



Fosse Green Energy

EN010154

8.11 Statement of Common Ground with Natural England

VOLUME

8

Planning Act 2008 (as amended)

Regulation 8(1)(e)

Infrastructure Planning (Examination Procedure)

Rules 2010

24 March 2026

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Fosse Green Energy Development Consent Order 202[]

8.11 Statement of Common Ground with Natural England

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1. Statement of Common Ground Signatures

This Statement of Common Ground has been prepared and agreed by Fosse Green Energy Limited and Natural England.

Signed on behalf of Fosse Green Energy Limited

Name: Lloyd Sandles

Position: Director

Date: 23/0

Signature

Signed on behalf of Natural England

Name:

Position: Senior Sustainable Development Officer – Natural England

Date: 20/03/2026

Signature

2. Introduction

2.1 Purpose of this document

- 2.1.1 This Statement of Common Ground (SoCG) relates to the application submitted to the Planning Inspectorate on 18 July 2025 by Fosse Green Energy Limited (the Applicant) for a Development Consent Order (DCO) for the Fosse Green Energy solar project (the Proposed Development).
- 2.1.2 This SoCG has been prepared by the Applicant and Natural England (together “the Parties”) in respect of the Proposed Development.
- 2.1.3 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the Parties and where agreement has not yet been reached. This SoCG will be revised and updated as appropriate and/or required by the ExA at relevant examination deadlines.
- 2.1.4 In particular, this SoCG focuses on:
- the potential for the Proposed Development to interact with the natural environment;
 - the potential requirement for an Agricultural Land Classification survey of the Cable Corridor; and
 - the management of disturbed soils by the construction of the Proposed Development.
- 2.1.5 As set out in the procedural decision made by the ExA on 22 August 2025 **[PD-005]**, the ExA requires final and signed SoCGs to be submitted at the midpoint of examination. In line with the Examination Timetable set out at Annex A to the Rule 8 Letter **[PD-010]**, this is Deadline 3A (24 March 2026). Further to this, the procedural decision dated 21 November 2025 **[PD-007]** includes Natural England as a party with which the Applicant must enter into a SoCG.
- 2.1.6 Application document references are taken from the EN010154 – Fosse Green Energy Examination Library.

2.2 The Proposed Development

- 2.2.1 The Application is for the construction, operation (including maintenance), and decommissioning of a ground-mounted solar photovoltaic (PV) electricity generating station with a capacity exceeding 50 megawatts, with battery storage, onsite substation, and associated infrastructure to generate and export/import electricity. The associated development includes, but is not limited to, access provision, battery storage, underground cabling, areas of landscaping and biodiversity enhancement, and a 400 kV underground Grid Connection Cable to connect the Proposed Development to the national electricity transmission network.
- 2.2.2 The Proposed Development will provide a significant amount of renewable energy over its 60-year operational lifetime supporting resilience, security and affordability of electricity supplies. It would be a critical part of the national

portfolio of renewable energy generation that is required to decarbonise the UK's energy supply quickly.

- 2.2.3 The Proposed Development will help meet the urgent need for this infrastructure to support “energy objectives, together with the national security, economic, commercial, and net zero benefits” as set out in the Overarching National Policy Statement for energy (NPS EN-1) (Ref 1). As such it is infrastructure defined as being of critical national priority.

2.3 Parties to this Statement of Common Ground

- 2.3.1 The Parties have been, and continue to be, in direct communication in respect of the Proposed Development.
- 2.3.2 Natural England is the government's adviser for the natural environment in England and was established by an Act of Parliament in 2006. Natural England's purpose is to help conserve, enhance and manage the natural environment.
- 2.3.3 The Applicant is a partnership between Windel Energy Limited and Recurrent Energy.
- 2.3.4 Founded in 2018, Windel Energy is a privately held company dedicated to driving the transition towards a sustainable future. Specialising in the origination, development and integration of renewable energy projects and low-carbon disruptive technologies, Windel Energy is at the forefront of clean energy innovation.
- 2.3.5 With a portfolio exceeding 5 gigawatts (GWp) of renewable power in various stages of development, Windel's team of talented professionals bring a deep understanding and high level of expertise in land viability, electricity networks, planning (Town and Country Planning Act 1990, Developments of National Significance) and consenting for Nationally Significant Infrastructure Projects, legal processes and construction feasibility.
- 2.3.6 Windel Energy adopt a long-term ownership approach, ensuring the efficient operation and management of renewable assets. Leveraging an extensive network of relationships, institutional grade infrastructure and in-house industry expertise, Windel is committed to delivering impactful and enduring energy solutions.
- 2.3.7 Recurrent Energy, a subsidiary of Canadian Solar Inc, is one of the world's largest and most geographically diversified utility-scale solar and energy storage project development, ownership, and operations platforms. With an industry-leading team of in-house energy experts, Recurrent Energy serves as Canadian Solar's global development and power services business.
- 2.3.8 To date, Recurrent Energy has successfully developed, built, and connected 12 GWp of solar projects and more than 5 GWh of energy storage projects across six continents. As of September 30, 2025, its global pipeline includes approximately 23 GWp of solar power and 73 GWh of energy storage capacity. The company also has over 14 GW of solar and energy storage projects under operations and maintenance (O&M) contracts.

2.4 Terminology

2.4.1 In the tables in Section 3 of this SoCG, 'Matters agreed, not agreed or under discussion' are colour coded in column 5 and categorised as follows:

- a. "Agreed" (green) indicates where the issue has been resolved;
- b. "Not Agreed" (red) indicates a final position that a matter cannot be agreed; and
- c. "Under discussion" (amber) indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the Parties.

3. Record of Engagement

3.1 Summary of Consultation

3.1.1 A summary of the meetings and correspondence that has occurred between the Applicant and Natural England is set out in **Table 3-1**.

