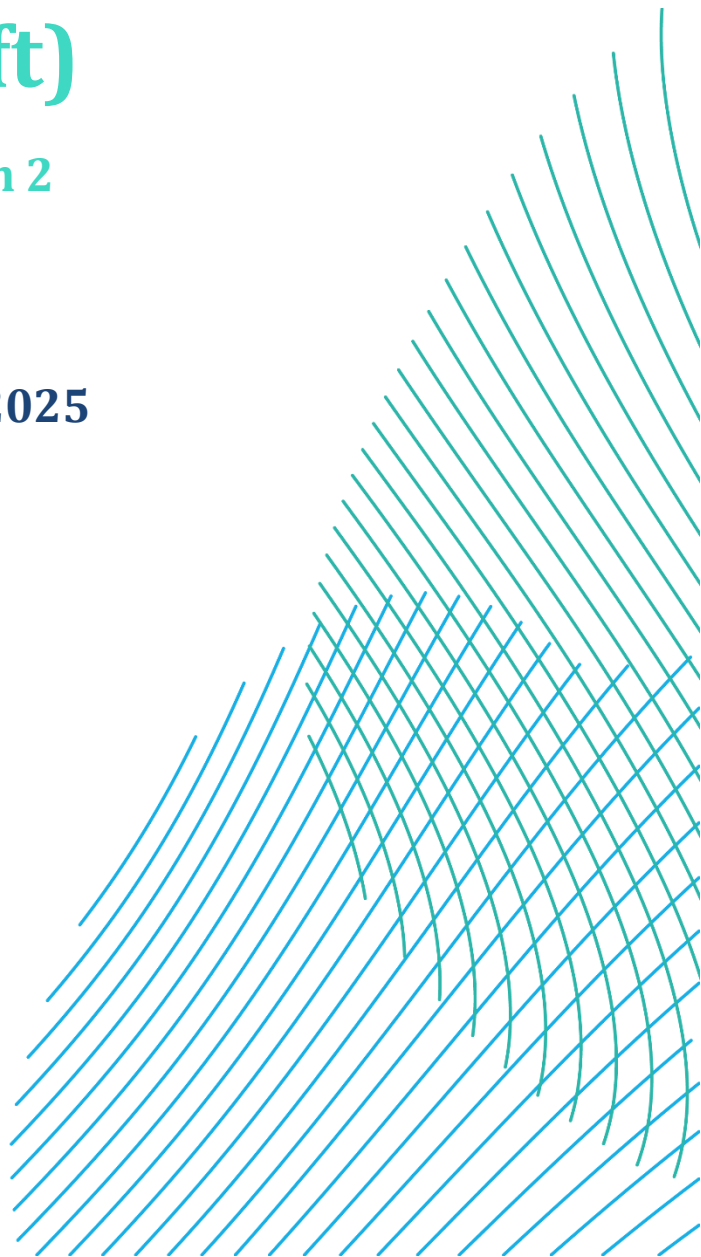




Statement of Common Ground with Natural England (draft)

Revision 2

October 2025



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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support the Examination of the Development Consent Order (DCO) application (the 'DCO Application') for Peartree Hill Solar Farm (the 'Proposed Development').
- 1.1.2 The DCO Application is for a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance) and decommissioning of a solar photovoltaic (PV) array electricity generating facility, Battery Energy Storage System (BESS) and associated infrastructure which would allow for the generation and export of electricity.
- 1.1.3 The SoCG is a 'live' document that has been prepared collaboratively by the Applicant and the Consultee (Natural England).
- 1.1.4 The SoCG has been prepared in accordance with the Guidance for examination of DCO applications which was published in 2024 by the Department for Levelling Up, Housing and Communities¹.
- 1.1.5 This Guidance comments that:

"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority".
- 1.1.6 The aim of this SoCG is to therefore provide a clear position of the progress and agreement made or not yet made between the Applicant and Natural England on matters relating to the Proposed Development. Where matters are yet to be agreed, the parties will continue to proactively work to reach agreement.

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

- 1.1.7 The SoCG will be updated as more information becomes available and as a result of ongoing discussions between the Applicant and Natural England.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) the Applicant and (2) Natural England .
- 1.2.2 Collectively, the Applicant and Natural England are referred to as ‘the parties’.

1.3 Terminology

- 1.3.1 Section 3 of this document sets out the relevant matters raised though discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter:
- “Agreed” indicates where the issue has been resolved between the parties and is not anticipated to be subject to further discussions;
 - “Under discussion” indicates where a matter remains in active dialogue between the parties and a final position has not yet been reached;
 - “Not Agreed” indicates where the parties have established a final position that they cannot resolve the matter and will remain a point of difference.

