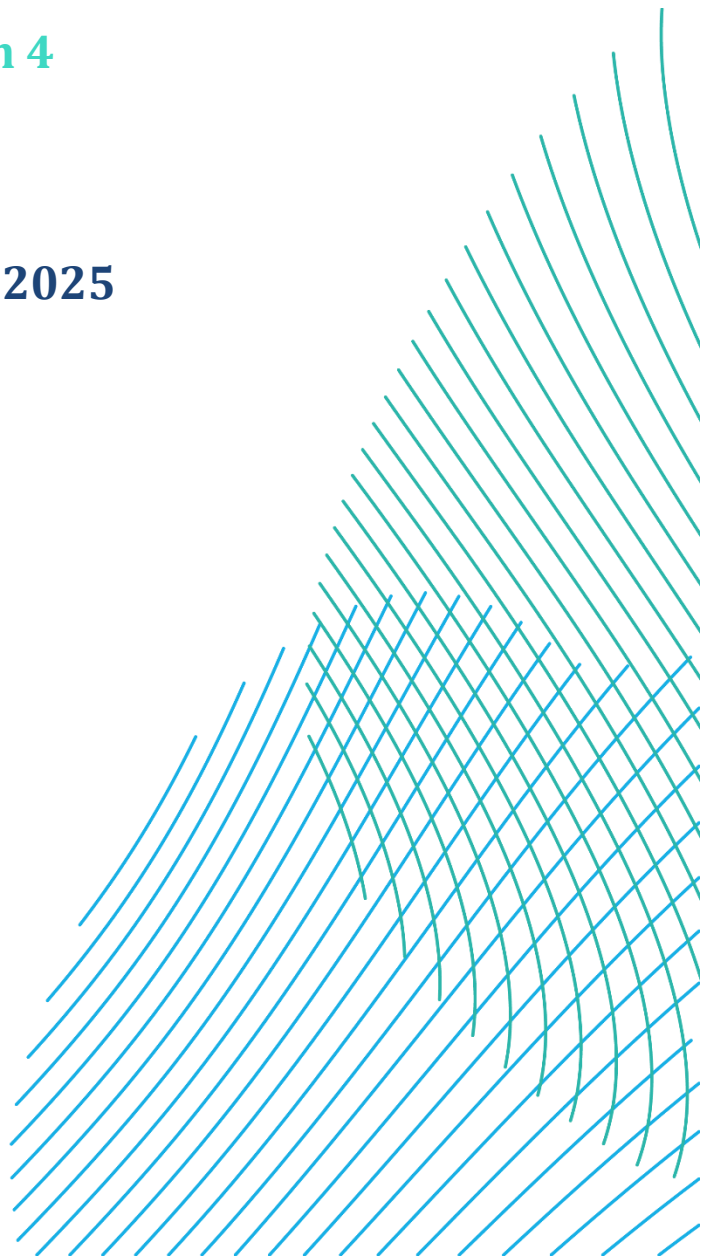




# Statement of Common Ground with Natural England

Revision 4

November 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 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 Communities<sup>1</sup>.
- 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 made between the Applicant and Natural England on matters relating to the Proposed Development.

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

1.1.7 This SoCG has been updated at Deadline 5 to reflect the final position 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
<b>February – March 2024</b>	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.
<b>March – April 2024</b>	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 <b>ES Volume 4, Appendix 7.4: Wintering Bird Survey Report [APP-108]</b> ).
<b>15 July 2024</b>	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.
<b>July – September 2024</b>	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 <b>ES Volume 4, Appendix 10.2: Agricultural Land Classification Report [APP-127]</b> ) and potential impacts on Best and Most Versatile (BMV) agricultural land.
<b>November 2024 – January 2025</b>	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"><li>• Biodiversity Mitigation Strategy (for consultation purposes only - contents</li></ul>

