Date: 27 May 2026
Our ref: 546105
Your ref: EN010158
IP Ref: [redacted]

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FAO: Richard Morgan
Lead Member of the Examining Authority

The Planning Inspectorate
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Dear Richard Morgan,

**Application by Rosefield Energyfarm Ltd. For an Order Granting Development Consent for Rosefield Solar Farm**
**NSIP Reference:** EN010158

**Natural England's Response for Deadline 3**
**Examining Authority's submission deadline: 27 May 2026**

Natural England is pleased to provide our Deadline 3 response for the Rosefield Solar Farm Examination within the annexes appended to this letter.

We have provided our comments in the following Annexes:

Annex 1: Post event submissions, including submission of oral comments made at Issue Specific Hearing 1 and responses to points raised in oral submissions at ISH1.
Annex 2: Responses to comments on written representations (WRs)
Annex 3: Comments on responses to Examining Authority's first written questions (ExQ1)

Natural England hopes our Deadline 3 answers are helpful. Please note that Natural England have used **no artificial intelligence** tools to aid in the production of this response.

For further advice on this consultation please contact the case officer [redacted]@naturalengland.org.uk and copy to consultations@naturalengland.org.uk.

Yours sincerely,

[redacted]
Senior Officer
Thames Solent Area Team
Natural England

## Annex 1: Natural England's comments following Issue Specific Hearings

### 1 Issue Specific Hearing 1 – Ecology and Biodiversity – Bechstein's bat

1.1 Section 1 of this annex is a combined post-event submission which blends our oral representations and responses to points raised in the ISH. Matters are presented in an order which we think allows for the easiest understanding of the issue, as opposed to the order of the ISH agenda. After section 1, we move on to specific points raised at the ISH and conclusions.

### Introduction

1.2 We have concerns that the Rosefield Solar Farm development in its current form would have a significant impact on Bechstein's bats that are known to be present within the area. It is a particularly vulnerable and sensitive population. This Bernwood population is the north-easternmost population in England and is genetically and geographically isolated from other populations. This population is already under pressure from development in the area, and we consider that the Rosefield development in its current form should do more to avoid adding to this pressure.

1.3 The bat population would have been an interest feature of the proposed Bernwood SSSI. The Natural England commissioned report NECR558 entitled 'The Bernwood Population of Bechstein's Bat – A non-technical summary of the Evidence' analyses and summarises the wealth of data on the bat population from research and field surveys completed between 2011 and 2022, many of which were undertaken to inform High Speed 2 (HS2). That report formed part of the evidence underpinning the SSSI designation process and describes how Bechstein's bat use the Bernwood area, why the area is important for the species and why this Bechstein's bat population is important to the future of the species in the UK.

1.4 This SSSI would have encompassed a number of woodlands and fields located in close proximity to the development. The SSSI would also have included botanical and invertebrate features, but the designation is currently paused.

1.5 The development is within the Core Sustenance Zone and known home range of the Bernwood Bechstein's population[1].

1.6 The study of the potential impact of solar generation on bats is in its infancy, but early results from peer reviewed published studies suggest that there may be an avoidance effect from solar PVs on bats. The mechanisms responsible for this are unknown and determining this will be the subject of future studies. Please see our response to Q1.7.13 in Annex 3 for comments on the Applicant's critical review of this literature.

1.7 The Applicant recognises the impact that the installation of solar panels might have, both via avoidance and through loss of grazing, as discussed in paragraph 7.8.110 and in Table 7.10 of Environmental Statement Volume 2, Chapter 7: Biodiversity [REP2-035] (hereafter referred to as 'the ES') where displacement to commuting and foraging is listed, and in Q1.6.16 response in Applicant's Response to Examiner's Questions [REP2-087] where it is acknowledged that '*there is some evidence that bats can benefit from the presence of cattle'*.

1.8 Natural England have been engaged in discussions with the Applicant throughout the pre-application period, where we have consistently raised the potential impacts to the vulnerable population of bats. Our outstanding concerns relate primarily to:
1) the loss of foraging habitat in the cattle grazed pasture in the B fields (located in

[1] *The home range of an animal is defined as the total area within which it lives and moves on a regular basis and contains all the resources that the animal requires to survive and reproduce. The Core Sustenance Zone is a tool used to delineate the bat home range. It refers to the area surrounding a maternity roost within which habitat availability and quality will have a significant influence on the resilience and conservation status of the colony using the roost (BCT, 2016). For Bechstein's bats this is 3km from each roost.*

development Parcel 1),
2) the monitoring strategy (which, for Bechstein's bats specifically will rest upon collaboration with HS2 for radio tracking data) not yet being guaranteed,
3) a lack of certainty that continued grazing is secured in the oLEMP [REP2-067] and
4) disagreement and confusion regarding the assessment conclusions in the ES.

