thresholds at which impacts on site integrity are considered adverse. This is a matter for interpretation on a site-by-site basis, depending on the designated feature and nature, scale, and significance of the impact.

NE has issued generic conservation objectives<sup>8</sup>, which should be applied to each interest feature of the site. Supplementary advice on conservation objectives (“SACOs”) for each site underpins these generic objectives to provide site-specific information and give greater clarity to what might constitute an adverse effect on a site interest feature. SACOs are subject to availability and are currently being updated on a rolling basis.

Where supplementary advice is not yet available for a site, NE advises that HRAs should use the generic objectives<sup>9</sup> and apply them to the site-specific situation. For SPAs, the overarching objective is to avoid the deterioration of the habitats of qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Habitats Regulations. This is achieved by, subject to natural change, maintaining and restoring:

- the extent and distribution of the habitats of the qualifying features;
- the structure and function of the habitats of the qualifying features;
- the supporting processes on which the habitats of the qualifying features rely;
- the populations of the qualifying features; and
- the distribution of the qualifying features within the site.

For SACs, the overarching objective is to avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving favourable conservation status of each of the qualifying features. This is achieved by, subject to natural change, maintaining and restoring:

- the extent and distribution of the qualifying natural habitats and habitats of qualifying species;
- the structure and function (including typical species) of qualifying natural habitats;
- the structure and function of the habitats of qualifying species;
- the supporting processes on which qualifying natural habitats and habitats of qualifying species rely;
- the populations of qualifying species; and
- the distribution of qualifying species within the site.

The conservation objectives for the sites that were screened for LSE are described in sections 4.2 to 4.4 of the Applicant’s No Significant Effects Report (“NSER”) [APP-0150].

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<sup>8</sup> <http://publications.naturalengland.org.uk/publication/6734992977690624?cache=1656417868.31>

<sup>9</sup> <http://publications.naturalengland.org.uk/publication/6734992977690624?cache=1656417868.31>

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### 1.4 Documents referred to in this HRA

This HRA has taken account of and should be read in conjunction with the documents produced as part of the Project application and Examination, which are available on the PINS NSIP Project web page<sup>10</sup>. In particular:

- the ExA's Report;
- the Applicant's NSER [APP-0150];
- the Environmental Statement ("ES") [APP-040] to [APP-134]; and
- the Statement of Common Ground ("SoCG") with NE.

A final signed version of the SoCG with NE was submitted at Deadline 4 [REP4-043]. Any subsequent references to the SoCG between the Applicant and NE in this HRA are to that version. The SoCG confirmed that all matters relating to HRA and otherwise were agreed between the two parties, and that there were no HRA matters outstanding between them in respect of the Project.

### Structure of this HRA

The remainder of this HRA is presented as follows:

- Section 2: provides a general description of the Project;
- Section 3: presents an assessment of the extent to which the Project could have a significant effect on protected sites and qualifying features alone or in-combination with other plans or projects; and
- Section 4: presents the Secretary of State's conclusions.

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<sup>10</sup>[Documents | Springwell Solar Farm](#)

## 2. Project Description

A detailed description of the Project is presented in Chapter 3 of the ES [APP-043].

In summary, the Project comprises a proposed solar farm with an associated BESS. The Project would have a generating capacity of over 50MW (approximately 800 MW) and would be situated on approximately 1,280 hectares (“ha”) of land. The Project would operate for up to 40 years.

The Project works comprise:

- Work number 1 – a ground mounted solar PV generating station.
- Work number 2 - Springwell Substation Compound.
- Work number 3 - Satellite Collector Compounds.
- Work number 4 - BESS Compound.
- Work number 5 - Grid Connection Infrastructure.
- Work number 6 - Cables.
- Work number 7 - Temporary Construction and Decommissioning Compounds.
- Work number 8 - Highways Works.
- Work number 9 - Green Infrastructure.

The Project would have a generating capacity of over 50 MW [REP1-058], and the Applicant has a grid connection agreement with National Grid Electricity Transmission to export power to the National Electricity Transmission System (“NETS”) [REP1-058]. The Project would be connected to the NETS via a point of connection at the proposed National Grid Navenby Substation (“NGNS”).

Solar PV panel arrays would generate electricity which would be collected and directed to the on-site substation, which would be located close to the proposed NGNS. A BESS located adjacent to the on-site substation would store the electricity generated, for it to then be released to the national electricity grid when appropriate.