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 <b>Outline Landscape and Ecological Management Plan (Outline LEMP) [APP-156]</b>;</p> <ul style="list-style-type: none"> <li>• A draft version of the Habitats Regulations Assessment - Information to Inform Appropriate Assessment (later developed into the submitted <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [APP-145]</b>); and</li> <li>• A draft version of the Outline Soil Management Plan covering the grid connection cable route (later incorporated into the submitted <b>Outline Soil Management Plan (Outline SMP) [APP-159]</b>).</li> </ul>
<b>14 January 2025</b>	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).
<b>3 February 2025</b>	To provide comments in relation to glint and glare.	Email from Natural England providing points for consideration in relation to glint and glare.
<b>March – April 2025</b>	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 <b>Outline LEMP [APP-156]</b> in relation to the 'bird days' calculation and the amount of mitigation land proposed for European site qualifying bird species.
<b>21 May 2025</b>	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.
<b>21 July 2025</b>	To share the grid connection bird survey report.	Email from the Applicant to share the <b>Grid Connection Bird Survey Report [EN010157/APP/8.4]</b> .
<b>July 2025</b>	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.	<b>Outline LEMP [APP-156]</b> and the submitted <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [APP-145]</b> .
<b>4 September 2025</b>	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 <b>Third notification of proposed changes to the DCO Application [AS-017]</b> ).
<b>11 September 2025</b>	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.
<b>October – November 2025</b>	To discuss outstanding issues within Natural England's representations and this Statement of Common Ground.	Online meeting and follow-up email correspondence to discuss remaining 'under discussion' matters and to try and reach agreement where possible.

## 3 Current Position

- 3.1.1 The table below provides a summary of the final 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.



**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 <b>[RR-012]</b> (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 <b>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]</b> for details.	Agreed
NE02	Bird surveys – grid connection cable route  <i>Biodiversity</i>	<p>In their written representation <b>[REP2-154]</b> (NE1e) submitted at Deadline 2, Natural England welcomed the provision of the Grid Connection Bird Survey Report and the inclusion of the new data in the HRA but advised that further assessment should be provided regarding potential impacts to pink-footed geese.</p> <p>In their additional submission in lieu of attendance at Issue Specific Hearing 2 (ISH2) <b>[AS-018]</b>, Natural England confirmed that based on the updated information provided, it agrees that pink-footed geese will not be significantly affected by disturbance/</p>	The Applicant welcomes this response. The <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP3-014]</b> provides 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	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>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. Although Natural England does not agree with the justification provided, it does agree with the conclusion of no impacts on geese.</p> <p>Natural England considers this matter to be resolved.</p>	<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>	
International designated sites – mitigation areas				
NE03	<p>Core mitigation areas and the implementation of a buffer</p> <p><i>Biodiversity</i></p>	<p>In their written representation <b>[REP2-154]</b> (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 had been provided. However, Natural England advised that further details were needed regarding the management and monitoring measures to be implemented before it could concur with the conclusion that the mitigation areas are</p>	<p>The Applicant welcomes this response. The <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b> provides 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 <b>Response to Deadline 2 Submissions</b></p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>sufficient to support the required bird numbers and species. Natural England advised that the required details could be provided through responses to issues NE1b, NE1c, NE1d, NE1e and NE1g in its written representation <b>[REP2-154]</b> 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>In an online meeting on 15 October 2025, Natural England confirmed that it was satisfied that the Applicant had suitably addressed this matter by providing further details on the management and monitoring measures to be implemented.</p>	<p><b>and Additional Information [REP3-039]</b>. That document also contains detailed answers to issues NE1b NE1c, NE1d, NE1e and NE1g from Natural England's written representation <b>[REP2-154]</b> and sets out how the <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b> addresses each respective issue.</p>	
NE04	Permissive paths and the proposed mitigation areas	In their relevant representation <b>[RR-012]</b> (NE1b), Natural England noted that Figure 3.4 Indicative Environmental Masterplan	The Applicant welcomes this response. The permissive path that previously ran around Mitigation Area 11 (Field E6) has been moved	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
	<i>Biodiversity</i>	<p>[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.</p> <p>Natural England confirmed via email on 11 November 2025 that it welcomes the changes made to the permissive footpaths, specifically the removal of the permissive path loops around mitigation area 9 (Fields D18) and 11 (Field 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. Natural England welcomes that these fences will be 1m high, with a 75mm-by-75mm mesh, and considers this to be sufficiently robust to prevent the movement of dogs and people onto the mitigation areas.</p> <p>Natural England welcomes that fencing will be accompanied by 'positive' signage highlighting the reasons for the fencing, including, for example, pictures of the</p>	<p>to the east and outside Mitigation Area 11 (Field E6). The permissive path that previously formed a loop around Mitigation Area 9 (Field D18) has been altered to only include a path along the northern boundary, allowing access from an adjacent equine centre to the permissive path network. Appendix D of the <b>Outline Landscape and Ecological Management Plan [REP4-073]</b> that was submitted at Deadline 4 was updated to show the re-routed sections of permissive path.</p> <p>Paragraph 6.3.8 was added to the <b>Outline Landscape and Ecological Management Plan [REP4-073]</b> that was submitted at Deadline 4 to provide further information regarding mitigation area fencing and associated signage. Section 16.3 of the <b>Outline Landscape and Ecological Management Plan [REP4-073]</b> that was submitted at Deadline 4 was updated with further detail regarding the amended permissive path routes and management of hedgerows where they are required to prevent permissive path users and dogs from entering the bird mitigation areas.</p>	

