

Date: 10 September 2025
Our ref: 524905
Your ref: EN010157

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BY EMAIL ONLY

Dear Inspector,

NSIP Reference Name / Code: EN010157
User Code: F0F015D2C

Title: Natural England's comments in respect of the Peartree Hill Solar Farm Project, promoted by RWE Renewables UK Solar and Storage Limited (Deadline 2).

Examining Authority's submission deadline with a date of 10 September 2025

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

For any further advice on this consultation please contact the case officer [REDACTED] [\[REDACTED\]@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk) and copy to consultations@naturalengland.org.uk.

Yours faithfully

[REDACTED]
Yorkshire and Northern Lincolnshire Area Team
Natural England

Natural England’s Written Representations

PART I: Summary and conclusions of Natural England’s advice.
PART II: Natural England’s detailed advice (starting on page 7)
PART III: Natural England’s detailed comments on the Development Consent Order (DCO) (starting on page 23)

Part I: Summary and conclusions of Natural England's advice

Summary of Natural England's advice

Natural England considered that the Applicant has provided insufficient evidence and is not yet satisfied that the following issues have been addressed:

- **Internationally designated sites.**
 - Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites.
 - Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites.
 - Potential water quality impacts – Construction.
- **Protected Species.**
 - Protected species – Badger.
 - Protected species – Breeding birds.

1.1 Natural England's advice in these relevant representations is based on information submitted by RWE Renewables UK Solar and Storage Limited (*'the Applicant'*) in support of its application for a Development Consent Order ('DCO') in relation to Peartree Hill Solar Farm (*'the project'*).

1.2 Part I of these Written Representations provides a summary and overall conclusions of Natural England's advice. This advice identifies whether any progress in resolving issues has been made since submission of our Relevant Representations (RR-012).

1.3 Our comments are set out against the following sub-headings which represent our key areas of remit as follows:

- International designated sites
- Nationally designated sites
- Protected species
- Biodiversity net gain
- Soils and best and most versatile agricultural land
- Ancient woodland and ancient/veteran trees

1.4 Our comments are flagged as red, amber, yellow, green or grey:

- **Red** are those where there are fundamental concerns which it may not be possible to overcome in their current form.
- **Amber** are those where further information is required to determine the impacts of the project and allow the Examining Authority to properly undertake its task and/or where further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy.
- **Yellow** are those where Natural England does not agree with the Applicant's position or approach. We would ideally like this to be addressed but are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision-making process. However, we reserve the right to revise our opinion should further evidence be presented. It should be noted by interested parties that whilst these issues/comments are not raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances.

- **Green** are those which have been successfully resolved (subject always to the appropriate requirements being adequately secured).
- **Grey** are notes for Examiners and/or competent authority.

1.5 Natural England has been working closely with RWE Renewables UK Solar and Storage Limited to provide advice and guidance on the Peartree Hill Solar Farm project since 2024 through Natural England's Discretionary Advice Service. Natural England has agreed to attend meetings with the Developer with a view to progressing Statements of Common Ground as part of the Examination process and to try to resolve outstanding issues ahead of the Examination. We have engaged on the draft Statement of Common Ground (SoCG).

2. Internationally designated sites

2.1 Natural England's position regarding internationally designated sites has changed since submission of our Relevant Representations (RR-012).

2.2 Our updated advice regarding impacts on internationally designated sites on the basis of further information submitted is set out below. Further detail on our reasoning for this is given against each impact pathway within Part II.

2.3 Natural England is not yet satisfied for 'amber' issues identified in the text below that it can be ascertained beyond reasonable scientific doubt that the project would not have an adverse effect on the integrity of the following internationally designated sites.

- Humber Estuary Special Protection Area (SPA)
- Humber Estuary Special Area of Conservation (SAC)
- Humber Estuary Ramsar.