3.1.2 The Applicant has a cost recovery agreement in place with Natural England, which has been in place since the pre-application period and will remain in place throughout the Examination.

Table 3-1: Engagement between the Applicant and Natural England

Date	Form of Correspondence	Details
21/10/2024	Email / Letter	Statutory notification under Section 42 of the Planning Act 2008, issued by the Applicant to Natural England via email and letter, for the launch of statutory consultation.
23/10/2024	Email	Natural England informed the Applicant of its cost recovery scheme on statutory work.
29/11/2024	Email	Statutory consultation feedback received from Natural England
07/02/2025	Meeting – MS Teams	The discussion within the meeting covered topics including: <ul style="list-style-type: none"> a. the locations of statutorily designated sites and potential impact pathways; b. that a Habitat Regulations Assessment (HRA) Pre-Screening Report will accompany the DCO Application; c. agreement that the need for protected species licences can be avoided through avoidance of impacts; d. the Biodiversity Net Gain commitment and that it be secured within the DCO; and e. buffer habitats between ancient woodland (e.g. Tunman Wood) and the solar infrastructure.
20/02/2025	Meeting – MS Teams	Discussion regarding the approach to Agricultural Land Classification sampling within the Cable Corridor.
20/03/2025	Email	Email sent to Natural England by the Applicant to inform of the publication of the first project update newsletter.

Date	Form of Correspondence	Details
17/09/2025	Email / Letter	Notice under Section 56 of the Planning Act 2008 issued by the Applicant to Natural England via email and letter.
27/10/2025	Relevant Representation	Natural England submitted a relevant representation to the Planning Inspectorate.
22/12/2025	Email / Letter	The Applicant issued the first Draft Statement of Common Ground for comment.
16/01/2026	Email / Letter	Natural England issued a copy of the Draft Statement of Common Ground with Natural England's comments / revisions.
26/02/2026	Email / Letter	The Applicant issued a revised copy of the Draft Statement of Common Ground for review.
06/03/2026	Email / Letter	Natural England issued a copy of the revised Draft Statement of Common Ground with Natural England's comments / revisions.