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>relevant bird species, in order to improve public engagement with the restrictions. Natural England also welcomes that signage will encourage path users to keep dogs on short leads and remain on designated paths.</p> <p>Natural England welcomes 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 this matter to now be resolved.</p>		
NE05	<p>Hydrology of the proposed mitigation areas</p> <p><i>Hydrology and Flood Risk</i></p>	<p>In their written representation <b>[REP2-154]</b> (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>The Applicant welcomes this response. The <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b> includes 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 is provided in the <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b></p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>In their additional submission in lieu of attendance at Issue Specific Hearing 2 (ISH2) <b>[AS-018]</b>, Natural England confirmed that the Applicant had sufficiently addressed its request for further information to be provided regarding the 'suitable mitigation' measures 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 considers this matter to now be resolved.</p>	<p>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 hydrological studies are proposed to determine the exact locations of the scrapes within the mitigation areas. The <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b> 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 <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP3-014]</b> includes cross-references to relevant sections of the <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b>.</p>	
NE06	<p>Management of the proposed mitigation areas</p> <p><i>Biodiversity</i></p>	<p>In their additional submission in lieu of attendance at Issue Specific Hearing 2 (ISH2) <b>[AS-018]</b>, Natural England confirmed that the Applicant had satisfactorily addressed its request set out in its written representation <b>[REP2-154]</b> (NE1d) seeking further information on monitoring and management of bird mitigation areas.</p>	<p>The Applicant welcomes this response. The <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b> addresses each bullet point from item 1d in Natural England's written representation <b>[REP2-154]</b>. Details of how these points have been addressed are set out in the Applicant's <b>Response to Deadline 2 Submissions and Additional Information [REP3-039]</b>.</p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>Natural England considers this matter to now be resolved.</p> <p>Although not a material concern, Natural England recommended that the remedial measures in Tables 15-3 and 16-3 of the Outline LEMP should be revised to incorporate 'appropriate measures to increase invertebrate numbers', such as muck spreading, grazing animals or other locally appropriate methods. Muck spreading relies upon a suitable source of livestock manure, so other options to increase invertebrate numbers should be explored where necessary.</p>	<p>The <b>Outline LEMP [EN010157/APP/7.5 Revision 7]</b> has been updated, and is submitted at Deadline 4, to amend the proposed remedial actions in relation to increasing invertebrate numbers in line with Natural England's recommendations.</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>	
NE07	<p>'Bird days' calculation methodology</p> <p><i>Biodiversity</i></p>	<p>In their written representation <b>[REP2-154]</b> (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 <b>Outline LEMP [REP1-056]</b> that was submitted at Deadline 1 were redone to consider lapwing and golden plover separately and to take account of the data in the <b>Grid Connection Cable Route Bird Survey Report [REP1-072]</b>, which was also submitted at Deadline 1.</p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
NE07a	In combination impacts  <i>Biodiversity</i>	<p>In their written representation <b>[REP2-154]</b> (NE1g), Natural England noted that Carr Farm Solar Farm, which is situated adjacent to mitigation area 11, had recently been consented. Natural England advised, 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.</p> <p>Additionally, Natural England advised 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>In an online meeting on 15 October 2025, Natural England confirmed that the Applicant had suitably addressed its requests via updates to the in-combination assessment in the HRA.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>The Applicant welcomes this response. 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> <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 <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP3-014]</b> includes 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 <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP3-014]</b> includes planning application 25/02275/STPLF</p>	Agreed