2.4 Further information is required to assess the following impact pathways for the above designated sites:

- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – Core mitigation areas and the implementation of a buffer ('amber') **[NE1a]**.
- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – Permissive footpaths in the proposed mitigation areas (construction and operation) ('amber') **[NE1b]**.
- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – Hydrology of the proposed mitigation areas (construction and operation) ('amber') **[NE1c]**.
- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – Management of the proposed mitigation areas (construction and operation) ('amber') **[NE1d]**.
- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – Bird surveys (construction and operation) ('amber') **[NE1e]**.
- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – In combination impacts (construction and operation) ('amber') **[NE1g]**.
- Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites – construction (construction) ('amber') **[NE2a]**.
- Potential water quality impacts – construction – Horizontal Directional Drilling – Bentonite breakout (construction) ('amber') **[NE5]**.

2.5 Natural England is satisfied that 'green' issues are unlikely to result in adverse effects on the integrity of the following internationally designated sites, subject always to the appropriate mitigation/compensation as outlined in the application documents being adequately secured.

- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – 'Bird days' calculation methodology (construction and operation) ('green') **[NE1f]**.
- Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites – Overhead power lines (construction and operation) ('green') **[NE2b]**.
- Potential disturbance impacts to lamprey (construction and operation) ('green') **[NE3]**.
- Potential abstraction impacts resulting from Horizontal Directional Drilling (construction) ('green') **[NE4]**.
- Potential water quality impacts – operation – Cleaning of solar PV modules (operation) ('green') **[NE6a]**.
- Potential water quality impacts – operation – Fire suppression/protocol (operation) ('green') **[NE6b]**.

3. Nationally designated sites

3.1 Natural England's position regarding nationally designated sites has changed since submission of our Relevant Representations (RR-012).

3.2 Our updated advice regarding impacts on nationally designated sites on the basis of further information submitted is set out below. Further detail on our reasoning for this is given against each impact pathway within Part II.

3.3 Natural England is satisfied that 'green' issues are unlikely to damage or destroy the features for which the below sites are designated, subject always to the appropriate mitigation as outlined in the application documents being secured adequately. Please find a summary of each 'green' issue below, and refer to Part II for further details:

- Potential impacts on the Humber Estuary SSSI designated features (construction and operation) ('green') **[NE7]**.

4. Protected species

4.1 Natural England's position regarding European protected species has changed since submission of our Relevant Representations (RR-012).

4.2 Our updated advice regarding impacts on protected species on the basis of further information submitted is set out below. Further detail on our reasoning for this is given against each impact pathway within Part II.

4.3 Natural England's position regarding protected species is summarised below. Further detail on our reasoning for this is given in Part II.

- Protected species– Water vole and otter ('green') **[NE8a]**.
- Protected species– Badger ('amber') **[NE8b]**.
- Protected species– Bats ('grey') **[NE8c]**.
- Protected species– Breeding birds ('yellow') **[NE8d]**.

5. Biodiversity Net Gain Provision

5.1 Natural England's position regarding provision of biodiversity net gain has not changed since submission of our Relevant Representations (RR-012).

5.2 Our position regarding biodiversity net gain provision is as set out in our Relevant Representations (RR-012).

- Biodiversity net gain – General ('grey') **[NE9]**.

5.3 Although BNG is not yet a mandatory requirement for NSIPs, we strongly recommend that BNG provision is secured through this development ('grey').

6. Soils and best and most versatile agricultural land

6.1 Natural England's position regarding soils and the best and most versatile agricultural land has changed since submission of our Relevant Representations (RR-012).

6.2 Our updated advice regarding impacts on soils and the best and most versatile agricultural land on the basis of further information submitted is set out in the paragraphs below. Further detail on our reasoning is given in Part II.

6.3 Natural England's position regarding soils and the best and most versatile agricultural land is summarised below. Further detail on our reasoning for this is given in Part II.

- Soils and best and most versatile agricultural land - Comments on Appendix 10.2: Agricultural Land Classification Report ('grey') **[NE10]**.
- Soils and best and most versatile agricultural land - Comments on Outline Soil Management Plan ('grey') **[NE11]**.

7. Ancient woodland and ancient/veteran trees

7.1 Natural England is not providing bespoke advice on the ancient woodland and ancient/veteran trees information provided in the Environmental Statement (ES) for this project. Please refer to Part II for a summary of our standing advice ('grey').

- Ancient woodland and ancient/veteran trees – General ('grey') **[NE12]**.