4. Matters agreed, not agreed or under discussion

4.1 Ecology and Nature Conservation

Table 4-1: Ecology and Nature Conservation

Reference	Description of Matter	Natural England Position	Applicant Position	Status
Legislation and Policy				
4.1.1	Accordance of the Ecology and Nature Conservation Assessment with Ecology and Nature Conservation Legislation and Policy	Natural England (NE) agrees that applicable legislation and policy has been considered.	The Applicant considers that Chapter 8: Ecology and Nature Conservation of the ES [APP-033] has identified and appropriately considered all applicable legislation and policy.	Agreed
Methodology				
4.1.2	Acceptability of the Ecology and Nature Conservation Methodology in the ES	NE agrees with the adopted methodology.	The methodology adopted within Chapter 8: Ecology and Nature Conservation of the ES [APP-033] has been derived from the information obtained through consultation with stakeholders and the review of relevant guidance and studies and is considered acceptable.	Agreed
4.1.3 (NE7)	Requirement for Protected Species Licencing	NE welcomes the approach to avoid impacts upon protected species via	As set out in Table 8-2 of Chapter 8: Ecology and Nature Conservation of the ES [APP-033] the Applicant does not	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		<p>avoidance by design, which is in line with the established 'mitigation hierarchy'. Where further survey reveals the need for any protected species licences from NE, further consultation will be required, and these will need to be applied for in the usual manner. NE is unable to provide a position on the likelihood of a licence being granted without having reviewed a draft licence application.</p>	<p>anticipate that any protected species licences will be required, due to the avoidance and mitigation measures embedded in the Proposed Development design. However, should pre-commencement surveys indicate a change in baseline ecological conditions, which may require protected species licences then Natural England (NE) will be consulted and appropriate applications for licences submitted as relevant. The requirement for pre-construction surveys is set out in within the Framework Construction Environmental Management Plan (CEMP) [REP2-013], a detailed version of which is to be prepared, substantially in accordance with the framework, as secured via Schedule 2, Requirement 12 of the draft DCO [REP2-005].</p>	
Baseline				
4.1.4 (NE4)	Appropriateness of the Nationally Designated Sites Study Area	NE agrees with Chapter 8: Ecology and Nature Conservation of the ES [APP-033], paragraph 8.5.4 which sets out the study area used to identify relevant nationally designated sites:- 5km or:- 200m from the Affected Road Network. NE considers the study areas used to be	The approach to the study area of nationally designated sites is presented in Chapter 8: Ecology and Nature Conservation of the ES [APP-033].	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		appropriate and note that no relevant sites have been identified.		
4.1.5 (NE5)	Review of potential impact pathways between the Proposed Development and Swanholme Lakes SSSI	NE welcomes the review of impact pathways between the proposed development and Swanholme Lakes SSSI in response to preapplication advice from NE and the Planning Inspectorate. NE concurs that no hydrological links exist and that no further assessment is required.	The Applicant reviewed the potential impact pathways between the Proposed Development and Swanholme Lakes Site of Special Scientific Interest (SSSI) within Chapter 8: Ecology and Nature Conservation of the ES [APP-033] in response to preapplication advice from NE and the Planning Inspectorate.	Agreed
4.1.6 (NE1)	Appropriateness of the HRA Study Area (Internationally Designated Sites)	NE considers the study areas in the HRA to be appropriate. The Habitats Regulations Assessment [APP-181] , paragraph 2.2.2 sets out the study areas used to identify relevant internationally designated sites: - 10km for all sites - 20km for sites supporting birds - 30km for sites supporting bat. NE also welcomes that a search beyond these distances has been undertaken to determine hydrological connections.	The approach to the study area of internationally designated sites is presented in the Habitats Regulations Assessment [APP-181] .	Agreed
Assessment Results				
4.1.7	Acceptability of Ecology and Nature Conservation Assessment Results	. NE has not reviewed all assessment results within the Ecology and Nature Conservation chapter as our remit does not include all matters within the chapter.	The assessment results are set out within Chapter 8: Ecology and Nature Conservation of the ES [APP-033] , including the anticipated likely significant effects.	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		NE is, however, happy to agree with the conclusions of the assessment with regards to impacts upon nationally and internationally designated sites.		
4.1.8 (NE2)	Acceptability of the conclusion of the Habitat Regulations Assessment	NE concurs with the conclusion of the HRA and considers that no appreciable effects on the Wash designations are likely.	The assessment results on European Designated Sites are detailed in the Habitats Regulations Assessment [APP-181] .	Agreed
4.1.9 (NE3)	Acceptability of the conclusion of the In-combination assessment	NE acknowledges that the project will not have any appreciable effects upon the qualifying features of any Internationally designated sites; thus, the project cannot combine with any other plans/projects to cause a significant effect. Upon review of the assessment provided, NE concurs that no in combination effects are likely.	The in-combination assessment results are set out within Chapter 8: Ecology and Nature Conservation of the ES [APP-033] , including likely significant effects.	Agreed
Mitigation / Management Plans				
4.1.10	Management Plans	With regard to management of potential impacts to international and nationally designated sites, NE considers the proposed mitigation detailed in Chapter 8: Ecology and Nature Conservation of the ES [APP-033] and the Framework CEMP [APP-189] , Framework Operational Environmental Management Plan (OEMP) [APP-190] , Framework	The Applicant considers that the proposed mitigation measures set out within Chapter 8: Ecology and Nature Conservation of the ES [APP-033] are acceptable. The measures secured within Section 3.4 of the Framework CEMP [REP2-013] , Section 3.4 of the Framework OEMP [REP2-015] , Section 3.4 of the Framework DEMP [REP2-017] , and Section 5 of the	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		Decommissioning Environmental Management Plan (DEMP) [APP-191], and Framework Landscape and Ecological Management Plan (LEMP) [AS-101] to be suitable.	Framework LEMP [REP2-021] are considered acceptable. The provision of a detailed CEMP, a detailed OEMP, a detailed DEMP, and a detailed LEMP to be substantially in accordance with the respective frameworks, is secured under Requirements 12, 13, 20, and 8 respectively of the draft DCO [REP2-005] .	
Other				
4.1.11 (NE19)	Approach to Biodiversity Net Gain	NE has not reviewed the Biodiversity Net Gain Report ((APP-194)) and metric calculations in detail, however, it is noted that the Report indicates that the proposed development will create gains of 30.64% in Habitat units, 50.62% in Hedgerow units and 11.83% in Watercourse units. This is welcomed. Matters that must be secured in the DCO: DCO (APP-016) Requirement 8 – (Landscape and ecological management plan) – secures minimum gains of 30% in habitat units, 50% in Hedgerow units and 10% in watercourse units. This is welcomed.	The approach and results on biodiversity net gain are detailed in the Biodiversity Net Gain Report [APP-194] and are considered acceptable. As noted by Natural England the Applicant has committed to minimum gains of 30% in habitat units, 50% in Hedgerow units and 10% in watercourse units, which are secured by Requirement 8 of the draft DCO [REP2-005] .	Agreed
4.1.12 (NE20)	Ancient Woodland	No ancient woodland is located within the Order Limits, although several blocks are located within 2km. There are also several	The approach to managing Ancient Woodland detailed in Appendix 10-H:	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		<p>Ancient and Veteran Trees located within the Order Limits.</p> <p>NE welcomes the approach to retain all Ancient and Veteran Trees within the Order Limits, and notes the commitment made in the Design Approach Document (APP-186) Table A-1, including EC3, to retain a 15m buffer from all ancient woodland and establish similar buffer zones from all ancient/veteran trees based on their individual root protection zones. In the absence of direct effects or loss of Ancient Woodland and Ancient/Veteran Trees, NE has no specific comment to make in this regard and refer to Standing Advice.</p>	<p>Arboricultural Impact Assessment of the ES [APP-155] is considered acceptable.</p>	

