

Date: 26 November 2025
Our ref: 532339
Your ref: EN010157

The Planning Inspectorate
Major Applications & Plans
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BY EMAIL ONLY

Dear Inspector,

NSIP Reference Name / Code: EN010157

User Code: [REDACTED]

Title: Natural England's comments in respect of the Peartree Hill Solar Farm Project, promoted by RWE Renewables UK Solar and Storage Limited (Deadline 5).

Examining Authority's submission deadline with a date of 28 November 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 6)
PART III: Natural England’s comments on the Report on the Implications for European Sites (RIES) (page 12)

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

1.1 Natural England's advice in this letter 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 (above) and overall conclusions of Natural England's advice. This advice identifies whether any progress in resolving issues has been made since submission of our Written Representations (REP2-154).

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 Written Representations (REP2-154).

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 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 – Permissive footpaths in the proposed mitigation areas (construction and operation) ('green') **[NE1b]**.
- Potential loss of functionally linked land for the relevant qualifying birds features of the listed SPA/Ramsar sites – Bird surveys (construction and operation) ('green') **[NE1e]**.

3. Nationally designated sites

3.1 Natural England's position regarding nationally designated sites has changed since submission of our Written Representations (REP2-154).

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.

- Potential impacts on the Tophill Low SSSI designated features – marsh harrier ('grey') **[NE13]**.

4. Protected species

4.1 Natural England's position regarding European protected species has changed since submission of our Written Representations (REP2-154).

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.

- Protected species– Badger ('green') **[NE8b]**.
- Protected species– Bats ('green') **[NE8c]**.
- Protected species– Breeding birds ('green') **[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).

6. Soils and best and most versatile agricultural land

6.1 Natural England's position regarding soils and best and most versatile agricultural land has changed since submission of our Written Representations (REP2-154).

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. Our position regarding ancient woodland and ancient/veteran trees is summarised in our Deadline 4 response (REP4-084).

Natural England's Written Representations

8. Part II: Natural England's detailed advice

8.1 Part II of these Representations updates and where necessary augments Part II of the Written Representations (REP2-154).

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
NE1b	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>Permissive footpaths in the proposed mitigation areas</u></p> <p>Natural England welcome the changes made to the permissive footpaths, specifically the removal of the permissive path loops around Fields D18 and E6, and the implementation of post and wire fencing alongside permissive paths which run adjacent to and through ground nesting bird and Humber Estuary SPA/Ramsar mitigation areas. We welcome that these fences will be 1m high, with a 75mm-by-75mm mesh, and advise that we consider this to be sufficiently robust to prevent the movement of dogs and people onto the mitigation areas.</p> <p>Natural England welcome that fencing will be accompanied by 'positive' signage highlighting the reasons for the fencing, including, for example, pictures of the relevant bird species, in order to improve public engagement with the restrictions. We also welcome that signage will encourage path users to keep dogs on short leads and remain on designated paths.</p> <p>We welcome that where hedgerows prevent permissive path users and dogs from entering the bird mitigation areas, these will be appropriately managed to ensure that they remain dense from ground level, with gaps filled as required.</p>		'Green'

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 considers that this point is now resolved.		
NE1e	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>Bird surveys</u></p> <p>Based on the updated information provided, overall, Natural England agrees that pink-footed geese will not be significantly affected by disturbance/displacement from functionally linked land within the grid connection corridor during construction. This is due to factors including the short-term nature of the construction works within the grid connection corridor and the highly mobile nature of pink-footed geese. The agreed non-breeding bird mitigation areas will also provide additional feeding areas for this species during this period.</p> <p>We do not agree with the conclusion that the grid connection cable route is not considered to constitute functionally linked land for pink-footed geese. However, due to the factors outlined above, we agree with the conclusion that significant effects on this species can be ruled out in this case.</p>		'Green'
NE8b	Protected species	Protected species - Badger	<p><u>Badger</u></p> <p>Natural England welcome the update provided in the oCEMP (REP4-027) that where possible, intrusive groundworks within 30m of badger setts will be avoided in the first instance. Where this is not possible, the mitigation/licence requirements detailed will be implemented.</p>		'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
			Natural England considers that this point is now resolved.		
NE8d	Protected species	Protected species – Breeding birds	<p><u>Breeding birds</u></p> <p>Natural England welcome the changes made to the permissive footpaths, and the implementation of post and wire fencing alongside permissive paths which run adjacent to and through ground nesting bird and Humber Estuary SPA/Ramsar mitigation areas. We welcome that these fences will be 1m high, with a 75mm-by-75mm mesh, and advise that we consider this to be sufficiently robust to prevent the movement of dogs and people onto the mitigation areas.</p> <p>Natural England welcome that fencing will be accompanied by 'positive' signage highlighting the reasons for the fencing, including, for example, pictures of the relevant bird species, in order to improve public engagement with the restrictions. We also welcome that signage will encourage path users to keep dogs on short leads and remain on designated paths.</p> <p>We welcome that where hedgerows prevent permissive path users and dogs from entering the bird mitigation areas, these will be appropriately managed to ensure that they remain dense from ground level, with gaps filled as required.</p> <p>Natural England considers that this point is now resolved.</p>		'Green'
NE10	Soils and best and most versatile	Comments on <i>Appendix 10.2: Agricultural Land Classification Report</i>	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	N/A	'Grey'