8. Natural England's overall conclusions

8.1 Natural England's advice is that there are a number of matters which have not been resolved satisfactorily as part of the pre-application process that must be addressed by RWE Renewables UK Solar and Storage Limited and the Examining Authority as part of the Examination and consenting process before development consent can be granted, as summarised in Section 2 above and outlined in further detail in Part II below.

Natural England's Written Representations

9. Part II: Natural England's detailed advice

9.1 Part II of these Representations updates and where necessary augments Part II of the Relevant Representations. It expands upon the detail of all the significant issues ('red' and 'amber' issues) which, in our view remain outstanding and includes our advice on pathways to their resolution where possible. Part II also shows 'green' issues which have been agreed since our Relevant Representations (RR-012) (subject always to the appropriate requirements being secured adequately).

9.2 Natural England will continue engaging with the applicant to seek to resolve these concerns throughout the examination. Natural England advises that the matters indicated as 'red' and 'amber' will require consideration by the Examining Authority during the examination.

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
NE1a	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>Core mitigation areas and the implementation of a buffer</u> Natural England note that some further assessment of the habitat suitability and the capacity of each parcel to deliver for the intended species has been provided. However, we advise that further details are needed regarding the management and monitoring measures to be implemented, before we can concur with the conclusion that the mitigation areas are sufficient to support the required bird numbers and species. Please refer to amber issues NE1b, NE1c, NE1d, NE1e and NE1g in this table for further details regarding the further information still required. Natural England advise that following the resolution of the above issues, an overall conclusion justifying the suitability of the site should be provided. Consideration should be given to factors such as:	Further information required.	'Amber'

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			<ul style="list-style-type: none"> Habitat quality on site. Records of usage of existing fields of similar size within the bird survey results. Boundary features / adjacent development. Presence of suitable adjacent habitat. Consideration of the potential for additional monitoring or management which could help provide certainty that the mitigation areas will provide a sufficient food source. 		
NE1b	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<p><u>Permissive footpaths in the proposed mitigation areas</u></p> <p>We note that <i>Figure 3.4 Indicative Environmental Masterplan</i> [APP-058] details proposed permissive walking routes around mitigation areas 9 and 11. We advise that the impact of these paths on the functionality of the proposed mitigation areas should be assessed in the HRA. We note that if fencing is not proposed, the presence of dogs within mitigation areas can render the whole area unsuitable for the relevant species.</p> <p>This issue remains outstanding at this stage. As stated in the draft SoCG between Natural England and the Applicant, the Applicant “<i>is investigating ways to address this issue, such as the re-routing of the proposed permissive paths around mitigation areas 9 and 11, the use of signage in appropriate locations instructing dog walkers to keep their dogs on a lead and/ or additional fencing.</i>” Natural England will continue to engage with the Applicant on this topic.</p>	Further information required.	‘Amber’

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			With regards to potential mitigation measures, we advise that signage alone would not be sufficient to reduce the impact of human presence and dogs off lead within the mitigation areas. Therefore, fencing should be considered for all mitigation areas. We advise that any fencing proposed to separate users from the mitigation areas should be stock proof fencing to prevent dog entry. Alternative 'dog run' areas away from the bird mitigation areas may also be effective at reducing impacts and enabling public enjoyment of the site.		
NE1c	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>Hydrology of the proposed mitigation areas</u> Natural England welcomes the further information provided regarding the hydrology and soil types within the mitigation areas, and the predicted suitability of the sites for scrape creation. We concur that the information suggests that mitigation areas 11 and 13 are likely to be suitable for scrape creation and agree that appropriate micro-siting of the scrapes can be determined by pre-construction hydrological studies. We note the intention to protect land drains should they be found during scrape creations, with suitable mitigation being installed to reduce water drainage within the scrape area whilst ensuring the land drains remain functional. However, Natural England advise that field drainage systems are designed to drain the field, including at its lowest parts, and therefore, if scrape excavation goes through the pipes or sits above them, the scrapes are unlikely to hold sufficient water. We advise, therefore, that further information should be provided regarding the 'suitable mitigation' measures that will be	Further information required.	'Amber'