2 Record of Engagement

2.1 Summary of consultation and engagement

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

Table 1: Record of Engagement since February 2024

Date	Purpose of engagement	Description
February – March 2024	To seek advice regarding the approach to bird surveys	Email correspondence to discuss existing bird survey data, surveys completed to date, and proposed future surveys.
March – April 2024	To consult on a draft version of the wintering bird survey report	Email correspondence to discuss a draft version of the wintering bird survey report (subsequently developed into the submitted ES Volume 4, Appendix 7.4: Wintering Bird Survey Report [APP-108]).
15 July 2024	To seek advice in relation to Habitats Regulations Assessment work.	Online meeting to discuss the methodology for assessment work and potential mitigation and enhancement measures in relation to European site qualifying species and functionally linked land.
July – September 2024	To consult on a draft version of the Agricultural Land Classification Report.	Email correspondence to discuss a draft version of the Agricultural Land Classification Report (subsequently developed into the submitted ES Volume 4, Appendix 10.2: Agricultural Land Classification Report [APP-127]) and potential impacts on Best and Most Versatile (BMV) agricultural land.
November 2024 – January 2025	To provide an update on the project, to outline how Natural England's statutory consultation comments had been	Email correspondence to consult on the following documents: <ul style="list-style-type: none">• Biodiversity Mitigation Strategy (for consultation purposes only - contents

Date	Purpose of engagement	Description
	addressed in the relevant DCO Application documentation and to reach agreement on any outstanding issues prior to submission.	<p>were subsequently incorporated into the submitted Outline Landscape and Ecological Management Plan (Outline LEMP) [APP-156];</p> <ul style="list-style-type: none"> • A draft version of the Habitats Regulations Assessment - Information to Inform Appropriate Assessment (later developed into the submitted Habitats Regulations Assessment - Information to inform Appropriate Assessment [APP-145]); and • A draft version of the Outline Soil Management Plan covering the grid connection cable route (later incorporated into the submitted Outline Soil Management Plan (Outline SMP) [APP-159]).
14 January 2025	To consult on the Biodiversity Mitigation Strategy and the draft version of the Habitats Regulations Assessment – Information to Inform Appropriate Assessment.	Online meeting to discuss Natural England's comments on the Biodiversity Mitigation Strategy and the draft version of the Habitats Regulations Assessment – Information to Inform Appropriate Assessment (shared on 25 November 2024).
3 February 2025	To provide comments in relation to glint and glare.	Email from Natural England providing points for consideration in relation to glint and glare.
March – April 2025	To clarify points in relation to the Outline Landscape and Ecological Management Plan [APP-156].	Email correspondence to address Natural England's queries on the submitted Outline LEMP [APP-156] in relation to the 'bird days' calculation and the amount of mitigation land proposed for European site qualifying bird species.
21 May 2025	Kick-off progress meeting for the Pre-examination/ Examination period.	Online meeting to discuss Natural England's relevant representation responses and how the Applicant proposes to address them.
21 July 2025	To share the grid connection bird survey report.	Email from the Applicant to share the Grid Connection Bird Survey Report [EN010157/APP/8.4] .
July 2025	To set out the Applicant's proposed responses to	Email correspondence to share an updated draft version of the submitted

Date	Purpose of engagement	Description
	some matters in Natural England's relevant representation.	Outline LEMP [APP-156] and the submitted Habitats Regulations Assessment - Information to inform Appropriate Assessment [APP-145] .
4 September 2025	To consult with Natural England on proposed amendments to permissive path routes to minimise disturbance to mitigation areas.	Email from the Applicant explaining the proposed amendments to permissive path routes (later set out in the Third notification of proposed changes to the DCO Application [AS-017]).
11 September 2025	To discuss the key outstanding issues from Natural England's forthcoming Written Representations.	Online meeting to discuss the key outstanding issues from Natural England's Written Representations prior to submission of the document at Deadline 2, including the proposed amendments to permissive path routes.

3 Current Position

- 3.1.1 The table below provides a summary of the current position of the Applicant and Natural England in relation to specific matters that have been under discussion to date.
- 3.1.2 Where a matter is not represented in the table, it should be assumed that it is either: (i) agreed between the parties and has not been the subject of detailed discussion; or (ii) not relevant to the discussion between the parties.
- 3.1.3 As noted above, this is a 'live' document and there are some aspects that are still under discussion between the parties. The intention is to provide a final position in subsequent versions of the SoCG, addressing and identifying where changes have been made and where agreement has been reached between the parties.