The NGNS does not yet benefit from planning permission, but the Applicant has provided information about the NGNS and has included it within its cumulative assessment. It also updated the cumulative assessment [REP4-013] to take into account the EIA Scoping opinion for the proposed NGNS.

Section 3.2 of the ES [APP-043] explains the Applicant’s approach to Project parameters which have been established by the Applicant to allow for flexibility in the design and form the maximum limits within which the Project can be built and operated (“the Rochdale Envelope”). Further information on the Rochdale Envelope is available in PINS Advice Note Nine<sup>11</sup>. The spatial extent parameters are set out in the Works Plans [APP-007], and the design requirements are set out in [APP-0138]. These are both secured via Requirement 5 of the Development Consent Order (“DCO”) and have been used for topics where a specific level of detail is required to enable

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<sup>11</sup> <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-nine-rochdale-envelope/>

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a robust assessment to be undertaken. The Secretary of State's HRA is based upon the maximum extent or worst-case potential impact of the Project for each parameter.

### 2.1 Project Location

The location of the Project lies wholly within England, within the administrative boundaries of the boroughs of Lincolnshire Country Council and North Kesteven District Council.

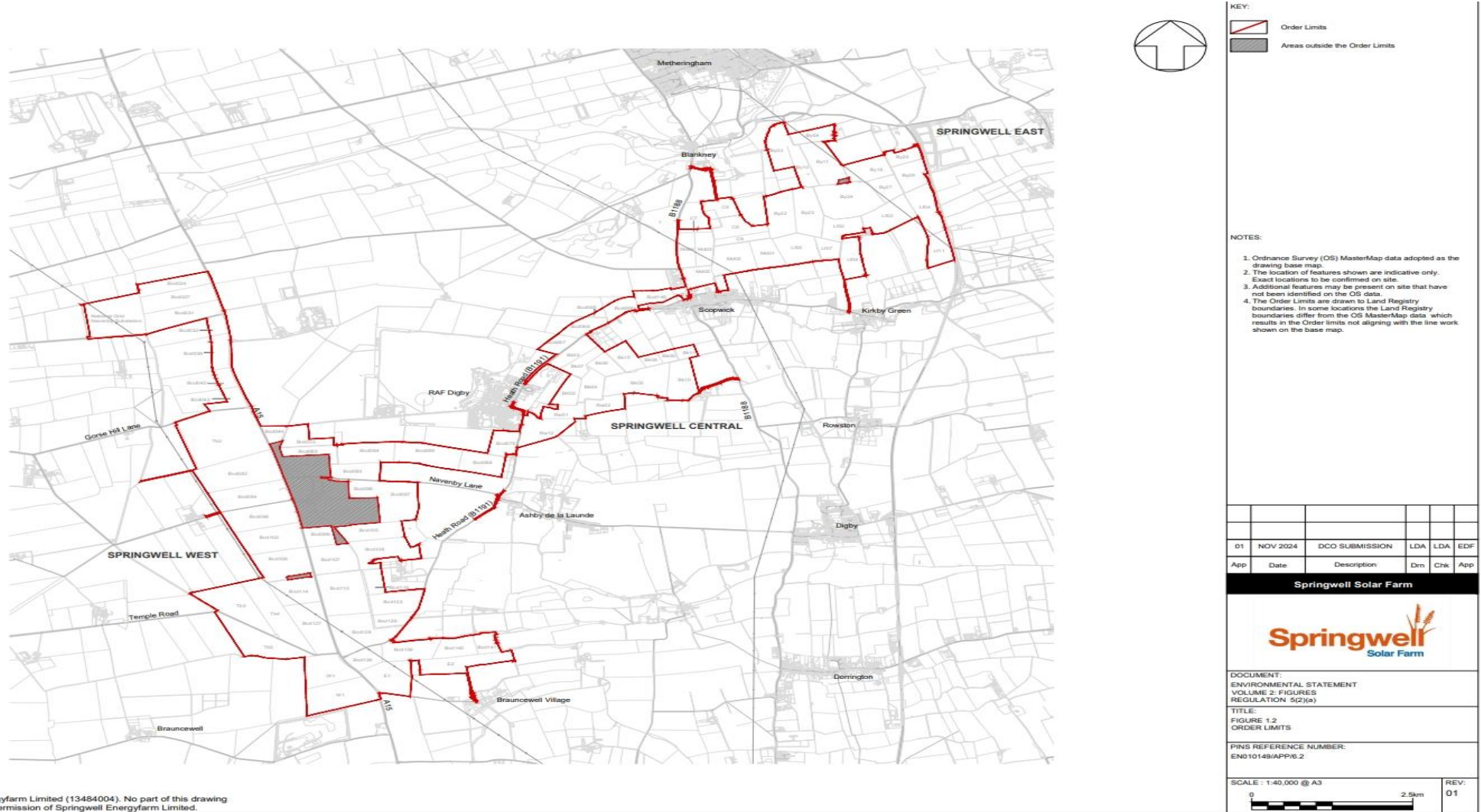
The Project site is made up of three connected parcels of land described as Springwell West, Springwell Central and Springwell East, shown in Figure 1 below. The 'Order Limits' are outlined in red in Figure 1.