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			implemented, to ensure that the scrapes will remain hydrologically isolated from the wider retained under field drains.		
NE1d	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<p><u>Management of the proposed mitigation areas</u></p> <p>Natural England welcomes that further information on monitoring and management has been included in the updated oLEMP 19.3.3.</p> <p>However, we have the following outstanding comments:</p> <ul style="list-style-type: none"> The winter sward height target should be lower than 25cm. Golden plover and lapwing prefer a short sward <10cm, with an optimum height of 7cm¹. This is also acknowledged in 19.3.23 of the oLEMP. Therefore, we advise a maximum sward height of 10cm during winter. Natural England concur that the proposed management to maintain the sward height is appropriate, with grazing being the preferable option. Clarification should be provided on how national trends will be considered in the assessment of bird numbers and 'success' of the mitigation areas. National declines in bird numbers should not remove the need to consider the influence of site-level factors such as habitat management on bird counts. Natural England note that bird monitoring surveys will be undertaken once a month from November to March, with these surveys occurring annually for years 1-3, and then at five yearly intervals. We advise that consideration should be given 	Further information required.	'Amber'

¹ Milson, T. P., Ennis, D. C., Haskell, D. J., Langton, S. D., McKay, H. V. (1998). Design of grassland feeding areas for waders during winter: the relative importance of sward, landscape factors and human disturbance. Biological Conservation. Volume 84. Issue 2, pp. 119 – 129.

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NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			<p>to whether this frequency is sufficient to provide certainty that the mitigation area is functioning adequately for the relevant species. Natural England advise that it may be appropriate to consider increasing the frequency of monitoring for years 3-10, to provide confidence that the site is experiencing adequate bird usage, and to allow for the early implementation of remedial measures if needed. East Riding of Yorkshire Council may be able to advise on this point.</p> <ul style="list-style-type: none"> The oLEMP states that <i>"If the number of birds fall below the baseline conditions when taking into consideration national trends, the Applicant should ensure habitat management is providing the right habitat and conditions as outlined in the Landscape and Ecological Management Plan."</i> We recommend that a summary should be provided in the oLEMP of what <i>'the right habitat and conditions'</i> include for each mitigation area to inform this process. Natural England advise that specific remedial action should be highlighted. This could include measures such as the spreading of manure to increase invertebrate numbers, additional cutting, and increased management of scrapes. As previously stated, we advise that sufficient detail of the proposed management and monitoring approach is required in the oLEMP at this stage to ensure the HRA conclusions regarding the mitigation measures are robust and deliverable. <p>Natural England advise that a monitoring report should be produced following each of the completed surveys in order to enable a review of site targets and implementation of appropriate remediation measures if needed. We advise that these reports should be submitted to the</p>		

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			<p>Local Planning Authority for review, with Natural England consulted if the site is failing to meet its targets. Production of the monitoring reports should be secured via the LEMP.</p> <p>Natural England welcome the commitment in 3.2.7 of the oLEMP that <i>'habitats will be created sufficiently in advance of construction works to allow establishment prior to the first winter to ensure appropriate habitat is available prior to the beginning of any construction activity'</i>.</p>		
NE1e	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	<p>Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites.</p> <p>(C) and (O)</p>	<p><u>Bird surveys</u></p> <p>Natural England welcomes provision of the Grid Connection Bird Survey Report and the inclusion of the new data in the HRA. We note that some assessment of the results has been provided in 5.6.21 of the HRA; however, we advise that this is not considered sufficient to reach a conclusion at this stage.</p> <p>We advise that further assessment should be provided to determine whether the proposed measures are sufficient in the context of the updated bird survey results. Natural England notes that pink-footed geese were recorded within the order limits on two occasions at numbers above 1% of the Humber Estuary bird species population. We advise, therefore, that further assessment should be provided in the HRA regarding the potential specific impacts to this species, and how the measures proposed will adequately mitigate these impacts. We note that noise and visual disturbance impacts resulting from temporary loss of and disturbance to functionally linked land will need to be considered. Please refer to NE2a for our comments regarding this impact pathway.</p>	Further information required.	'Amber'