4.2 Soils and Agricultural Land Use

Table 4-2: Soils and Agricultural Land Use

Reference	Description of Matter	Natural England Position	Applicant Position	Status
Legislation and Policy				
4.2.1	Accordance of the Agricultural Land Classification Report with Soils and Agricultural Land Use Legislation and Policy	NE agrees that applicable legislation and policy has been considered.	The Applicant considers that Appendix 12-B Agricultural Land Classification Report of the ES [APP-161] has identified and appropriately considered all applicable legislation and policy.	Agreed
Methodology				
4.2.2 (NE8)	Development Design and Avoidance of BMV Land	NE acknowledges that Design Principle 2 of the Planning Statement (APP-185) sets out the design principle of avoidance of BMV land wherever possible. The Planning Statement (APP-185) Appendix A 'Site Selection Report' (and its appendices in particular) set out clearly how the avoidance of Best and Most Versatile (BMV) land has been considered through the design process in line with relevant national policy. Whilst BMV land could not be avoided altogether, it is noted that the site selection process began via excluding all provisionally mapped BMV land, and	As per Design Principle 2 of the Planning Statement [AS-098] and Appendix A 'Site Selection Report', the Applicant has detailed how it has sought to avoid use of Best and Most Versatile (BMV) land through the design process in line with relevant national policy.	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		worked back from there, identifying a suitable site only affecting provisionally mapped Grade 3 land (Planning Statement (APP-185) paragraph 6.3.154).		
4.2.3 (NE10)	Acceptability of the Soils and BMV Land Assessment Methodology	<p>NE generally welcomes the assessment methodology.</p> <p>Table 12-9 (APP-037) sets out the magnitude criteria for impacts to BMV land in line with IEMA's guidance ('A New Perspective on Land and Soil in Environmental Impact Assessment'), indicating that a permanent loss of >20ha of BMV land would constitute a Major Magnitude effect. NE acknowledges that <5ha will be permanently lost due to the Proposed Development. When using IEMA guidelines, areas less than 5ha of Grade 3a land permanently lost are classified as a 'slight' or 'moderate' effect. NE's advice on other projects has been consistent with the assessment of this 'slight' or 'moderate' effect being described as 'minor' in the context of Solar development</p> <p>NE acknowledges the use of different terminology in the ES chapter but continue to advise that Grade 3a land should be classified as a high sensitivity receptor. For this reason, NE disagrees with the</p>	<p>The Applicant acknowledges that the terminology used in the assessment presented in Chapter 12 Socio Economics and Land Use of the ES [AS-016] differs to the terminology set out in IEMA's 'A New Perspective on Land and Soil in Environmental Impact Assessment (IEMA, 2022). However, the IEMA Guidelines (page 51) note: "<i>Furthermore, when using the above matrices within an ES, the terminology of the tables may need to be adapted to align with a wider EIA reporting terminology framework used within a specific ES. Noting that different EIAs may apply different terminologies regarding the description of effects, for example adverse/beneficial or negative/positive.</i>"</p> <p>Applying the IEMA guidance stringently, the Grade 3a onsite is classified as a 'High' sensitivity receptor, according to Table 2, whilst the Grade 3b onsite is classified as 'Medium' sensitivity. Applying Table 3 of the IEMA guidance, the magnitude of</p>	Not Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		Applicant's approach to assigning significance to effects. Nonetheless, it is recognised that in this scenario when applying the IEMA guidance, the conclusion of the ES on this matter would remain unchanged, and Natural England agree with the overall assessment of impacts, as set out at NE13 (3.2.2).	<p>impact of the High sensitivity Grade 3a onsite is 'Minor' given that the area of permanent irreversible loss is <5ha and the loss relating to the rest of the onsite BMV (i.e. the "<i>reversible loss of one or more soil functions or soil volumes</i>") is considered temporary and reversible given the nature of the Proposed Development (in line with Table 3 of the IEMA guidance).</p> <p>Whilst Natural England and the Applicant disagree with regard to the methodology of assessment, it is agreed that the conclusions of the assessment presented in the ES would remain unchanged regardless of the amendment to the methodology, this disagreement is unlikely to be material in the decision making process in this scenario.</p>	
Baseline				
4.2.4 (NE9)	Acceptability of the Agricultural Land Classification (ALC) Survey of the Principal Site	<p>NE welcomes that a full detailed ALC survey has been undertaken on the Principal Site, in line with the relevant MAFF 1988 guidelines (APP-161).</p> <p>NE notes that some areas of the Principal Site were not surveyed due to varying constraints. NE welcomes that these areas will also be surveyed pre-construction, as</p>	The Applicant considers that the current proposed approach is appropriate and robust.	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		secured in the Framework Soil Management Plan paragraph 7.2.2 [APP-192].		
4.2.5 (NE9)	Acceptability of the approach to the Agricultural Land Classification (ALC) Survey of the Principal Site and the Cable Corridor.	<p>NE advises that an ALC survey of the full Order Limits should be undertaken pre-consent, to inform site wide design to avoid BMV land as far as practicable and inform the Soil Management Plan (SMP). Nonetheless, NE notes that:</p> <ul style="list-style-type: none"> - A pre-construction detailed ALC survey has been secured within the fCEMP (Table 7, ID SOC-C3), which will be used to inform the SMP and restoration to the same ALC grade. - There are additional constraints around the cable route siting due to the NatPower Brant BESS scheme and shared cable route (12.4.16). - When applying IEMA's significance criteria, presence or absence of BMV land in the cable corridor would not constitute a significant effect in EIA terms (Table 12-2 page 20) <p>Natural England considers that whilst this matter is identified as 'Not agreed', NE does not consider that this would result in a material difference to its advice or the</p>	<p>The Applicant acknowledges NE's advice regarding a pre-consent ALC survey of the full Order Limits, however, considers that the current proposed approach is appropriate and robust.</p> <p>As NE acknowledges, the soil survey of a defined cable route is proposed post-consent (along with restoration to pre-construction condition of the soil resource) and is secured by the Framework Soil Management Plan [REP1-037] (which is to be developed into a detailed Soil Management Plan, substantially in accordance with the framework, as secured under Requirement 15 of the draft DCO [REP2-005]). This approach aligns with other, consented solar NSIPs, including Tillbridge Solar Project (EN010142) (see Paragraph 3.10.69 of the Recommendation Report) and Helios Renewable Energy Project (EN010140). This position was discussed with NE in a meeting held on 20 February 2025.</p> <p>Whilst Natural England and the Applicant disagree with regard to the approach of the</p>	Not Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		<p>outcome of the decision-making process. It is acknowledged that a survey of the cable route at pre-application or examination stage would not have changed the conclusions of the ES in this scenario.</p>	<p>cable route survey, it is agreed that the conclusions of the ES would remain unchanged, even with a full Order Limits survey. This disagreement is unlikely to be material in the decision making process.</p>	
<p>4.2.6 (NE11)</p>	<p>Acceptability of the Methodology of the ALC Survey Grade Boundaries</p>	<p>NE requested clarity on the methodology used to draw ALC grade boundaries in Figure 12-5.</p> <p>Figure 12-5 (APP-106) illustrates the ALC grades mapped across the principal site. NE noted that the ALC boundaries appeared to be drawn in strict straight lines, conforming to field boundaries and grid points. Land should be graded and mapped without regard to present field boundaries, except where they coincide with permanent physical features. Usually, it is expected that ALC boundaries would be calculated using an inverse distance weighted modelling tool.</p> <p>Natural England welcomes the clarity provided on this matter within this document and raises no further concern.</p>	<p>Whilst the Applicant notes that curved boundaries are sometimes preferred in land grading mapping to reflect natural variation, in this case, the delineation between Grades 3a and 3b has been represented using straight lines for clarity and consistency of presentation. Some of the mapped boundaries also correspond to permanent features such as roads, farm lanes, and existing field divisions, which are inherently linear and therefore appropriately represented as straight lines.</p> <p>The sample points informing the grading were computer-generated on a regular 1 ha grid, providing an even spatial distribution across the DCO Site. The grade boundaries were subsequently delineated manually based on the results from these evenly spaced samples.</p>	<p>Agreed</p>

