



DATE 01/07/2025

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The following summarises Yorkshire Wildlife Trust's (YWT's) response to the Issue Specific Hearing 3 (ISH3) conducted at Doncaster Racecourse on 18th June 2025. YWT did not opt to speak at the ISH3 but were in attendance via the live stream and have the following comments that we hope will be considered. In the next issue of the Landscape Ecological Management Plan (LEMP), YWT would expect to see evidence that the Burnet Heritage Trust's (BHT) SSSI candidate site, at Topham Ferry Flashes, has been appropriately surveyed and the ecological value of the site, factored into the mitigation and compensatory management plan for the Fenwick Solar Farm Scheme. We commented on the following during the SoCG Process with the Applicant, *"The Burnet Heritage Trust sites (inclusive of the northeast portion of the application site), meet the scoring threshold for SSSI based on bird communities for both lowland wet grassland and lowland fen."* We must also note that BHT, applied to Natural England (NE) for SSSI designation in April 2025, which the Applicant has been made aware of. Despite NE not progressing the SSSI designation currently, as they recently confirmed in discussion with YWT, they have advised the Applicant to appropriately consider the ecological value of this site in the mitigation plan and compensation design for this scheme.

The Applicant has stated that the information regarding this candidate site has not been publicly available to review, hence the lack of inclusion in the documentation supporting this application. Although we acknowledge that this may have been the case earlier on in the design process; NE and YWT have been aware of the SSSI designation since April 2025, and the evidence put forward by BHT has been available to review. As a result of this, we would expect to see evidence of Topham Ferry Flashes and surrounding area being considered for its ecological value in the updated LEMP. We advise the Applicant to review the SSSI application prepared by BHT and submitted to NE earlier this year, to inform the results of this study.

For each renewable source of energy, we acknowledge that there may be environmental impacts as well as benefits, depending on where a development is sited. Large-scale solar developments are a potential concern in sensitive locations, as they could cause reduce the suitability of habitats for key species. Operational impacts may also present issues, for example, cabling and other infrastructure could affect soils and species through pesticide use or shading. The Government's Solar PV Strategy notes *"When well-managed, solar farms could be beneficial for wildlife. However, in certain locations they could be damaging for biodiversity and ecosystems (Part 2, paragraph 65)"*. We note that the Applicant's commitment to BNG delivery for the scheme was discussed during the ISH3, and we must question the Applicant's rationale. The Framework LEMP supporting the DCO application





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predicts potential BNG uplift of +30%, yet the application only commits to delivering 10% BNG on site overall.

The examiner commented that the Applicant should reframe this in their updated LEMP and should ideally commit to a delivering a higher percentage uplift on site. They also questioned why there was such a disparity in BNG uplift percentages presented across the documentation. This was also mentioned by Burnett Heritage Trust's representative at the Issue Specific Hearing, who supported the examiner's viewpoint. We are aligned with this at YWT and would like to see the applicant review their commitment to only delivering 10% BNG. Furthermore our following point for concern is also linked to the principles of BNG that we feel need strengthening in this application.

In YWT's Statement of Common Ground (SoCG) with the applicant, the status of the third point of discussion, *Management Of Habitat and Ecological Enhancements Post Decommissioning*, remained as **not agreed**. YWT expressed concern about the longevity of the habitat creation and enhancement proposed to be delivered as part of the scheme (common with all solar schemes), which we believe should be permanent. YWT note the Applicant's comment that *'Any habitat creation and enhancement will remain for the lifespan of the Scheme. Upon decommissioning all physical infrastructure will be removed, with the land, including created habitats, returned to landowners. The Scheme will not be responsible for the management of habitats within the Order limits following decommissioning and cessation of the DCO.'* The expectation within the Biodiversity Net Gain Good Practice Principles is that compensation sites will be secured for at least the lifetime of the development *'with the objective of Net Gain management continuing in the future'*. To align with this principle, it is essential that benefits delivered by Biodiversity Net Gain are secured for the longest possible timeframe. Consequently, we do not consider the proposal to allow the area of habitat creation to be potentially returned to a different use to be appropriate. Instead, the area of the habitat creation should be secured for nature in perpetuity through legal agreements.

In addition, it is essential that decommissioning surveys are conditioned to and avoided/mitigated/compensated in line with the mitigation hierarchy. We appreciate the Applicant has committed to the producing a DEMP; within our final SoCG document, the Applicant stated the following, *"the Applicant is committed to implementing comprehensive mitigation measures to address any potential ecological impacts during decommissioning"* Despite this welcome assurance, the Applicant reiterated during the ISH3, they do not consider it to proportionate, that the scheme should have an obligation to secure the habitat creation/enhancements in perpetuity and notes that the proposed approach is consistent with other recently granted solar DCOs. We continue to express concern regarding the above point and believe it should be further investigated throughout this examination period. BHT's representative at the ISH3 aligned with YWT during the hearing,





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expressing their concerns regarding the perpetuity of on-site enhancements being guaranteed through legal agreements.

Our final points for discussion from the Issue Specific Hearing concerns matters raised by BHT regarding ornithological data reported by them, not being referenced in the Applicant's DCO application. We note in the NSER [REP1-025] that NE agrees with the Applicant regarding mitigation measures and compensatory areas proposed for ground nesting birds. Despite this, we would expect to see the data collected by BHT reflected in the survey documentation submitted by the Applicant; most notably, the presence of nesting Eurasian curlew on the site, reported by BHT. Eurasian curlew are a red list species, meaning they are of high conservation significance. NE confirmed that they have not investigated any ornithological data, despite agreeing with the Applicant regarding this point in their own SoCG with them. We are aligned with BHT in their request that this is reviewed further and the baseline habitat data informing this scheme reflects this.

We trust that you find these comments helpful.

Kind regards,

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**Yorkshire Wildlife Trust is the only charity entirely dedicated to
conserving, protecting and enhancing Yorkshire's wildlife and wild places**