Ref	Topic	Natural England's Position	Applicant's Position	Status
			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.	
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 <b>[REP2-154]</b> (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>In their additional submission in lieu of attendance at Issue Specific Hearing 2 (ISH2) <b>[AS-018]</b>, Natural England confirmed that further noise modelling is not required regarding the potential impacts of noisy works on areas where birds have been</p>	The Applicant welcomes this response. 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 <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP3-014]</b> 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 <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP3-014]</b> (see paragraphs 7.3.15 to 7.3.17) clarifies that the measures included in the <b>Outline CEMP [EN010157/APP/7.2 Revision 6]</b> will be implemented to mitigate the effect of	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>recorded in significant numbers outside of the Order Limits and in the grid connection corridor based on the additional information provided by the Applicant and the implementation of agreed noise mitigation measures included in the Outline CEMP.</p> <p>Natural England suggests that mitigation measures may include (one or a combination of) restrictions to timing of works, buffer zones, acoustic screening, piling shrouding or other measures.</p> <p>Natural England considers this matter to now be resolved.</p>	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.	
International designated sites – potential disturbance to lamprey				
NE09	<p>Potential disturbance impacts to lamprey</p> <p><i>Biodiversity</i></p>	In their written representation <b>[REP2-154]</b> (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	<p>The Applicant welcomes this response. The <b>Outline CEMP [EN010157/APP/7.2 Revision 5]</b> 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</p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>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>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 <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4]</b> for details.</p>	
<b>International designated sites – potential water quality impacts</b>				
NE10	<p>Potential abstraction impacts resulting from HDD</p> <p><i>Biodiversity</i></p>	<p>In their written representation <b>[REP2-154]</b> (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.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>The Applicant welcomes this response. The updated <b>Habitats Regulations Assessment - Information to inform the Appropriate Assessment [REP1-015]</b> 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 <b>Outline CEMP [REP1-</b></p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
			<b>050]</b> that was submitted at Deadline 1 secured these commitments.	
NE11	HDD (bentonite breakout)  <i>Construction</i>	<p>In their additional submission in lieu of attendance at Issue Specific Hearing 2 (ISH2) <b>[AS-018]</b>, Natural England confirmed that the Applicant has sufficiently addressed its concerns set out within its written representation <b>[REP2-154]</b> (NE5) submitted at Deadline 2, in relation to information on bentonite breakout management within the Outline CEMP <b>[REP1-050]</b>.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>The Applicant welcomes this response. 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.</p> <p>The measures in the <b>Outline CEMP [EN010157/APP/7.2 Revision 6]</b> are secured by the Construction Environmental Management Plan under requirement 4 of the <b>Draft DCO [EN010157/APP/3.1 Revision 8]</b>.</p> <p>Natural England has been added as a statutory consultee on the Construction Environmental Management Plan, secured under requirement 4 of the <b>Draft DCO [EN010157/APP/3.1 Revision 8]</b> in relation to measures relating to bentonite breakout.</p>	Agreed
NE12	Cleaning of solar PV modules  <i>Water Resources</i>	In their written representation <b>[REP2-154]</b> (NE6a) submitted at Deadline 2, Natural England welcomed the updated information provided in the HRA and Outline OEMP	The Applicant welcomes this response. The updated <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [REP1-015]</b> that was submitted	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>confirming that solar PV modules will be cleaned using deionised water only.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>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 solar PV modules. The updated <b>Outline OEMP [REP1-052]</b> that was submitted at Deadline 1 secured the details of solar PV module cleaning.</p>	
NE13	<p>Fire suppression/ protocol</p> <p><i>Water Resources</i></p>	<p>In their written representation <b>[REP2-154]</b> (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>	<p>The Applicant welcomes this response. The updated <b>Outline Battery Safety Management Plan [REP1-058]</b> 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 <b>Habitats Regulations Assessment - Information to Inform the Appropriate Assessment [REP1-015]</b> that was submitted at Deadline 1 included an assessment of</p>	Agreed