Reference	Description of Matter	Natural England Position	Applicant Position	Status
			<p>The mapping technique utilised uses “linear interpolation”, which connects two sample points with a straight line, assuming a constant rate of change between them. It is possible to use spline interpolation or spline smoothing, which fits a smooth curve through the points by using statistical algorithms to estimate values at unsampled locations between auger points. Each technique has its own advantages and disadvantages. The linear interpolation does not attempt to estimate values between auger points and presents a factual representation of the accuracy of the data. The smoothing techniques can appear more accurate to the eye but are based on estimates that give an unknown level of accuracy and imply a false level of accuracy associated with the results. It is not considered a weakness selecting the linear interpolation technique</p> <p>As such, the straight-line representation is an interpretive visualisation of the data rather than a reflection of exact field variation. Given the uniform sampling density, curving the boundaries would not alter the distribution or total area of Grades</p>	

Reference	Description of Matter	Natural England Position	Applicant Position	Status
			<p>3a and 3b within the DCO Site, the change would be purely cosmetic. Therefore, the use of straight versus curved boundaries has no effect on the conclusions of the assessment within Chapter 12: Socio-Economics and Land Use of the ES [AS-016], as the classification is determined by the underlying dataset rather than the graphical representation of the boundary.</p>	
Assessment Results				
<p>4.2.1 (NE12)</p>	<p>ALC Survey Results – BMV Area Discrepancy</p>	<p>NE notes that the ALC Survey Report (APP-161) states 241ha of BMV land was identified within the surveyed areas, yet in the ES, Table 12-5 (APP-037) indicates that 282.9ha are BMV. NE has been unable to identify any reasoning within the ES or survey report for this difference. It is noted that the Order Limits cover a smaller area than the ALC survey report, due to changes in the site boundary during the design process, but this should not cause this change in BMV area identified.</p> <p>NE welcome the confirmation provided that the area of BMV land reported in the ES is correct, and raise no further concerns.</p>	<p>The Applicant acknowledges that there is a discrepancy in the area of BMV land reported within Appendix 12-B Agricultural Land Classification Report of the ES [APP-161] and Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. As detailed within the Appendix 12-B Agricultural Land Classification Report of the ES [APP-161] disclaimer this report was produced in October 2024 based on a previous version of the Site boundary, and therefore figures may illustrate a Site boundary that differs to the Order Limits for which consent is being sought. The area of BMV land reported (and subsequently assessed) in</p>	<p>Agreed</p>

Reference	Description of Matter	Natural England Position	Applicant Position	Status
			<p>Chapter 12: Socio-Economics and Land Use of the ES [AS-016] (i.e. 282.9ha) is correct, and as such this does not affect the findings and conclusions of the report or the Environmental Statement chapters that rely on it.</p>	
<p>4.2.2 (NE13)</p>	<p>ALC Survey Results – Assessment of Impacts</p>	<p>The ES sets out that of the Overall site areas of 1018.7ha, 282.9ha of BMV land will be temporarily used for the proposed development. This has been assessed to be a minor adverse effect and not significant. Of the 282.9ha, only 1.5ha of BMV land will be permanently lost as a result of ecological enhancements associated with the proposed development. This has been assessed as a minor adverse effect, which is not significant. As per issue ref NE10, NE considers that all BMV land should be classified as high sensitivity. As a result, this low magnitude impact to a high sensitivity receptor would result in a Moderate, significant impact, as set out in Table 12-14 and paragraph 12.4.49 (APP-037). NE welcomes the consideration of the impact of ecological enhancements on BMV land. Often, despite leading to a reduction in available agricultural land,</p>	<p>With regards to the assessed permanent loss of 1.5ha of BMV as a result of ecological enhancements associated with the Proposed Development, paragraph 12.7.44 of Chapter 12: Socio-Economics and Land Use of the ES [AS-016] assesses this as a minor adverse and not significant effect. It is noted that the terminology used in the assessment presented in the ES chapter differs to the terminology set out in IEMA's 'A New Perspective on Land and Soil in Environmental Impact Assessment (IEMA, 2022), however the IEMA Guidelines (page 51) note: <i>“Furthermore, when using the above matrices within an ES, the terminology of the tables may need to be adapted to align with a wider EIA reporting terminology framework used within a specific ES. Noting that different EIAs may apply different terminologies regarding the</i></p>	<p>Agreed</p>