Table 2: Current position of the Applicant and Natural England in relation to specific matters that have been under discussion to date

Ref	Topic	Natural England's Position	Applicant's Position	Status
International designated sites - surveys				
NE01	Bird surveys – Land Areas <i>Biodiversity</i>	In their relevant representation [RR-012] (NE1e), Natural England considers that the bird survey effort for the Land Areas is acceptable to inform the assessment of impacts from loss of functionally linked land due to factors such as the number of surveys undertaken and the results obtained.	The Applicant welcomes this response. See ES Volume 2, Chapter 7: Biodiversity [EN010157/APP/6.2 Revision 2], ES Volume 4, Appendix 7.4: Wintering Bird Survey Report [APP-108], ES Volume 4, Appendix 7.5: Ornithological Survey Report [APP-109], and ES Volume 4, Appendix 7.9: Passage Bird Survey Report [APP-113] for details.	Agreed
NE02	Bird surveys – grid connection cable route <i>Biodiversity</i>	In their written representation [REP2-154] (NE1e) submitted at Deadline 2, Natural England welcomes the provision of the Grid Connection Bird Survey Report and the inclusion of the new data in the HRA. However, Natural England advises that further assessment should be provided to determine whether the proposed measures are sufficient in the context of the updated bird survey results, particularly regarding potential impacts to pink-footed geese. Natural England notes that noise and visual disturbance impacts resulting from temporary loss of and disturbance to functionally linked land will need to be considered.	The Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] has been updated to provide further consideration in relation to pink-footed goose recorded within the grid connection cable route. During the 2024/25 bird surveys, pink-footed goose were seen flying over on four occasions and were only recorded twice within the Order Limits. Although the numbers recorded within the Order Limits were more than 1% of the SPA population, the grid connection cable route is not considered to constitute functionally linked land for pink-footed goose given that they were not regularly	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		Natural England will review the updated information and provide comments at Deadline 4.	<p>recorded, no Wetland Bird Survey alerts have been triggered for this species on the Humber Estuary, and their numbers within the Humber have shown increases in recent years (following the national trend)</p> <p>The updated Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] is submitted at Deadline 3.</p>	
International designated sites – mitigation areas				
NE03	<p>Core mitigation areas and the implementation of a buffer</p> <p><i>Biodiversity</i></p>	In their written representation [REP2-154] (NE1a), Natural England noted that some further assessment of the habitat suitability and the capacity of each mitigation area to deliver for the intended species has been provided. However, Natural England advises that further details are needed regarding the management and monitoring measures to be implemented, before it can concur with the conclusion that the mitigation areas are sufficient to support the required bird numbers and species. Natural England advised that the required details can be provided through responses to issues NE1b, NE1c, NE1d, NE1e and NE1g in its written	<p>The Outline LEMP [REP1-056] that was submitted at Deadline 1 provided further assessment of the suitability and the potential carrying capacity of each mitigation area to deliver mitigation for the intended species.</p> <p>The Applicant has provided an overall conclusion justifying the suitability of the Site in its Response to Deadline 2 Submissions and Additional Information [EN010157/APP/8.14], which is submitted at Deadline 3. That document also contains detailed answers to issues NE1b NE1c, NE1d, NE1e and NE1g from Natural England's written representation [REP2-154] and sets out how</p>	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>representation [REP2-154] but also requested that an overall conclusion justifying the suitability of the site should be provided.</p> <p>In an online meeting on 11 September 2025, Natural England acknowledged that it was not possible to physically extend the capacity of mitigation areas at this stage, but the capacity can be increased through effective management and monitoring of the mitigation areas.</p> <p>Natural England will review the updated information and provide comments at Deadline 4.</p>	<p>the updated Outline LEMP [EN010157/APP/7.5 Revision 6], which is submitted at Deadline 3, has been amended to address each respective issue.</p>	
NE04	<p>Permissive paths and the proposed mitigation areas</p> <p><i>Biodiversity</i></p>	<p>In their relevant representation [RR-012] (NE1b), Natural England noted that Figure 3.4 Indicative Environmental Masterplan [APP-058] detailed proposed permissive walking routes around mitigation areas 9 and 11 and advised that the impact of these paths on the functionality of the proposed mitigation areas should be assessed in the HRA. Natural England confirmed via email on 10 September 2025 that overall, it welcomes the Applicant's proposed changes to address</p>	<p>As set out in the Third notification of proposed changes to the DCO Application [AS-017], the Applicant is proposing amendments to the permissive path routes around mitigation areas, including mitigation areas 9 (Field E6) and 11 (Field D18), to address this matter, following consultation with Natural England. The Applicant is also proposing to install 1m-high post and rail fencing with wire mesh between relevant sections of permissive path and mitigation areas to prevent path users and</p>	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>this matter, specifically the proposed removal of the permissive path loops around mitigation area 9 (Fields D18) and 11 (Field E6). Natural England advised that stock proof fencing should be considered to separate permissive path users from all mitigation areas to prevent dogs from entering the mitigation areas.</p>	<p>dogs straying into the mitigation areas, along with appropriate signage (to provide footpath users with information on the ecological importance of the mitigation areas and the countryside code which includes ensuring all dogs are kept on a lead).</p> <p>Should the proposed changes be accepted by the Examining Authority, relevant documents would be updated as necessary and submitted at subsequent deadlines.</p>	
NE05	<p>Hydrology of the proposed mitigation areas</p> <p><i>Hydrology and Flood Risk</i></p>	<p>In their written representation [REP2-154] (NE1c) submitted at Deadline 2, Natural England welcomed the further information provided regarding the hydrology and soil types within the proposed scrape mitigation areas, and the predicted suitability of the locations for scrape creation. Natural England concurs that mitigation areas 11 and 13 are likely to be suitable for scrape creation and agrees that appropriate micro-siting of the scrapes can be determined by pre-construction hydrological studies.</p> <p>However, Natural England advises that further information should be provided regarding the 'suitable mitigation' measures</p>	<p>The Outline LEMP [REP1-056] that was submitted at Deadline 1 included further information regarding the viability of the proposed scrapes based on known information on the current hydrological statuses and permeability of soils in Mitigation Areas 11 (Field E6), 13 (Fields E13/E14) and 9 (Field D18). An initial review indicates that Mitigation Areas 11 and 13 are suitable locations to create scrapes successfully. Further assessment was provided in the updated Outline LEMP [REP1-056] that was submitted at Deadline 1 regarding the suitability and the potential carrying capacity of each mitigation area to deliver mitigation for the intended species and to set out that pre-construction</p>	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>that will be implemented, to ensure that the scrapes will remain hydrologically isolated from the wider retained under-field drains because if scrape excavation goes through the pipes or sits above them, the scrapes are unlikely to hold sufficient water.</p> <p>Natural England will review the updated information and provide comments at Deadline 4.</p>	<p>hydrological studies are proposed to determine the exact locations of the scrapes within the mitigation areas. The updated Outline LEMP [EN010157/APP/7.5 Revision 6], which is submitted at Deadline 3, secures that scrapes will be implemented, monitored and maintained to ensure suitable wetland habitat is in place for the duration of construction and operational phases of the Proposed Development.</p> <p>The updated Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] includes cross-references to relevant sections of the Outline LEMP [EN010157/APP/7.5 Revision 6].</p>	
NE06	<p>Management of the proposed mitigation areas</p> <p><i>Biodiversity</i></p>	<p>In their written representation [REP2-154] (NE1d), Natural England welcomes that further information on monitoring and management has been included in the updated Outline LEMP. However, Natural England:</p> <ul style="list-style-type: none"> advises that the maximum sward height should be 10cm during winter; 	<p>The Outline LEMP [EN010157/APP/7.5 Revision 6] has been updated to address each bullet point from item 1a in Natural England's written representation [REP2-154]. Details of how these points have been addressed are set out in the Applicant's Response to Deadline 2 Submissions and Additional Information [EN010157/APP/8.14], which is submitted at Deadline 3.</p>	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<ul style="list-style-type: none"> • requests clarification on how national trends will be considered in assessment of bird numbers and 'success' of the mitigation areas; • advises that it may be appropriate to consider increasing the frequency of bird 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; and • requests clarification of 'the right habitat conditions' and specific remedial action in relation to the following text in the Outline LEMP: "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." <p>Natural England also advises that a monitoring report should be produced</p>	<p>The final management and monitoring protocol in the Landscape and Ecological Management Plan will be agreed in consultation with Natural England at the detailed design stage.</p> <p>The updated Outline LEMP [EN010157/APP/7.5 Revision 6] is submitted at Deadline 3.</p>	