### Fields B3, B6, B7, B8:

1.9 Bechstein's bats are a quiet species that do not vocalise as often or as loudly as many other bat species and therefore use of acoustic survey methods are not appropriate for this species. The sound characteristics of their call are also very difficult/ impossible to distinguish from other species of the same genus (Myotis spp.) and therefore even when they are picked up by acoustic detection equipment, you cannot tell conclusively whether it is a Bechstein's bat call or another of the Myotis genus. We have provided detailed comments on the survey methodology in our written comments [RR-203, REP1-124 and AS-038], so we won't repeat them here, but in summary, because the Applicant has not been able to gather reliable survey data, all parties are relying on the previously gathered data from HS2 radio tracking studies, and further analysed and synthesised as part of the aforementioned Bernwood SSSI extension proposal.

1.10 Even with this radio tracking data, it must be noted that surveys can never be completely exhaustive. Because they only ever represent a snapshot in time and a subset of the population, it is important to also consider habitat suitability when assessing potential impacts.

1.11 Based on the available data, summarised in NECR 558, as well as an assessment of habitat suitability we know that Fields B6, B7, B8 and likely also B3, are key foraging habitat for Bechstein's bats. This is recognised by the Applicant in their Responses to Relevant and Written Representations;
"*It is true that habitat immediately north, east and west of both Decoypond Wood and Sheephouse Wood SSSI has been identified as one of 'the most frequently used non woodland core foraging areas'*" [PDA-006 para ref: RR-026 response on page 25] and
"*The Applicant is aware that fields located between Sheephouse Wood SSSI and Shrubs Wood form an important areas of the Bechstein's bat core sustenance zone."* [REP2-086 para ref: 2.1.39].

1.12 It has been our understanding that the Applicant acknowledged the potential impact from the loss of these fields. They are not avoiding an impact here but instead propose the creation of habitat elsewhere which will act to mitigate impacts. This is outlined in section 'RR-026' in the Applicant's Response to Relevant Reps [PDA-006] pages 22 to 25. Upon further review of select documents and from discussion at the ISH, it is not clear if this is still the Applicant's position. We discuss this further in paragraph 3.3 of this response and would welcome comment from the Applicant to clarify this.

1.13 Alternative mitigation proposed in fields B9 and B17 is not adequate to offset the impact of losing the existing pastureland B fields, as these do not have the same underlying characteristics and geographical benefits. B17 is a hillside and has a much more exposed aspect than the western B fields, which are low lying and sheltered. Fields B6, 7 and 8 are also especially sensitive in that they link three areas of ancient woodland; Decoypond Wood, Shrubs Wood and Sheephouse Wood. Two of which have known Bechstein's roosts, and all of which are used for foraging and may support other roosts that have not been identified. Given that surveys can never be completely exhaustive and only ever represent a snapshot in time and a subset of the population, there is a high likelihood that Sheephouse Wood supports maternity roosts. Access to high quality foraging resource and habitat in close proximity to roosts is important for sustaining the population and the loss of fields B6, 7, 8 may reduce the suitability of the three woods to support future roosts.

1.14 The ‘mitigation’ location at B17 has been chosen for sociological and landscape reasons and, if really considering the needs of Bechstein’s bats, would otherwise not have been chosen as suitable mitigation areas.

1.15 The majority of the other ‘enhanced’ or created habitats which are intended to provide mitigation are situated in the east of the site, approximately 2.5km away from the B fields, and located primarily to serve roosts in close proximity within Finemere Wood and Runts Wood (i.e. the D fields).

1.16 Mitigation within the C fields (i.e. Parcel 1a) is welcomed, although this area is already a key location in its own right in terms of foraging, commuting and proximity to the proposed SSSI designation and therefore was always known to be highly inappropriate for development.

1.17 The Definition of Favourable Conservation Status for Bechstein’s bat (RP2970) provides more information about the ecology of Bechstein’s bat and describes how they are a relatively sedentary species. Evidence shows that they rarely fly more than 1.5km to feeding areas. They ‘require a combination of roosting habitat, including maternity roosts and hibernation sites, and foraging habitat’ in close proximity.