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		<p>ecological enhancements can retain the soil resource and protect its long-term capabilities. It is where enhancements require intrusive groundworks, or include deep rooting species (i.e. woodland), that they can lead to a permanent loss of BMV resource.</p> <p>NE requested that the assessment of the permanent loss of BMV land should be revisited with regard to NE10. NE also query the ecological enhancements that have been considered to cause this permanent loss of BMV land as a result of the proposed development.</p> <p>NE acknowledges the use of different terminology in the ES chapter and recognises that when using IEMA guidelines, areas less than 5ha of Grade 3a land is permanently lost, which is classified as a 'slight' or 'moderate' effect. NE's advice on other projects has been consistent with the assessment of this 'slight' or 'moderate' effect being described as 'minor' in the context of Solar development; as such, we raise no further concerns on this matter.</p>	<p><i>description of effects, for example adverse/beneficial or negative/positive."</i></p> <p>The magnitude of impact associated with the 1.5ha of BMV permanent loss is under the 5ha threshold, and as such is classified as 'Low' in line with Table 12-9 of Chapter 12: Socio-Economics and Land Use of the ES [AS-016], or 'Minor' in line with Table 3 within the IEMA Guidelines. When applying a 'High' level of sensitivity (in line with Table 2 within the IEMA Guidelines), the resultant effect (in line with matrix set out in Table 5 of the IEMA Guidelines) is noted as 'Slight or Moderate'. It is considered that a 'Slight' effect (or 'minor' as established within the ES chapter) is an appropriate conclusion of effect in this instance as opposed to a 'Moderate' effect, given that the 1.5ha is well below the 5ha threshold. The IEMA Guidelines (page 51) state: <i>"many situations may not neatly fall within the definitions provided in Tables 2, 3, 4 and 5, and in all cases these tables should not replace professional judgement by experienced professionals based on the specifics and context of the EIA being undertaken."</i> As explained in paragraph</p>	

Reference	Description of Matter	Natural England Position	Applicant Position	Status
			<p>12.7.44 of Chapter 12: Socio-Economics and Land Use of the ES [AS-016], the change of land use is likely to be beneficial to the soil resource, although it is acknowledged that the magnitude of impact relates to the withdrawal of land from agricultural production.</p> <p>As such, it is considered that the conclusion within Chapter 12: Socio-Economics and Land Use of the ES [AS-016] remains correct, and the effect with regards to the permanent loss of 1.5ha of BMV as a result of ecological enhancements associated with the Proposed Development is a 'minor' adverse effect (which would be 'Slight' if using the IEMA Guidelines terminology).</p>	
Mitigation / Management Plans				
4.2.3 (NE15)	Request to consult NE on the Soil Management Plan	NE welcomes the commitment to produce a detailed SMP pre-construction. NE have reviewed the fSMP provided (APP-192), and generally welcome the principles set out. Some further comment on the fSMP is made at NE16 & NE17.	The Applicant agrees to include NE as a consultee under Requirement 15 (1) (Soil management plan) of Schedule 2 of the draft DCO [REP2-005] . The updated draft DCO [REP2-005] reflecting this was submitted to the Examination at Deadline 1 (20 January 2026).	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		<p>An amendment to DCO Requirement 15 is requested to ensure NE are consulted on the detailed soil management plan.</p> <p>Matters that must be secured in the DCO: DCO (APP-016) requirement 15 secures the Soil Management Plan.</p>		
4.2.4 (NE16)	Soil Management Plan – Approach to Soil Handling	<p>NE requests that the detailed Soil Management Plan considers the avoidance of wet weather working.</p> <p>fSMP paragraph 5.3.3 notes that details of on-site soil moisture assessment techniques will be outlined in the SMP (APP-192). NE recommend the use of the Institute of Quarrying’s ‘Guide to Soil Handling in Mineral Workings’ Supplementary Note 4, in this regard. NE advises that all soils should only be handled in a dry and friable condition, and it is expected that construction programmes would restrict soil handling to the drier summer period to minimise risk of soil damage (April through September) as far as reasonably practicable. Where avoidance of the wetter winter period is not possible, increased supervision by a suitably trained person is necessary, the construction period is likely to need to be generous to allow for stoppage, and further</p>	<p>The use of the Institute of Quarrying’s ‘Guide to Soil Handling in Mineral Workings’ Supplementary Note 4 within the detailed Soil Management Plan (SMP) is noted; the Framework SMP broadly aligns with this guidance and the detailed SMP will build on this with more detail post consent. As noted above, Requirement 15(1) (Soil management plan) of the draft DCO [REP2-005] has been updated to include NE as a named consultee, and as such NE will have the opportunity to review the detailed SMP prior to any approval.</p> <p>The Framework Soil Management Plan [REP1-037] acknowledges (ref. paragraph 5.3.2): “<i>Soil may be irreparably damaged if handled when too wet</i>”, and notes (ref. paragraph 6.8.2): “<i>All soil resources to be reinstated must be handled only when dry or slightly moist.</i>” Framework Soil Management Plan [REP1-037] references (ref. paragraph 5.7.1) that: “<i>Soils should be</i></p>	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		<p>actions must be included in the Soil Management Plan to minimise soil damage, in line with DEFRA’s Construction code of practice for the sustainable use of soils on construction sites.</p> <p>The detailed SMP should include consideration of the avoidance of soil handing in the wetter winter months. It should also set out clear stop-conditions for wet weather working.</p> <p>Natural England welcomes the clarity provided with regard to soil handling. As Natural England is named as a consultee for the Soil Management Plan, NE is content that this item is agreed.</p>	<p><i>handled in accordance with the methods as outlined in the DEFRA document [Department for Environment Food and Rural Affairs (DEFRA), March 2011, The Construction Code of Practice for the Sustainable Use of Soils on Construction Sites]</i>”.</p> <p>The Framework Soil Management Plan [REP1-037] requires (ref. paragraph 5.2.1) that <i>“A site representative shall be appointed to be the person responsible for the management of on-site practices to ensure the implementation of the SMP and any associated SWMP or MMP. This person shall be a suitably qualified and experienced soil scientist or practitioner.”</i></p> <p>The Framework Soil Management Plan [REP1-037] also requires (ref. paragraphs 5.4.1 and 5.5.1) that the stripping of subsoil and topsoil must only occur in the right weather conditions, not in adverse weather conditions, such as sustained heavy rainfall (>10mm in 24 hours).</p> <p>The detailed SMP will be prepared substantially in accordance with the Framework Soil Management Plan [REP1-037], as secured via Requirement 15 of Schedule 2 of the draft DCO [REP2-</p>	