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
	agricultural land		<p>comprehensive sampling risks under-estimating local soil variability, agricultural sensitivity and reinstatement challenges and it potentially undermines the integrity of the final Soil Management Plan.</p> <p>We advise, however, that if the ExA determines that the proposed approach is acceptable, micro siting of the cable route should be informed by any surveys undertaken, where possible. We welcome the Applicant's commitment in 4.2.4 of the outline SMP that "The ALC grade along the route will be calculated so as to inform the works and so as to enable the ALC grade to be retained post-installation of the cable."</p> <p>We note that the Applicant's proposed approach is in line with the approach taken on the recently consented East Yorkshire Solar Farm (EN010143). Natural England's advice on this issue is intended as guidance only and we agree with the Applicant that it is for the ExA to determine whether the approach is acceptable in this case.</p>		
NE11	Soils and best and most versatile agricultural land	Comments on the <i>Outline Soil Management Plan</i>	<p>Natural England welcome that the Outline Soil Management Plan covers the full order limits, including the grid connection cable route.</p> <p>Natural England recommend that all soils should only be handled in a dry and friable condition. Natural England welcome the confirmation provided in the Outline Soil Management Plan (oSMP) [REP1-062]</p>	N/A	'Grey'

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>that soil handling will be principally confined to the period April to October.</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 welcome that all storage bunds intended to remain in situ for more than 6 months, or over the winter period, will be grassed over, with weed control and other necessary maintenance carried out.</p> <p>Natural England welcome the commitment in section 10 of the <i>oSMP</i> [REP1-062] 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>		
NE13	Nationally designated sites <ul style="list-style-type: none"> Tophill Low SSSI 	<p>Potential loss of functionally linked land (FLL) for marsh harrier.</p> <p>(C) and (O)</p>	<p>Natural England advise that marsh harrier are not a designated feature of Tophill Low SSSI, and that the land within the Order Limits would therefore not be considered to constitute functionally linked land for this species. We note that marsh harrier will forage beyond 2km from their breeding site so we do not concur with the justification provided; however, this does not affect the outcome of the assessment to Tophill Low SSSI in this case.</p>	The requirement for mitigation has not been assessed by Natural England.	'Grey'

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
			We advise that potential wider impacts to foraging marsh harrier from the proposals should be considered and suitable foraging areas should be provided, but the review of the suitability of the scheme design falls outside Natural England’s remit for NSIPs in this context.		

9. Part II: Natural England's comments on the Report on the Implications for European Sites (RIES)

9.1 Natural England have reviewed the RIES and concur that it accurately represents our conclusions on the sHRA undertaken by the Applicant. Therefore, we have no further comments to make on this document.

9.2 Please see Natural England's response to the Examiners Questions raised in the Report on the Implications for European Sites (RIES) below.

Table 2: Natural England's response to the Examiners Questions raised in the Report on the Implications for European Sites (RIES)	
Question	Natural England response
RIES Q1: Can the applicant and NE provide an update of the discussions regarding the impact of permissive footpaths on the functionality of the proposed mitigation and provide an indication of whether they consider that this will be resolved during the course of examination.	<p>Natural England welcome the changes made to the permissive footpaths, specifically the removal of the permissive path loops around Fields D18 and E6, and the implementation of post and wire fencing alongside permissive paths which run adjacent to and through ground nesting bird and Humber Estuary SPA/Ramsar mitigation areas.</p> <p>We advise that this issue is now resolved, and refer to NE1b and NE8d for our detailed comments regarding the permissive footpaths.</p>
RIES Q2: Can NE advise whether it considers land within and adjacent to land areas B to F of the proposed development to constitute FLL for marsh harrier.	<p>Natural England advise that marsh harrier are not a designated feature of Tophill Low SSSI, and that the land within the Order Limits would therefore not be considered to constitute functionally linked land for this species.</p> <p>We refer to NE13 for our detailed comments regarding impacts to marsh harrier.</p>