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
NE1f	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>'Bird days' calculation methodology</u> Natural England welcomes the clarification provided in Appendix E: Bird-days Calculations in the oLEMP. We agree that this point is now resolved.		'Green'
NE1g	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>In combination impacts</u> Natural England note that Carr Farm Solar Farm, which is situated adjacent to mitigation area 11, has recently been consented. We advise, therefore, that further assessment should be provided in the in-combination assessment regarding the potential for this development to impact on openness and sightlines for mitigation area 11. Additionally, Natural England advise that the in combination assessment should consider recently submitted planning application 25/02275/STPLF, which is situated in close proximity to the site, and includes land within the red line boundary.	Further information required	'Amber'
NE2a	International designated sites	Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying	<u>Noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites during construction</u>	Further information required.	'Amber'

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
	<ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	<p>bird features of the listed SPA/Ramsar sites.</p> <p>(C)</p>	<p>Natural England welcome that completion of activities most likely to disturb birds (e.g. piling), will be undertaken outside of the period October-March within the fields adjacent to the mitigation areas (Fields E4, E5, E15, E17 and D17) and that should this not be possible, acoustic barriers will be installed for the construction period. We advise that consideration of noise and visual disturbance to the mitigation areas is now resolved.</p> <p>However, we advise that a detailed assessment is still needed regarding the potential impacts of noisy works on areas where birds have been recorded in significant numbers outside of the redline boundary and in the grid connection corridor.</p> <p>We advise that further assessment should be provided in the HRA regarding the predicted location of 'noisy' works in the context of the bird survey results, to identify whether disturbing noise levels from the development will reach land utilised by birds in significant numbers.</p> <p>Mitigation measures may include (one or a combination of) restrictions to timing of works, buffer zones, acoustic screening, piling shrouding or other measures. Natural England note that 7.3.18 of the sHRA [REP1-015] outlines measures to '<i>mitigate the effect of visual and noise disturbance on birds</i>'. We advise that an assessment should be provided of the predicted reduction in noise levels that will occur as a result of the proposed mitigation measures, in order to assess their effectiveness. NatureScot's Disturbance Distances in selected Scottish Bird Species Guidance may be helpful for determining appropriate buffer distances, if required.</p>		

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			Natural England welcome the commitment in the sHRA [REP1-015] that <i>'there will be no night-time working unless agreed with the Local Planning Authority, and any artificial lighting will be kept to a minimum and not directed towards habitat suitable for SPA/Ramsar site qualifying species'</i> . This should be secured via the CEMP.		
NE2b	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary Ramsar 	Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/Ramsar sites. (C) and (O)	<u>Overhead power lines</u> Natural England welcomes the confirmation provided in the HRA that no above ground cabling will be required for the project. This issue is therefore resolved.		'Green'
NE3	International designated sites <ul style="list-style-type: none"> Humber Estuary SAC Humber Estuary Ramsar 	Potential disturbance impacts to lamprey (C) and (O)	Natural England welcomes the updated information provided in the sHRA regarding mitigation measures for lamprey and agree with the assessment conclusions. Therefore, this point is now resolved. The <i>Outline Construction Environmental Management Plan</i> (oCEMP) [APP-153] states that HDD pits will be positioned a minimum of 50m from main rivers, such as the River Hull. Natural England advise that this distance is suitably precautionary and welcome its inclusion in the oCEMP.		'Green'

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NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
NE4	International designated sites <ul style="list-style-type: none"> Humber Estuary SPA Humber Estuary SAC Humber Estuary Ramsar 	Potential abstraction impacts resulting from Horizontal Directional Drilling (HDD) (C)	Natural England welcomes clarification in the updated sHRA that the water required for HDD will be brought to site, and confirmation that no water will be abstracted from the River Hull or a tributary of the Humber Estuary for the HDD. This point is now resolved.		'Green'
NE5	International designated sites <ul style="list-style-type: none"> Humber Estuary SAC Humber Estuary Ramsar 	Potential water quality impacts - construction (C)	<p><u>Horizontal Directional Drilling - Bentonite breakout</u></p> <p>Natural England note that a general bentonite breakout management plan is provided in the oCEMP [REP1-050], which includes generic countermeasures. We advise, however, that site specific details are needed. We note that <i>'further details regarding HDD breakout including defined working areas will be included in the Construction Environmental Management Plan'</i>. Natural England cannot provide comprehensive advice until this information is provided. Natural England advise that the outline CEMP should provide sufficient site-specific detail on the required mitigation measures for bentonite breakout to inform conclusions in the HRA.</p> <p>Natural England notes the Applicant's position that final details of bentonite breakout management activities cannot be provided at this stage before a Principal Contractor is appointed. However, we advise</p>	Further information required.	'Amber'