Reference	Description of Matter	Natural England Position	Applicant Position	Status
			<p>005], and as such will include these considerations regarding the handling of soils and appropriate supervision. Under Requirement 15, the detailed SMP will be submitted to the relevant planning authority for approval in consultation with Lincolnshire County Council and Natural England and this must be implemented as approved.</p>	
<p>4.2.5 (NE17)</p>	<p>Soil Management Plan – Approach to Soil Disposal</p>	<p>fSMP Section 6 discusses possible recycling and disposal of soils.</p> <p>NE queries the need for any soil disposal, as soils should be stored in appropriate bunds for later reinstatement on-site.</p> <p>NE welcomes the acknowledgement that soil disposal is unlikely to be required and soils will be stored appropriately on site for future reinstatement and re-use.</p>	<p>The Framework Soil Management Plan [REP1-037] allows for the retention and storage of excavated soil onsite.</p> <p>Storage of soils onsite is the preferred approach by the Applicant; there is no obvious reason why any soil extracted onsite would need to be removed from the DCO Site. This soil would be stored appropriately so that it is available for reinstatement at a later stage in the Proposed Development, where relevant. The Applicant will provide more clarity and detail on the proposed soil management measures in the detailed SMP, which, under Requirement 15 of Schedule 2 of the draft DCO [REP2-005] must be substantially in accordance with the</p>	<p>Agreed</p>

Reference	Description of Matter	Natural England Position	Applicant Position	Status
			<p>Framework Soil Management Plan [REP1-037]. For clarity regarding the storage of soils, the Framework Soil Management Plan [REP1-037] has been updated in respect of this point and was submitted to the Examination at Deadline 1 (20 January 2026). Paragraph 5.7.1 of the Framework Soil Management Plan [REP1-037] now includes: “Soils stored for later reinstatement on-site will be stored in appropriate bunds”.</p>	
4.2.6 (NE18)	Soil Reinstatement	<p>NE welcomes the commitment to restoration of the cable route to its original ALC grade. NE also welcomes the intent that the ALC grade of the principal site will be unaltered through operation and decommissioning, as secured by the fCEMP (Table 7, ID SOC-C3). However, no breakdown has been provided with regards to the areas to be temporarily disturbed during construction (e.g. cable route, construction access tracks, construction compounds) and for the lifetime of the project (BESS, substation, operational access tracks). The reinstatement of these areas, either post-construction, or during</p>	<p>With regards to the land take (and amount of BMV) for each element of the Proposed Development, please see the table below. Please note that this calculation has been based on overlaying the illustrative Proposed Development layout figure within the ES (Figure 3-2A [AS-022]) with the ALC classification figure within the ES (Figure 12-5 [AS-068]), and as such the total ALC areas may not exactly tally to the totals stated in Chapter 12: Socio-Economics and Land Use of the ES [AS-016]. Please also note that the calculation in the table below does not account for all planting/habitat creation (e.g. new hedgerow), hence the discrepancy</p>	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status																																																	
		<p>decommissioning, will be necessary to ensure the ALC grade is retained.</p> <p>It would be beneficial to present the land take (and amount of BMV) for each part of the development, including temporary construction losses, temporary operational losses, and permanent losses. As a minimum, the detailed SMP should set out in full the methods for reinstatement of each element of the development, to ensure the soil resource is managed effectively and the BMV resource is retained across order limits.</p> <p>Matters that must be secured in the DCO:</p> <p>Reinstatement of the cable route and principal site to the same ALC grade is secured within the DCO by DCO (APP-016) Requirement 12 – Construction Environment Management Plan. DCO (APP-016) requirement 15 secures the Soil Management Plan.</p> <p>Reinstatement of the cable route and principal site to the same ALC grade is</p>	<p>between the total area of BMV to be permanently lost in Chapter 12: Socio-Economics and Land Use of the ES [AS-016] (i.e. 1.5ha), and that reported in the table below. Temporary losses are unshaded and permanent losses shaded dark grey.</p> <table border="1"> <thead> <tr> <th rowspan="2"></th> <th colspan="4">ALC Area (ha)</th> </tr> <tr> <th>Grade 1</th> <th>Grade 2</th> <th>Grade 3a</th> <th>Grade 3b</th> </tr> </thead> <tbody> <tr> <td>Access Tracks</td> <td>0</td> <td>0</td> <td>1.75</td> <td>3.92</td> </tr> <tr> <td>Solar PV Array area and Solar Stations</td> <td>0</td> <td>0</td> <td>122.92</td> <td>311.31</td> </tr> <tr> <td>Consolidated BESS Compound</td> <td>0</td> <td>0</td> <td>0.72</td> <td>6.07</td> </tr> <tr> <td>Community Orchards</td> <td>0</td> <td>0</td> <td>0.62</td> <td>1.2</td> </tr> <tr> <td>Proposed Belt of Trees</td> <td>0</td> <td>0</td> <td>0</td> <td>0.34</td> </tr> <tr> <td>Retained Arable and Grassland</td> <td>0</td> <td>0</td> <td>116.28</td> <td>191.73</td> </tr> <tr> <td>Proposed Species Rich Grassland</td> <td>0</td> <td>0</td> <td>0</td> <td>3.48</td> </tr> <tr> <td>Bird Mitigation Area -</td> <td>0</td> <td>0</td> <td>5.61</td> <td>58.88</td> </tr> </tbody> </table>		ALC Area (ha)				Grade 1	Grade 2	Grade 3a	Grade 3b	Access Tracks	0	0	1.75	3.92	Solar PV Array area and Solar Stations	0	0	122.92	311.31	Consolidated BESS Compound	0	0	0.72	6.07	Community Orchards	0	0	0.62	1.2	Proposed Belt of Trees	0	0	0	0.34	Retained Arable and Grassland	0	0	116.28	191.73	Proposed Species Rich Grassland	0	0	0	3.48	Bird Mitigation Area -	0	0	5.61	58.88	
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		<p>secured within the DCO by DCO (APP-016) Requirement 12 – Construction Environment Management Plan.</p> <p>DCO (APP-016) requirement 15 secures the Soil Management Plan.</p> <p>The breakdown of land take provided in this document is welcomed by Natural England and clearly illustrates the amounts of land, and BMV land, to be affected by each element of the proposal.</p> <p>Natural England also welcomes the amendment to the fSMP to ensure full methods for reinstatement of each element of the development are included in the detailed SMP.</p>	Permanent Grassland					
Bird Mitigation Area - Managed Arable		0	0	34.06	122.61			
<p>The Applicant agrees that the detailed Soil Management Plan (SMP) should include a full description of the reinstatement methods for each component of the Proposed Development to ensure effective soil management and the preservation of BMV where relevant. As such, the Framework Soil Management Plan [REP1-037] has been updated in respect of this point and was submitted to the Examination at Deadline 1 (20 January 2026). Paragraph 7.1.1 of the Framework Soil Management Plan [AS-100] now reads: <i>“Prior to construction, site and soil-specific measures will be set out in a SMP, based upon this FSMP as a minimum, and supplemented by additional survey data where required. The detailed SMP will set out in full the methods for reinstatement (as relevant) to ensure the soil resource is managed effectively according to its ALC,</i></p>								