The Site is located in close proximity to the settlements of Blankney, Scopwick, Kirkby Green, and Ashby de la Launde. The settlements of Metheringham, Ruskington, Navenby and Digby are also located within 3km of the Project at the nearest point.

The Royal Air Force ("RAF") Digby base is located adjacent to the Site, to the north of Springwell West and West of Springwell Central. All military flying at RAF Digby ceased in 1953 and is now home to the tri-service Joint Service Signals Unit Digby and Joint CEMA Group Headquarters, providing support to Defence.

The land within the Order Limits predominantly consists of agricultural fields, interspersed with hedgerows, small woodland blocks and farm access tracks. The hedgerows range between lengths of dense tall vegetation (shrub and tree species) and lines of vegetation with sporadic shrubs and trees present. These fields typically contain grass, lucerne, maize, spring barley, sugar beet, winter barley and winter wheat.

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Figure 1: The Order Limits of the Project at the close of Examination, taken from Figure 1.2 of [APP-058]

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### 2.2 Changes to the Project application during Examination

Whilst no formal change request was submitted, changes to the key application documents, including the wording of the draft DCO, were submitted and updated during the Examination.

The Applicant's changes to the application documents, together with any additional information submitted, are detailed in the application guide submitted at D1 [REP1-002], D2 [REP2-002], D3 [REP3-002], D4 [REP4-002] and D5 [REP5-002].

The Secretary of State has considered these changes, and concludes that the proposed changes, alone or cumulatively, are not so substantial that they would constitute a materially different project and that the proposed changes would not result in any change, or any new significant effects for any topic assessed within the Environmental Statement ([APP-040] to [APP-134]) or the NSER [APP-0150].

### 3. Stage 1: Screening for Likely Significant Effects

This first stage in the HRA process (stage 1) uses the threshold of LSE to determine whether effects on protected sites should be the subject of further assessment. The Habitats Regulations do not define the term LSE. However, in the Waddenzee case (Case C-127/02) the European Court of Justice found that an LSE should be presumed, and an AA carried out if it cannot be excluded on the basis of objective information that the plan or project will not have significant effects on the conservation objectives of the site concerned, whether alone or in-combination with any other project. The Advocate General's opinion of the Sweetman case (Case C-258/11)<sup>15</sup> further clarifies the position by noting that, for a conclusion of an LSE to be made "there is no need to establish such an effect...it is merely necessary to determine that there **may be** such an effect" (original emphasis). For the reasons highlighted above the assessment process follows the precautionary principle throughout and the word 'likely' is regarded as a description of a risk (or possibility), as opposed to a probability.

The purpose of this section is to identify any LSEs on protected sites that may result from the Project and to record the Secretary of State's conclusions on the need for an AA

#### 3.1 Protected Sites

The spatial relationship between the Order Limits of the Project and protected sites is shown in Figure 2 below:

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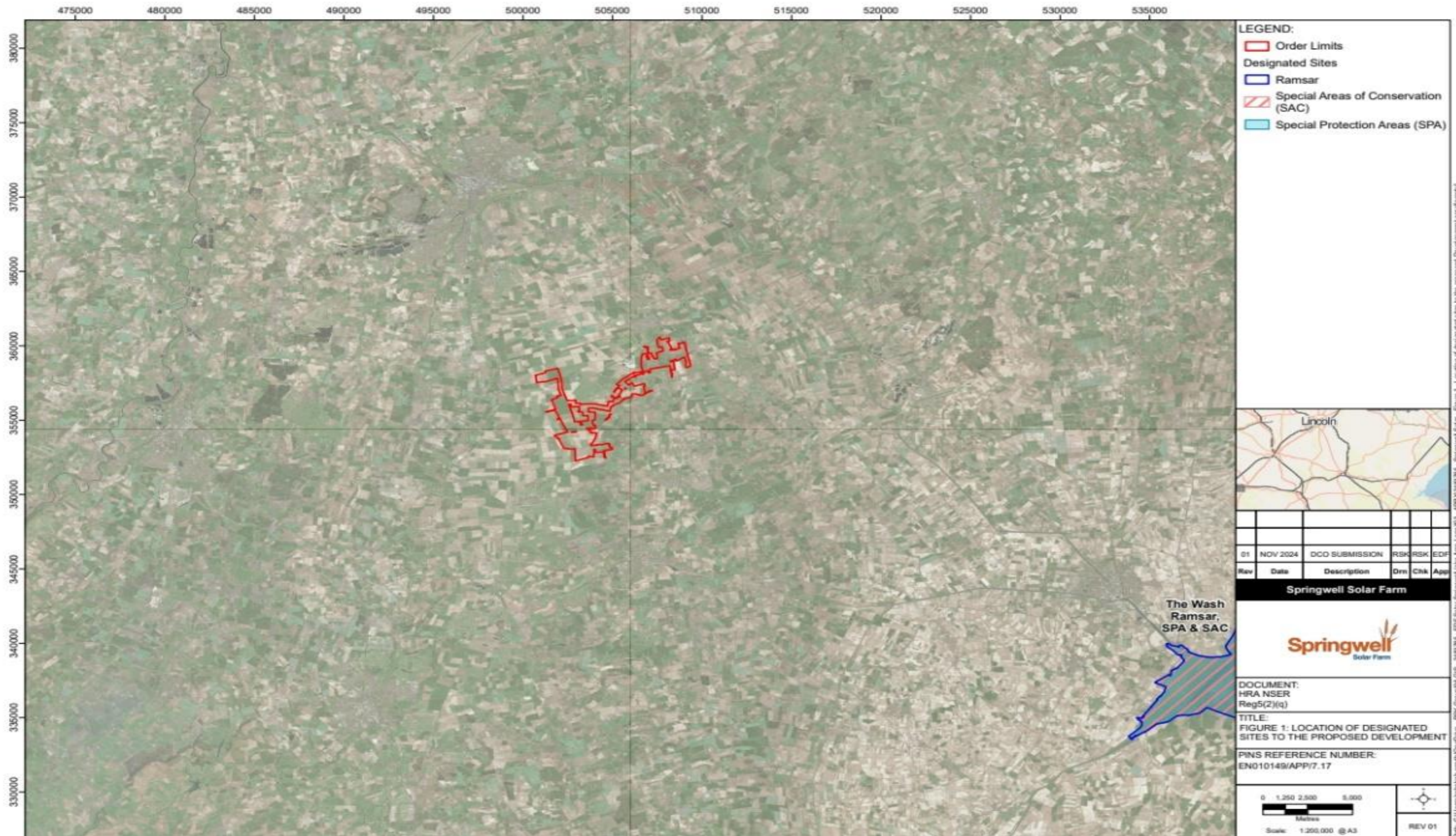


Figure 2: Figure showing the spatial relationship between the Projects Order Limits and protected sites, taken from [APP-0150]

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There are no European sites within 10km of the Project, however, the standard 10km search area was extended for any protected sites designated for highly mobile species such as bats, birds and fish. The nearest protected site, designated for birds and with a potential hydrological link to the area within the Order Limits, is The Wash and North Norfolk Coast SAC (“the Wash SAC”) and the Wash Ramsar and SPA, located approximately 35km south-east of the Project. Considering the designated site’s qualifying features (birds) and the habitats present within the protected sites, the Wash SAC, SPA and Ramsar (collectively described as “the Wash”) were considered in the Applicant’s screening exercise for LSE. The qualifying features for each of the 3 sites that were screened in are listed in Table 1 in Annex A of the HRA.