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			potential likely significant effects from the fire suppression system.	
National designated sites				
NE14	Humber Estuary Site of Special Scientific Interest (SSSI)  <i>Biodiversity</i>	In their written representation <b>[REP2-154]</b> (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 <b>ES Volume 2, Chapter 7: Biodiversity [REP1-019]</b> 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 <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 4]</b> . Those features not included on the citations for the European sites are assessed in <b>ES Volume 2, Chapter 7: Biodiversity [REP1-019]</b> .	Agreed
Protected species				
NE15	Water vole and otter  <i>Biodiversity</i>	In their written representation <b>[REP2-154]</b> (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	The Applicant welcomes this response. The updated <b>ES Volume 2, Chapter 7: Biodiversity [REP1-019]</b> and <b>Outline CEMP [REP1-050]</b> that were submitted at Deadline 1 included commitments to undertake:	Agreed

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		<p>smallest, least impactful works surveys should be undertaken within the footprint of the works, including temporary work areas 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>	<ul style="list-style-type: none"> <li>Pre-construction 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 <b>ES Volume 4, Appendix 7.7: Water Vole and Otter Habitat Suitability Report [APP-111]</b>; and</li> <li>Pre-construction otter surveys of suitable habitat within 200m of the proposed works.</li> </ul>	
NE16	Badger <i>Biodiversity</i>	<p>In their additional submission in lieu of attendance at Issue Specific Hearing 2 (ISH2) <b>[AS-018]</b>, Natural England noted the additional information provided at Deadline 3 regarding badger in response to its written representation <b>[REP2-154]</b> (NE8b) but advised an amendment to the relevant commitment in the Outline CEMP. Natural England confirmed via email on 11 November 2025 that it welcomes the update provided in the Outline CEMP that where possible, intrusive groundworks within 30m of badger setts will be avoided in the first instance. Where this is not possible, the</p>	<p>Table 7.6 of <b>ES Volume 2, Chapter 7: Biodiversity [REP4-063]</b> states that 'where reasonably practicable, construction work will not take place within 30m from active badger setts'.</p> <p>As secured within the <b>Outline CEMP [REP4-027]</b>, 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. The relevant commitment in the <b>Outline CEMP [REP4-027]</b> that was submitted at Deadline 4 was updated to state that where possible, intrusive groundworks,</p>	Agreed