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NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			<p>that it should be possible to provide further details at the application stage to inform the HRA, including:</p> <ul style="list-style-type: none"> • providing the options of what the procedures could be (i.e. Rochdale envelope type approach) • assessing is the worst-case scenario to show whether AEol can be ruled out • confirming that the general HDD practices included in the outline CEMP will be secured, as a minimum • clarifying how the approach will be decided post-consent 		
NE6a	International designated sites <ul style="list-style-type: none"> • Humber Estuary SAC • Humber Estuary Ramsar 	Potential water quality impacts - operation (O)	<u>Cleaning of solar PV modules</u> Natural England welcome the updated information provided in the sHRA and oOEMP that solar PV modules will be cleaned using deionised water only. This point is now resolved.		'Green'
NE6b	International designated sites <ul style="list-style-type: none"> • Humber Estuary SAC • Humber Estuary Ramsar 	Potential water quality impacts - operation (O)	<u>Fire suppression/protocol</u> Natural England welcome the updated information provided in the Outline Battery Safety Management Plan and sHRA, that a non-water based fire suppression system would be used. We note that if water is required, it will only be used to cool areas adjacent to the BESS, and will therefore not contain any chemicals or firefighting compounds after use. This point is now resolved.		'Green'

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NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
NE7	National designated sites <ul style="list-style-type: none"> Humber Estuary SSSI 	Potential impacts on the Humber Estuary SSSI designated features (C) and (O)	Natural England welcomes that the Humber Estuary SSSI has now been considered within the Environmental Statement Chapter 7 Biodiversity as a separate ecological receptor. This point is now resolved.		'Green'
NE8a	Protected species	Protected species – Water vole and otter	<u>Water vole and otter</u> Natural England welcomes the updated information provided in the oCEMP, that commits to undertaking water vole surveys 100m upstream and downstream of proposed culverts and watercourse crossing points which affect watercourses assessed as 'suitable but poor to optimal suitability' within ES Volume 4 Appendix 7.7 Water Vole and Otter Habitat Suitability Report. Natural England also welcome the update provided in the oCEMP that pre-construction otter surveys of suitable habitat will be undertaken within 200m of the proposed works. This point is now resolved.		'Green'
NE8b	Protected species	Protected species - Badger	<u>Badger</u> Natural England note that it is stated in the Environmental Statement Chapter 7 Biodiversity that ' <i>where reasonably practicable, construction work will not take place within 30m from a main badger sett</i> '. We would welcome clarification on which construction activities may be permitted under the 'where reasonably practicable' exemption. We	Further information required.	'Amber'

Table 1: Natural England's Written Representations					
NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
			advise that there should be a hard 30m limit for piling and other intrusive groundworks, which should be secured via the CEMP.		
NE8c	Protected species	Protected species - Bats	<p><u>Bats</u></p> <p>Natural England welcome the measures secured for bats in the oCEMP [APP-153] and oOEMP [APP-154]. We advise that double row Heras fencing with either camouflage netting over the top or filled with brash is suitable where sections of hedgerow are to be removed. Natural England would welcome brash as the preferable option, and advise that should netting be used, the use of netting on both sides of the fencing as well as across the top would be welcomed.</p>	N/A	'Grey'
NE8d	Protected species	Protected species – Breeding birds	<p><u>Breeding birds</u></p> <p>Natural England welcome that the oLEMP has been updated to include clear objectives, defined targets, details of limits of acceptable change and details of remedial actions. We advise that clarification should be provided on how national trends will be considered in the assessment of bird numbers and 'success' of the mitigation areas. National declines in bird numbers should not remove the need to consider the influence of site-level factors such as habitat management on bird counts. Consideration should also be given to the advice provided in NE1b regarding <u>permissive footpaths in the proposed mitigation areas.</u></p>	Further information required.	'Yellow'
NE10	Soils and best and most versatile	Comments on Appendix 10.2:	Natural England notes that in the applicant's response to Natural England's Relevant Representations, it is stated that <i>'detailed soil/land quality surveys of the grid connection cable route will be undertaken</i>	N/A	'Grey'