NE [RR-291] stated that it welcomed consideration of the Wash SAC, SPA and Ramsar designations despite their distance from the Project, due to the mobile nature of qualifying features and hydrological connectivity. It also noted the Wintering Bird Survey Data [APP-084] which supported screening out impacts from the Project on qualifying bird species. It also agreed with the Applicant’s justification that the site does not comprise functionally linked land (“FLL”) for other qualifying species (i.e. Seal and Otter).

NE [RR-291] stated agreement with the Applicant’s conclusions with regard to the protected sites assessed and their qualifying features. No other evidence or comment against this was submitted by any other party, and therefore the ExA decided that a report on the implications for European sites compiling HRA-relevant information would not be required. [ER.15.1.7].

Based on the information before him, the views of NE, as well as the recommendations of the ExA, the Secretary of State is content that the correct protected sites and qualifying features have been identified.

### 3.2 LSE alone

The Applicant’s screening assessment [APP-0150] concludes that given the significant distance between the Project and the protected sites, the nature of the Project’s proposals, and the existing pressures to the protected sites, there would be no potential effect pathways to any protected site and its qualifying features as a result of the Project, either alone or in combination with other plans or projects.

NE stated in [RR-291] and [REP4-044] that it concurs with the Applicant’s conclusions in [APP-0150]. A description of the sites and features considered in the assessment are described below.

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### **3.2.1 Functionally Linked Land (Ornithological Features) at the Wash SPA and Ramsar**

In their NSER [APP-0150], the Applicant considered that due to the proximity of the Project to protected sites which are designated for ornithological features, it was necessary to examine potential functional linkage.

Both the Wash SPA and the Wash Ramsar site are designated for their internationally important populations of tern and wader species, and on average support more than 200 000 water birds.

The Applicant however noted that many of the bird species for which these protected sites are designated are typically confined to coast habitats; roosting, nesting and foraging at sea, along estuaries and tidal channels, and on mudflats, beaches and saltmarshes. Consequently, the Applicant argued that as the Project contained no wetland habitat, none of the land would be suitable as FLL. Wintering bird surveys in 2023 and 2024 recorded no qualifying species using the land within the Order Limits, with a single flyover by a Pink-Footed Goose being the only qualifying species observed.

As a result, in conjunction with the large distance between the Project and the Wash SPA and Ramsar site, the Applicant considered that the Project does not contain FLL of the Wash SPA and Ramsar site, and there would be no likely significant effects.

NE [REP4-044] agreed, stating that the distance of the site and the results from the two surveys supported the Applicant's conclusion that the site is highly unlikely to be functionally linked to the protected sites at the Wash.

### **3.2.2 Functionally Linked Land (Other Qualifying Features) at the Wash SAC and Ramsar**

The Applicant [APP-0150] screened in the Wash SAC and Ramsar into their LSE assessment for their non-ornithological qualifying features e.g. Otter and Harbour Seal, but considered that due to the distance of the Wash to the Project, and the lack of suitable habitat for the other qualifying features between the Wash and Project, it concluded that there would be no likely significant effects on the other qualifying features of the Wash SAC and Ramsar site.

In the SoCG [REP4-044], NE commented that it concurs with the Applicant's assessment of the impacts and agrees with the Applicant's justification that the Order Limits do not comprise FLL for the other qualifying features e.g. Otter and Harbour Seal.

### **3.2.3 Noise, light and hydrological pollution at the Wash SPA, SAC and Ramsar**

The Applicant [APP-0150] screened in the Wash SPA, SAC and Ramsar into their assessment as the qualifying features of the sites are sensitive to air pollution and air borne pollutants, as well as hydrologically borne pollutants, and there is a potential hydrological link via watercourses within the Order Limits to the tributaries of the River Witham which connect to the Wash.

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However, the Applicant concluded that due to the distance, and the nature of works during the construction, operational and decommissioning phases, it considered that there would be no significant direct or indirect effects from light, noise, water, air or other pollution to the Wash SPA, SAC or Ramsar sites.

In the SoCG [REP4-044], NE commented that it concurs with the Applicant's assessment of the impacts. It considered the nature of the Project, the distance from the designations, and the embedded mitigation measures means that any pollutants from the Project are highly unlikely to alter the background pollution at the protected sites and thus are considered to have no appreciable effect.