Reference	Description of Matter	Natural England Position	Applicant Position	Status
			<i>and BMV resource is retained (as relevant) across the DCO Site".</i>	

4.3 Landscape and Visual Amenity

Table 4-3: Landscape and Visual Amenity

Reference	Description of Matter	Natural England Position	Applicant Position	Status
Legislation and Policy				
4.3.1	Accordance of the Landscape and Visual Amenity Assessment with Landscape and Visual Amenity Legislation and Policy	NE agrees that applicable legislation and policy has been considered with regard to Nationally Designated Landscapes.	The Applicant considers that Chapter 10: Landscape and Visual Amenity of the ES [AS-117] has identified and appropriately considered all applicable legislation and policy.	Agreed
Methodology				
4.3.2	Acceptability of the Landscape and Visual Amenity Methodology	NE agrees with the adopted methodology for the assessment of impacts to Nationally Designated Landscapes.	The methodology adopted within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] has been derived from the information obtained through consultation with stakeholders and by review of relevant guidance and studies and is considered acceptable.	Agreed
Baseline				
4.3.3 (NE6)	Acceptability of the Landscape and Visual Amenity Baseline	NE notes that the proposed development is not located within, or within the setting of, any nationally designated landscape, therefore NE has no specific comments to	The baseline conditions which are detailed in Chapter 10: Landscape and Visual Amenity of the ES [AS-117] are representative of the baseline conditions of the DCO Site.	Agreed

Reference	Description of Matter	Natural England Position	Applicant Position	Status
		make on landscape implications of this development.		
Assessment Results				
4.3.4	Landscape and Visual Amenity Assessment Results	NE agrees that likely significant effects upon any Nationally Designated Landscapes are not anticipated. NE has not reviewed the results of assessment of other landscape and visual receptors.	The assessment results are set out within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] , including likely significant effects anticipated.	Agreed
Mitigation / Management Plans				
4.3.5	Landscape and Visual Amenity Mitigation / Management Plans	NE advises that in the absence of impacts to Nationally Designated Landscapes, no mitigation is required. NE has not reviewed mitigation proposed for impacts to other landscape and visual receptors.	The proposed mitigation measures are set out within Chapter 10: Landscape and Visual Amenity of the ES [AS-117] and secured within the Framework CEMP [REP2-013] , Framework OEMP [REP2-015] , Framework DEMP [REP2-017] and Framework LEMP [REP2-021] .	Agreed

4.4 Public Rights of Way (PRoW)

Table 4-4: Public Rights of Way

Reference	Description of Matter	Natural England Position	Applicant Position	Status
4.4.1 (NE21)	Public Rights of Way Management	<p>It is noted that three Public Rights of Way will be permanently diverted as a result of the project; whilst we have no specific comment to make, NE welcomes the inclusion of the framework Public Rights of Way Management Plan (APP-195) to avoid disruption as far as practicable. NE also welcomes the inclusion of several permissive paths through the order limits, to enhance the connectivity of the existing Public Rights of Way network.</p> <p>Matters that must be secured in the DCO: DCO (APP-016) Requirement 18 – secures the detailed Public Rights of Way Management Plan. This is welcomed.</p>	The Applicant considers that the measures set out in the Framework Public Rights of Way Management Plan [REP2-019] (a detailed version of which is to be prepared, substantially in accordance with the framework as secured by Requirement 18 of the draft DCO [REP2-005]) are acceptable.	Agreed

References

- Ref 1 Department for Energy Security & Net Zero (2025). Overarching National Policy Statement for Energy (EN-1). Available at: [Overarching National Policy Statement for Energy \(EN-1\) – December 2025](#)