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>following each of the completed surveys and that these reports should be submitted to the Local Planning Authority for review, with Natural England consulted if the site is failing to meet its targets.</p> <p>Natural England will review the updated information and provide comments at Deadline 4.</p>		
NE07	<p>'Bird days' calculation methodology</p> <p><i>Biodiversity</i></p>	<p>In their written representation [REP2-154] (NE1f), Natural England welcomed the clarification provided in Appendix E of the Outline LEMP, having previously requested that the lapwing and golden plover 'bird days' requirements be considered separately in order to ensure that the mitigation provided is sufficiently large enough to deliver for the combined number of both species recorded.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>The Applicant welcomes this response. The 'bird days' calculations within Appendix E of the updated Outline LEMP [REP1-056] that was submitted at Deadline 1 were redone to consider lapwing and golden plover separately and to take account of the data in the Grid Connection Cable Route Bird Survey Report [REP1-072], which was also submitted at Deadline 1.</p>	Agreed
NE07a	<p>In combination impacts</p> <p><i>Biodiversity</i></p>	<p>In their written representation [REP2-154] (NE1g), Natural England notes that Carr Farm Solar Farm, which is situated adjacent to mitigation area 11, has recently been consented. Natural England advises, therefore, that further assessment should be</p>	<p>The proposed mitigation areas for Carr Farm Solar Farm are directly adjacent to mitigation area 13 (Fields E13 and E14) and therefore compliment the Proposed Development's proposed mitigation.</p>	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>provided in the in-combination assessment regarding the potential for this development to impact on openness and sightlines for mitigation area 11.</p> <p>Additionally, Natural England advises 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.</p>	<p>Although mitigation area 11 (Field E6) is adjacent to a proposed solar panel area for Carr Farm Solar Farm on its western edge, the two are separated by Holderness Drain, either side of which are tall hedgerows that will provide screening from the proposed solar PV modules. It is therefore considered that mitigation area 11 (Field E6) is still appropriate. Section 7.2 of the Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] has been updated to include further information explaining why the consented Carr Farm Solar Farm will not affect the functionality of mitigation area 11 (Field E6).</p> <p>Table 8-1 of the Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] has been updated to include planning application 25/02275/STPLF in the in-combination assessment. However, it is worth noting that the application has not yet provided sufficient information to identify potential impacts to European designated sites.</p>	