### **3.2.4 Increased human activities and recreational pressure at the Wash SAC and Ramsar**

In the NSER [APP-0150], the Applicant noted that the Project relates solely to the construction of a solar farm and associated infrastructure, with no other development types such as housing or recreation planned in association. As such, it concluded that the Project would not lead to an increase in human activities (e.g., recreational activities) in the wider area surrounding the Order Limits, and therefore there was not a potential impact pathway from the Project.

NE did not comment on this impact pathway, but in the SoCG [REP4-044] it stated it concurs with the conclusions of the Applicant's NSER [APP-0150].

### **3.2.5 The Secretary of State's Conclusion on LSE from the Project alone**

Based on the information before him, the views of NE [REP4-044], as well as the recommendations of the ExA [ER.15.2.5], the Secretary of State is content that the Project will not have a LSE on the qualifying features of the Wash when the Project is considered alone.

## **3.3 LSE in-combination**

When assessing the implications of a plan or project in light of the Conservation Objectives of protected sites, it is necessary to consider the potential for in-combination effects (i.e. the effects of the project combined with potential effects of other planned projects), as well as effects due to the project in isolation.

PIN's HRA guidance<sup>12</sup> details what should be considered within in-combination assessments and states that other plans or projects should include (but is not limited to):

- projects that are under construction;
- permitted application(s) not yet implemented;
- submitted application(s) not yet determined;
- all refusals subject to appeal procedures not yet determined;

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<sup>12</sup> [Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments - GOV.UK](#)

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- projects on the Planning Inspectorate's national infrastructure's programme of projects; and
- projects identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption).

The Applicant has addressed potential in-combination effects arising from the Project in Section 5.1 of the NSER [APP-0150]. In this, the Applicant sets out that the distance of the Project from the Wash, supported by the wintering bird surveys, meant that the site is not considered to be FLL of the Wash. Consequently, it concluded that there would be no likely significant cumulative effects.

In the final SoCG [REP4-044], NE state that it concurs with the Applicant that the Project is unlikely to work in combination with any other plans/projects to cause a significant effect upon any protected sites.

On the matter of FLL, NE noted that as the Order Limits do not contain FLL for any of the qualifying features of the sites, the Project cannot work in combination with any other plans/projects to cause any impacts via FLL.

On the matter of hydrological connectivity, NE noted [RR-291] the absence of any appreciable effect via water-borne pollutants from the Project and concluded that meant the Project's proposals cannot work in combination with any other plans/projects to cause any impacts via water pollution.

The ExA concluded [ER.15.3.2] that the Project is not likely to have a significant effect on the qualifying features of the Wash when considered in combination with other plans or projects.

### **3.2.6 Secretary of State's Conclusion on LSE in-combination**

Based on the information before him, the views of NE [REP4-044], as well as the recommendations of the ExA [ER.15.3.2], the Secretary of State is content that the Project will not have a LSE on the qualifying features of the Wash SPA, SAC or Ramsar site when the Project is considered in-combination with other plans or projects.

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### 3.4 Likely Significant Effects conclusion

The Secretary of State has carefully considered the potential effects of the Project on all qualifying features of the protected sites raised during the Examination, taking into account their conservation objectives, to determine whether there will be LSEs in the context of the Habitats Regulations. The Secretary of State considers that sufficient information has been provided to inform an assessment in line with his duties under the Habitats Regulations.

The Secretary of State agrees with the recommendations of the ExA and NE and concludes that LSE can be ruled out for all three sites detailed in Table 1 in Annex A of this HRA, when the Project is considered alone and in-combination with other plans and projects. In reaching his conclusions regarding LSE, the Secretary of State took no account of measures intended to avoid or mitigate effects on any protected site. Consequently, the Secretary of State has not undertaken an AA.

### 4. Conclusion

The Secretary of State has carefully considered all the information presented within the Application and during the Examination, including the representations made by all interested parties including NE, along with the ExA's Recommendation.

In agreement with NE [RR-291] and the ExA [ER.15.3.1], the Secretary of State is satisfied that the relevant protected sites have been identified for consideration of LSE.

Having carefully considered all the information before him, the Secretary of State concludes that the potential for LSE alone or in-combination with other plans and projects to the identified protected sites can be ruled out. This conclusion and its reasoning are consistent with the advice provided by NE and the ExA's recommendation [ER.15.3.2].