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NE key issue ref	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on the further information required to enable assessment.	Natural England comment on the mechanism for securing mitigation/compensation measures in the DCO	Risk Red/ Amber/ Green/ Grey
	agricultural land	<i>Agricultural Land Classification Report</i>	<p><i>post-consent/pre-construction, once the design and land needed for excavation is confirmed'.</i></p> <p>Natural England do not consider it best practice to defer a detailed ALC and soil survey of the grid connection cable corridor until after final design and land-take confirmation. Natural England recommends a bespoke soil-investigation programme agreed at an early stage, proportionate to the site's scale and complexity. Agreeing a truncated survey now and postponing comprehensive sampling risks under-estimating local soil variability, agricultural sensitivity and reinstatement challenges and it undermines the integrity of the eventual Soil Management Plan.</p> <p>Waiting until later to define survey extents and depths prevents soil data from informing route-optimum design, reinstatement commitments or cumulative impact assessments. We therefore recommend that the applicant should submit a detailed, targeted ALC and soil survey methodology for the entire grid-connection corridor upfront, with sampling intensity, horizon-depth verification and mapping protocols tailored to the route's particular land uses. This early agreement will secure robust, project-specific soil inputs and avoid protracted consultations once design is fixed.</p>		
NE11	Soils and best and most versatile	Comments on the <i>Outline Soil Management Plan</i>	Natural England recommend that all soils should only be handled in a dry and friable condition. Natural England welcome the confirmation	N/A	'Grey'

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	agricultural land		<p>provided in the Outline Soil Management Plan (oSMP) that soil handling will be principally confined to the period April to October.</p> <p>3.1.4 of the oSMP [APP-159] states that <i>'tractor operated farm cultivation equipment will be used to ameliorate localised damage resulting from the solar installation'</i>. We advise that careful planning and consideration of the above advice regarding soil handling will lessen the risk of damage, and the subsequent need for amelioration.</p> <p>Natural England welcome that <i>'All soil trafficking and handling operations will be undertaken under the supervision of an appropriately trained and experienced person, who will advise on and supervise soil handling, including identifying when soils are dry enough to be handled'</i>. Given the high quality of the agricultural land, we recommend that this should include supervision of soil handling by a competent soil specialist.</p> <p>Natural England note that soil storage will either be short or long-term. We advise that all storage bunds intended to remain in situ for more than 6 months, or over the winter period, should be grassed over, with weed control and other necessary maintenance carried out.</p> <p>Natural England welcome the commitment in section 10 of the oSMP [APP-159] to provide information on the grid connection corridor in a Soil Management Plan, and to restore the land to the same ALC grade after installation of the cable and restoration of the works.</p>		

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NE12	Ancient woodland and ancient/veteran trees	Ancient woodland and ancient/veteran trees - General	<p>Natural England notes that there are 3 veteran/ancient trees within the order limits.</p> <p>Natural England advises that it should be determined whether the proposed approach is in line with Natural England's standing advice for ancient woodland, which should be referred to. Natural England is not providing bespoke advice on the ancient woodland information provided in the ES for this project. Any further information provided has not been assessed by Natural England.</p> <p>The requirement for mitigation/compensation has not been assessed by Natural England.</p>	The requirement for mitigation has not been assessed by Natural England.	'Grey'

Natural England's Written Representations

PART III: Natural England's detailed comments on the Development Consent Order (DCO) and associated documents

Part III of these Representations provides Natural England's detailed comments on the Development Consent Order.

Page	Topic/DCO Requirement	Natural England's comments
41-45	Requirements 1-19	Natural England welcomes the inclusion of draft Requirements relating to our remit, including Requirements 4, 6, 9, 14 and 15. Please refer to our detailed advice on the associated draft plans in Part II of our Representations. We may have further detailed advice on the relevant plans, if further information is provided at a later stage.
43	Requirement 9 Landscape and Ecological Management Plan	We welcome that consultation with Natural England has now been referred to in part 1 of Requirement 9.