Ref	Topic	Natural England's Position	Applicant's Position	Status
			The updated Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] is submitted at Deadline 3.	
International designated sites – potential noise and visual disturbance impacts to functionally linked land				
NE08	Potential noise and visual disturbance impacts to functionally linked land for relevant qualifying bird features of the listed SPA/ Ramsar sites during construction <i>Biodiversity</i>	<p>In their written representation [REP2-154] (NE2a), Natural England welcomed that, as set out in the HRA [REP1-015] and secured in the Outline CEMP [REP1-050], completion of activities most likely to disturb birds (e.g. piling) will be undertaken outside of the period October to March within the fields adjacent to the mitigation areas (i.e. Fields E4, E5, E15, E17 and D17) and that should this not be possible, acoustic barriers will be installed for the construction period. Natural England confirmed that consideration of noise and visual disturbance to the mitigation areas is now resolved.</p> <p>However, Natural England advises that a detailed assessment is still needed regarding the potential impacts of noisy works on areas where birds have been recorded in significant</p>	The pattern of bird activity within and adjacent to the Order Limits, including the grid connection cable route was for small numbers of birds being widely distributed with no particular hotspots. The Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] has considered that the agricultural land within these areas comprises functionally linked land for golden plover, lapwing, mallard, teal, and black-headed gull, and that on a precautionary basis, construction noise (albeit short term and temporary) could cause disturbance/ displacement of these species. The Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] has been amended (see paragraphs 7.3.15 to 7.3.17) to clarify that the measures included in the	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>numbers outside of the Order Limits and in the grid connection corridor.</p> <p>It also advises 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 notes that the HRA [REP1-015] outlines measures to 'mitigate the effect of visual and noise disturbance on birds' and advises 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.</p> <p>Natural England will review the updated information and provide comments at Deadline 4.</p>	<p>Outline CEMP [EN010157/APP/7.2 Revision 5] will be implemented to mitigate the effect of disturbance/ displacement of relevant bird features of the Humber Estuary SPA/Ramsar within and adjacent to the Order Limits, including the grid connection cable route, as well as the mitigation areas. This list includes the measures suggested by Natural England.</p> <p>The Applicant notes Natural England's confirmation that consideration of noise and visual disturbance to the mitigation areas is now resolved. Therefore, birds will have alternate areas to forage if disturbed/displaced by construction activities, including construction activities associated with the grid connection cable route. For these reasons, the Applicant does not believe that the requirement to undertake additional noise monitoring in relation to wintering birds is necessary given that no particular hotspots for birds have been identified and taking into account the comprehensive suite of mitigation measures already proposed.</p>	

Ref	Topic	Natural England's Position	Applicant's Position	Status
International designated sites – potential disturbance to lamprey				
NE09	Potential disturbance impacts to lamprey <i>Biodiversity</i>	<p>In their written representation [REP2-154] (NE3) submitted at Deadline 2, Natural England welcomed the updated information provided in the HRA and confirmed agreement with the conclusions that there would not be adverse effects on the integrity of the Humber Estuary SAC/ Ramsar resulting from vibration/ noise disturbance impact to lamprey resulting from HDD or electromagnetic field impacts once proposed mitigation is taken into account (i.e. HDD pits would be positioned a minimum of 50m from the River Hull; HDD under the River Hull would be at a minimum depth of 7m; cabling under the River Hull would include an insulating layer made of XLPE, also known as cross-linked polyethylene, or similar; and the preferred timing of the HDD work would be spring/ summer, i.e. April to September, to avoid the peak lamprey migration period).</p> <p>Natural England considers this matter to now be resolved.</p>	<p>The Applicant welcomes this response. The Outline CEMP [EN010157/APP/7.2 Revision 5] secures the measures relating to distance of HDD pits from Main Rivers, depth of HDD under the River Hull and insulation of cabling under the River Hull.</p> <p>While the Applicant cannot commit to restrictions on timing of the HDD works under the River Hull at this stage, given that construction phasing has not been finalised, it will adhere to these timings where possible. In the unlikely event that it is not possible to avoid the lamprey migration period, no adverse effects are anticipated, given that the HDD under the River Hull would be at a minimum depth of 7m, short-term (estimated to take a maximum of 24 hours), and that fish without a swim bladder (such as lamprey) have the lowest sensitivity to noise/ vibration. See the Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] for details.</p>	Agreed
International designated sites – potential water quality impacts				