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		<p>mitigation/licence requirements detailed will be implemented.</p> <p>Natural England also welcomed that paragraph 4.2.3 of the Outline OEMP states that "Clearances above ground, or mammal gates, will be included to permit the passage of wildlife" and consider that this point is now resolved.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>including hard piling or major excavations, will avoid impact to land within 30m of an active badger sett. If avoidance is not possible, appropriate mitigation would be undertaken in consultation with Natural England and, if required, setts permanently or temporarily closed under licence. 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>	
NE17	Breeding birds <i>Biodiversity</i>	<p>In their written representation <b>[REP2-154]</b> (NE8d), Natural England welcomed that the Outline LEMP had been updated to include clear objectives, defined targets, details of limits of acceptable change and details of remedial actions.</p> <p>In an online meeting on 15 October 2025, Natural England confirmed that the Applicant had suitably addressed its request for</p>	<p>The Applicant welcomes this response. The <b>Outline LEMP [EN010157/APP/7.5 Revision 3]</b> 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 <b>Outline LEMP [EN010157/APP/7.5 Revision 6]</b>, which is submitted at Deadline 3, on how national</p>	Agreed



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		<p>clarification 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 permissive footpaths in the proposed mitigation areas.</p> <p>Natural England considers this matter to now be resolved.</p>	<p>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 <b>Response to Deadline 2 Submissions and Additional Information [EN010157/APP/8.14]</b>, 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 <b>[RR-012]</b> (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 has been taken regarding watercourses (i.e. assuming 'good' condition for baseline</p>	<p>The Applicant welcomes this response. The headline figures for BNG, based on the Indicative Environmental Masterplan contained within <b>Appendix D</b> of the <b>Outline LEMP [EN010157/APP/7.5 Revision 3]</b>, are 62.36% for area habitats, 46.48% for hedgerow habitats and 12.50% of watercourse habitats. See <b>ES Volume 4, Appendix 7.10: Biodiversity Net Gain Assessment [APP-114]</b> for more details.</p>	Agreed

Ref	Topic	Natural England's Position	Applicant's Position	Status
		<p>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 <b>[REP2-154]</b> (NE10), Natural England reiterated 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 challenges and it potentially undermines the integrity of the eventual Soil Management Plan.</p>	<p>The Applicant welcomes this response. A detailed ALC and soil survey has not been undertaken of the grid connection cable route at this stage. However, the <b>Outline SMP [EN010157/APP/7.8 Revision 2]</b> covers the full Order Limits, including the grid connection cable route. As set out in the <b>Outline SMP [EN010157/APP/7.8 Revision 2]</b>, 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 <b>Outline SMP [EN010157/APP/7.8 Revision 2]</b> describes the</p>	Agreed

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		<p>However, Natural England confirmed via email on 5 November 2025 that if the ExA determines that the Applicant's proposed approach is acceptable, micro siting of the cable route should be informed by any surveys undertaken, where possible. Natural England welcomes 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>Natural England notes 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 it agrees with the Applicant that it is for the ExA to determine whether the approach is acceptable in this case.</p>	<p>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"<sup>2</sup>.</p>	

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

Ref	Topic	Natural England's Position	Applicant's Position	Status
NE20	Soil handling  <i>Construction</i>	<p>In their written representation <b>[REP2-154]</b> (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 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>	The Applicant welcomes this response. The updated <b>Outline SMP [REP1-062]</b> 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 be restricted to only April to September due to programme constraints; however, as stated in the <b>Outline SMP [REP1-062]</b> , 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.	Agreed
Other				
NE21	Glint and glare (general)  <i>Glint and Glare</i>	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	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	Agreed

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		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 that has previously been undertaken, it suggests that observing bird behaviour around the panels may be appropriate.	<p>strategy outlined within the <b>Outline LEMP [EN010157/APP/7.5 Revision 3]</b>.</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 disruption of flight paths as a result of glint and glare has been assessed as part of the <b>Habitats Regulations Assessment - Information to inform Appropriate Assessment [EN010157/APP/5.3 Revision 2]</b>, which concludes no adverse effects.</p>	

## 4 Signatures

4.1.1 This Statement of Common Ground is agreed upon:

On behalf of Natural England:

Name:

[Redacted]

Signature:

[Redacted]

Date: 18/11/2025

On behalf of the Applicant:

Name:

[Redacted]

Signature:

[Redacted]

Date: 27/11/2025

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