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Department for Energy Security and Net Zero

Date: 08/04/2026

## Springwell Solar Farm Habitats Regulations Assessment

## Annex A

Table 1: Protected sites and qualifying features considered in the assessment of LSE

Protected Site	Supplementary Advice on Conservation Objectives (SACOs)	Relevant Qualifying feature(s)	Impact Pathway
The Wash SPA	See footnote <sup>13</sup>	<ul style="list-style-type: none"> <li>• Bar-tailed godwit;</li> <li>• Bewick's swan;</li> <li>• Black-tailed godwit;</li> <li>• Common scoter;</li> <li>• Common tern;</li> <li>• Curlew;</li> <li>• Dark-bellied Brent goose;</li> <li>• Dunlin;</li> <li>• Gadwall;</li> <li>• Goldeneye;</li> <li>• Grey plover;</li> <li>• Knot;</li> <li>• Little tern;</li> <li>• Oystercatcher;</li> </ul>	<p>Functionally Linked Land</p> <p>Noise, light and hydrological pollution</p> <p><b>All assessed alone and in-combination</b></p>

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<https://designatedsites.naturalengland.org.uk/ConservationAdvice/SupplementaryAdvice.aspx?SiteCode=UK9008021&SiteName=wash&SiteNameDisplay=The+Wash+SPA&countyCode=&responsiblePerson=&SeaArea=&IFCAAarea=&NumMarineSeasonality=21>

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Table 1: Protected sites and qualifying features considered in the assessment of LSE

Protected Site	Supplementary Advice on Conservation Objectives (SACOs)	Relevant Qualifying feature(s)	Impact Pathway
		<ul style="list-style-type: none"> <li>• Pink-footed goose;</li> <li>• Pintail;</li> <li>• Redshank;</li> <li>• Sanderling;</li> <li>• Shelduck;</li> <li>• Turnstone;</li> <li>• Waterbird assemblage; and</li> <li>• Wigeon.</li> </ul>	
The Wash and North Norfolk Coast Special Area of Conservation	See footnote <sup>14</sup>	<ul style="list-style-type: none"> <li>• Sandbanks which are slightly covered by sea water all the time;</li> <li>• Mudflats and sandflats not covered by seawater at low tide;</li> <li>• Coastal lagoons;</li> <li>• Large shallow inlets and bays;</li> <li>• Reefs;</li> <li>• Salicornia and other annuals colonising mud and sand;</li> </ul>	Functionally Linked Land Noise, light and hydrological pollution Increased human activities and recreational pressure  <b>All assessed alone and in-combination</b>

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<https://designatedsites.naturalengland.org.uk/ConservationAdvice/SupplementaryAdvice.aspx?SiteCode=UK0017075&SiteName=wash&SiteNameDisplay=The+Wash+and+North+Norfolk+Coast+SAC&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=&NumMarineSeasonality=2>

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Table 1: Protected sites and qualifying features considered in the assessment of LSE

Protected Site	Supplementary Advice on Conservation Objectives (SACOs)	Relevant Qualifying feature(s)	Impact Pathway
		<ul style="list-style-type: none"> <li>• Atlantic salt meadows;</li> <li>• Mediterranean and thermos-Atlantic halophilous scrubs;</li> <li>• Otter; and</li> <li>• Harbour (common) seal.</li> </ul>	
The Wash Ramsar	N/A	<ul style="list-style-type: none"> <li>• Bar-tailed godwit – wintering;</li> <li>• Curlew – wintering;</li> <li>• Dark-bellied brent goose – wintering;</li> <li>• Dunlin – wintering;</li> <li>• Estuary;</li> <li>• Grey plover – wintering;</li> <li>• Harbour (common) seal;</li> <li>• Knot – wintering;</li> <li>• Oystercatcher – wintering;</li> <li>• Pink-footed goose – wintering;</li> <li>• Pintail – wintering;</li> <li>• Redshank – wintering;</li> <li>• Sanderling – wintering;</li> <li>• Shelduck – wintering;</li> <li>• Turnstone – wintering;</li> </ul>	<p>Functionally Linked Land</p> <p>Noise, light and hydrological pollution</p> <p>Increased human activities and recreational pressure</p> <p><b>All assessed alone and in-combination</b></p>

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Protected Site	Supplementary Advice on Conservation Objectives (SACOs)	Relevant Qualifying feature(s)	Impact Pathway
		<ul style="list-style-type: none"> <li>• Waterbird assemblage – wintering; and</li> <li>• Wetland invertebrate assemblage.</li> </ul>	