Ref	Topic	Natural England's Position	Applicant's Position	Status
NE10	Potential abstraction impacts resulting from HDD <i>Biodiversity</i>	In their written representation [REP2-154] (NE4) submitted at Deadline 2, Natural England confirmed it was satisfied that the Applicant had addressed its request for clarification on the source of water for HDD. Natural England welcomes that the water required for HDD will be brought to site and not abstracted from the River Hull or a tributary of the Humber Estuary. Natural England considers this matter to now be resolved.	The Applicant welcomes this response. The updated Habitats Regulations Assessment - Information to inform the Appropriate Assessment [REP1-015] that was submitted at Deadline 1 confirmed that the water for HDD will be brought to site and removed mention of abstraction. No water will be abstracted from the River Hull or a tributary of the Humber Estuary for the HDD. Wastewater from the HDD wastewater (including bentonite) will be incarcerated within the launch pit and transported to a specialised local facility for disposal. The updated Outline CEMP [REP1-050] that was submitted at Deadline 1 secured these commitments.	Agreed
NE11	HDD (bentonite breakout) <i>Construction</i>	In their written representation [REP2-154] (NE5) submitted at Deadline 2, Natural England noted that a general bentonite breakout management plan was provided in the Outline CEMP [REP1-050] , which includes generic countermeasures, and that further details regarding HDD breakout management will be included in the Construction Environmental Management Plan once a Principal Contractor is appointed. However, Natural England advises that it should be possible to provide	The procedures prescribed in the Construction Environmental Management Plan will be in line with the Principal Contractor's method statements. Natural England will be consulted on bentonite breakout procedures included in the Construction Environmental Management Plan prior to construction commencing. The measures in the Outline CEMP [EN010157/APP/7.2 Revision 5] are secured by the Construction Environmental	Under discussion

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>further details in the Outline CEMP at the application stage to inform the conclusions in 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 AEoI can be ruled out; • confirming that the general HDD practices included in the outline CEMP will be secured, as a minimum; and • clarifying how the approach will be decided post-consent. <p>Natural England will review the updated information and provide comments at Deadline 4.</p>	<p>Management Plan under requirement 4 of the Draft DCO [EN010157/APP/3.1 Revision 7].</p> <p>Natural England has been added as a statutory consultee on the Construction Environmental Management Plan, secured under requirement 4 of the Draft DCO [EN010157/APP/3.1 Revision 7] in relation to measures relating to bentonite breakout.</p>	
NE12	<p>Cleaning of solar PV modules</p> <p><i>Water Resources</i></p>	<p>In their written representation [REP2-154] (NE6a) submitted at Deadline 2, Natural England welcomed the updated information provided in the HRA and Outline OEMP confirming that solar PV modules will be cleaned using deionised water only.</p>	<p>The Applicant welcomes this response. The updated Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP1-015] that was submitted at Deadline 1 confirmed that the solar PV modules will be cleaned using deionised water only and therefore there would be no impacts on water quality as a result of cleaning the</p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		Natural England considers this matter to now be resolved.	solar PV modules. The updated Outline OEMP [REP1-052] that was submitted at Deadline 1 secured the details of solar PV module cleaning.	
NE13	Fire suppression/ protocol <i>Water Resources</i>	<p>In their written representation [REP2-154] (NE6b) submitted at Deadline 2, Natural England welcomed the updated information provided in the Outline Battery Safety Management Plan and HRA confirming that a non-water based fire suppression system would be used. Natural England notes 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.</p> <p>Natural England considers this matter to now be resolved.</p>	The Applicant welcomes this response. The updated Outline Battery Safety Management Plan [REP1-058] that was submitted at Deadline 1 provided details on the automatic clean agent (aerosol or gas) fire suppression system that would be used in the event of a battery fire. The use of a non-water-based system reduces the need for large volumes of on-site water and reduces the risk of contamination of adjacent habitats from firewater. Water would only be used to cool areas adjacent to a BESS to prevent fire spread, rather than being used to attempt to directly fight a fire within the BESS. The updated Habitats Regulations Assessment - Information to Inform the Appropriate Assessment [REP1-015] that was submitted at Deadline 1 included an assessment of potential likely significant effects from the fire suppression system.	Agreed
National designated sites				

Ref	Topic	Natural England's Position	Applicant's Position	Status
NE14	Humber Estuary Site of Special Scientific Interest (SSSI) <i>Biodiversity</i>	In their written representation [REP2-154] (NE7) submitted at Deadline 2, Natural England confirmed it was satisfied that the Humber Estuary SSSI has now been scoped into the assessment within ES Chapter 7 as a separate ecological receptor. Natural England considers this matter to now be resolved.	The Applicant welcomes this response. The Humber Estuary SSSI is considered as a separate ecological receptor in the updated ES Volume 2, Chapter 7: Biodiversity [REP1-019] that was submitted at Deadline 1. As agreed with Natural England, where the reasons for the SSSI designation correspond to qualifying features of the Humber Estuary European sites, the assessment includes cross-references to the Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4] . Those features not included on the citations for the European sites are assessed in ES Volume 2, Chapter 7: Biodiversity [REP1-019] .	Agreed
Protected species				
NE15	Water vole and otter <i>Biodiversity</i>	In their written representation [REP2-154] (NE8a) submitted at Deadline 2, Natural England confirmed that the updated information provided in the Outline CEMP satisfactorily addressed its request in relation to surveys for water vole (that for the smallest, least impactful works surveys should be undertaken within the footprint of the works, including temporary work areas	The Applicant welcomes this response. The updated ES Volume 2, Chapter 7: Biodiversity [REP1-019] and Outline CEMP [REP1-050] that were submitted at Deadline 1 included commitments to undertake: <ul style="list-style-type: none"> Pre-construction water vole surveys 100m upstream and downstream of proposed culverts and watercourse crossing points which affect watercourses assessed as 	Agreed

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		<p>plus 100m upstream and downstream in line with the Water Vole Mitigation Handbook guidance) and otter (that surveys should cover 'all suitable habitat within 200m of the proposed works', in line with NatureScot guidelines).</p> <p>Natural England considers this matter to now be resolved.</p>	<p>'suitable but poor to optimal suitability' within ES Volume 4, Appendix 7.7: Water Vole and Otter Habitat Suitability Report [APP-111]; and</p> <ul style="list-style-type: none"> Pre-construction otter surveys of suitable habitat within 200m of the proposed works. 	
NE16	<p>Badger</p> <p><i>Biodiversity</i></p>	<p>In their written representation [REP2-154] (NE8b), Natural England noted that 'where reasonably practicable, construction work will not take place within 30m from a main badger sett'. However, Natural England requested clarification on which construction activities may be permitted under the 'where reasonably practicable' exemption. Natural England advises that there should be a hard 30m limit for piling and other intrusive groundworks.</p> <p>Natural England notes that mammal gates are potentially proposed and would welcome clarification on how it will be determined if they are required.</p>	<p>Table 7.6 of ES Volume 2, Chapter 7: Biodiversity [REP1-019] that was submitted at Deadline 1 was updated to state 'where reasonably practicable, construction work will not take place within 30m from active badger setts'.</p> <p>As secured within the Outline CEMP [EN010157/APP/7.2 Revision 5], appropriate badger mitigation will be determined by the results of the pre-construction badger surveys and will be detailed within the Construction Environmental Management Plan. This will include ensuring that, where reasonably practicable, construction work will not take place within 30m from an active badger sett identified during the pre-construction surveys without appropriate mitigation. If work needs to</p>	Under discussion

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		Natural England will review the updated information and provide comments at Deadline 4.	<p>occur within 30m (considered unlikely), mitigation may involve the exclusion of setts under a Natural England licence if assessed as necessary. The relevant commitment in the Outline CEMP [EN010157/APP/7.2 Revision 5] has been updated to confirm that should pre-construction surveys and micro-siting indicate likely disturbance to a sett, then the Applicant would apply for the appropriate licence either to live dig under ecological supervision or to temporarily close the sett.</p> <p>The pre-construction badger survey will determine if badger gates are required and the Construction Environmental Management Plan will provide specific information.</p> <p>The updated Outline CEMP [EN010157/APP/7.2 Revision 5] is submitted at Deadline 3.</p>	
NE17	Breeding birds <i>Biodiversity</i>	In their written representation [REP2-154] (NE8d), Natural England welcomes that the Outline LEMP has been updated to include clear objectives, defined targets, details of limits of acceptable change and details of remedial actions. However, Natural England advises that clarification should be provided	The Outline LEMP [EN010157/APP/7.5 Revision 3] that was submitted at Deadline 1 included clear objectives, defined targets, details of limits of acceptable change and details of remedial actions in relation to breeding birds, where appropriate. Clarification has been provided in the updated Outline	Under discussion

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		<p>on how national trends will be considered in the assessment of bird numbers and 'success' of the mitigation areas.</p> <p>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 permissive footpaths in the proposed mitigation areas.</p> <p>Natural England will review the updated information and provide comments at Deadline 4.</p>	<p>LEMP [EN010157/APP/7.5 Revision 6], which is submitted at Deadline 3, on how national trends in bird populations will be considered as part of monitoring and that this will only be one of a suite of factors that will be considered.</p> <p>With regard to potential disturbance from permissive paths please refer to the Applicant's response to item NE1b in its Response to Deadline 2 Submissions and Additional Information [EN010157/APP/8.14], which is submitted at Deadline 3 (also summarised in Ref. N04 above in this table).</p>	
Biodiversity Net Gain (BNG)				
NE18	<p>BNG – general</p> <p><i>Biodiversity</i></p>	<p>In their relevant representation [RR-012] (NE9), Natural England is satisfied with the Applicant's assessment of BNG. Natural England welcomes that the whole application site within the Order Limits has been included in the BNG assessment, all gains are on-site, and gains will be monitored and managed for the operational life of the Proposed Development. Natural England also welcomes that a precautionary approach</p>	<p>The Applicant welcomes this response. The headline figures for BNG, based on the Indicative Environmental Masterplan contained within Appendix D of the Outline LEMP [EN010157/APP/7.5 Revision 3], are 62.36% for area habitats, 46.48% for hedgerow habitats and 12.50% of watercourse habitats. See ES Volume 4, Appendix 7.10: Biodiversity Net Gain Assessment [APP-114] for more details.</p>	Agreed

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		<p>has been taken regarding watercourses (i.e. assuming 'good' condition for baseline calculations where river condition assessments were not available). Natural England recommends that recommends that biodiversity net gain of at least 10% BNG across all biodiversity unit types is secured via the LEMP.</p> <p>Natural England considers this matter to now be resolved.</p>		
Soils and Agricultural Land Classification (ALC)				
NE19	<p>Grid connection cable route ALC and soil surveys</p> <p><i>Agricultural Land</i></p>	<p>In their written representation [REP2-154] (NE10), Natural England reiterates that it does 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</p>	<p>A detailed ALC and soil survey has not been undertaken of the grid connection cable route at this stage. However, the Outline SMP [EN010157/APP/7.8 Revision 2] covers the full Order Limits, including the grid connection cable route. As set out in the Outline SMP [EN010157/APP/7.8 Revision 2], it is proposed that detailed soil/land quality surveys of the grid connection cable route will be undertaken pre-construction, once the design and land needed for excavation is confirmed, thus avoiding unnecessarily surveying the entire width of the proposed grid connection cable route corridor. The Outline SMP</p>	Not agreed

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		<p>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. Natural England therefore recommends 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>	<p>[EN010157/APP/7.8 Revision 2] describes the survey work that will be carried out prior to drafting the Soil Management Plan, and the consultation process that will be in-built prior to finalising the Soil Management Plan before works commence.</p> <p>This is aligned with the approach taken on the recently consented East Yorkshire Solar Farm (EN010143), where Natural England accepted the approach of undertaking soil and ALC surveys of the cable corridor "once the final route has been determined"².</p>	
NE20	Soil handling <i>Construction</i>	In their written representation [REP2-154] (NE11), Natural England welcomed the updated information provided in the Outline Soil Management Plan stating that soil handling will be principally confined to the period April to October to minimise risk of soil damage. Natural England states that soil	The Applicant welcomes this response. The updated Outline SMP [REP1-062] that was submitted at Deadline 1 stated April through October as the drier summer period to which soil handling will, so far as possible, principally be confined (it previously incorrectly stated November through April). Soil handling cannot	Agreed

² <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010143/EN010143-000692-Natural%20England.pdf>

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		<p>handling should normally be avoided during the winter period, irrespective of soil moisture conditions, because it will generally not be possible to establish green cover over winter to help dry out soils and protect them from erosion. Appropriate timing of soil handling would minimise the need to recondition soils, which requires additional space and time. This is particularly important for land to be restored to agricultural use.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>be restricted to only April to September due to programme constraints; however, as stated in the Outline SMP [REP1-062], should site work during the winter period be unavoidable, the more resilient SHU A soils will be prioritised for working on during this period. Additionally, site inspections of the soil condition prior to vehicle movements across the Site will be required, particularly during wet weather conditions.</p>	
Other				
NE21	<p>Glint and glare (general)</p> <p><i>Glint and Glare</i></p>	<p>Natural England confirmed via email on 8 August 2025 that it is satisfied with the Applicant's response to its advice that post-consent monitoring should include consideration of the potential disruption to flight pathways of qualifying bird species as a result of glint and glare, in order to help inform future assessments. Although Natural England accepts that there is no established methodology for monitoring to study the effects of glint and glare on birds and is not aware of any examples of such monitoring</p>	<p>The Applicant welcomes this response. Post-consent monitoring of the potential disruption to flight pathways of qualifying bird species due to glint and glare (to help inform future assessments) forms part of the monitoring strategy outlined within the Outline LEMP [EN010157/APP/7.5 Revision 3].</p> <p>It should be noted that the effect on the integrity of the populations of the qualifying species of Hornsea Mere SPA or Humber Estuary SPA/ Ramsar sites in relation to</p>	Agreed

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		that has previously been undertaken, it suggests that observing bird behaviour around the panels may be appropriate.	disruption of flight paths as a result of glint and glare has been assessed as part of the Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 2] , which concludes no adverse effects.	

4 Signatures

4.1.1 This Statement of Common Ground is agreed upon:

On behalf of Natural England:

Name:

Signature:

Date:

On behalf of the Applicant:

Name:

Signature:

Date:

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