1.18 Whilst an avoidance and appropriately sited mitigation approach has been adopted in Parcel 1a and largely in Parcel 2 (i.e. the C and some of the D fields), it has not in Parcel 1 (which encompasses the B fields) where the development of existing pastureland remains.

1.19 We recommend that the avoidance approach is adopted consistently, with all grazed fields protected from development throughout the order limits. Enhancements should focus on the retention of grazing as well as increasing the proposed buffers. This would not only protect current use and value, but also to ensure future resilience is not compromised on a scale and geographic spread that recognises the value of this existing habitat and the National importance of the Bernwood Bechstein’s population that it supports.

## Buffer Widths

1.20 In addition to direct impacts from the loss of grazing or open habitats between woodland blocks for the bats to forage in, the development also poses a risk of fragmenting the landscape and impacting routes that the bats use to commute throughout the landscape. Buffers along existing hedgerows and bat movement corridors have therefore been included as mitigation.

1.21 We recognise that the width of buffer zones along hedgerows in Parcel 1 fields have been increased by 5m either side (i.e. from the standard 10m up to 15m) to increase the likelihood of the hedgerows continuing to provide connective links between the blocks of ancient woodland. We recommend this should be in addition to, as opposed to instead of, the continued provision of grazed pasture in this area. This would complement and reinforce the benefit from creating and retaining grassland elsewhere within the site, making it less likely that Bechstein’s bats will be significantly adversely affected by the proposed development.

1.22 We largely accept that the provision of buffers along hedgerow corridors elsewhere within the site is likely to maintain the landscape connectivity of these important habitats for all bat species. Although buffers are a widely used mitigation measure, their effectiveness for preventing avoidance behaviour is not known. In particular, there is a lack of evidence to demonstrate how wide a buffer must be to ensure functionality.

1.23 If buffers are not effective in preventing an avoidance response, there is the potential for significant impacts to landscape connectivity, effectively cutting off foraging and commuting resources. A precautionary approach is to retain as much of the existing resource in line with the mitigation hierarchy.

1.24 In our representations we have recommended that buffers are measured from the outer edge of existing hedgerows. Although the Applicant initially rejected this suggestion, discussion during ISH highlighted that this may be due to a misunderstanding of our advice.

At [00:29:17:08 - 00:29:59:02 of ISH1 Transcript Day 1 - Part 3] it was stated that "'*the Applicant is under the impression, when we were discussing this with Natural England, that it was the outer edge of the hedgerow at some future point in time, and that outer edge may change."*

1.25 Natural England advise that buffers should not be measured from a centre line of existing hedgerows but be based on an agreed width (10-15m either side of a field) on top of the existing ecological features representing the baseline conditions. If this approach is not implemented, then many of the proposed buffers will simply protect the existing hedgerow ground flora or field margins and may not extend as far as tree canopies where there are large hedgerow trees. We do not advise that these buffers must be re-calculated post construction, just that the baseline is captured at a set point of time and the buffers are additional to existing features. This approach was recently agreed on the Botley West Solar DCO (currently still in examination).

1.26 Given the uncertainty of effectiveness of hedgerow buffers, we have advised a precautionary approach. We continue to recommend that the proposed buffers are additional to existing features in the landscape.

1.27 In various documents submitted to support the application (e.g. response to Q1.7.7 [ REP2-087]), an argument is made that because the Bechstein's bat has a relatively small echolocation range (approx. 15m), then a 15m wide buffer ensures solar panels would not pose any impact to the bat. We wholeheartedly disagree with the various statements made suggesting buffers will be adequate because they are wider than the distance over which the echolocation calls of Bechstein's bats are likely to operate. Firstly, we do not know the distance over which any bats can hear, either their own echolocation or when they are passively listening for prey, we only know what we can detect using our equipment. Bechstein's are a quiet species, but they also have large ears and will utilise passive listening when hunting prey so this may contribute to their reasons for only emitting quiet calls. Secondly, bats have good eye sight and good memory they use their senses to extraordinary effect, which we do not fully understand. They will be fully aware of what is present beyond their echolocation range as they travel around their home range. For example, they can remember the location of a hibernation site that they may only visit a maximum a few times a year, or even only once for some species and they can travel large distances well beyond their usual home range to access it. Lastly, bats do not fly in a straight line, so measuring what is a suitable distance beyond the expected range of their echolocation would not be able to follow exactly where they are flying.

## Grazing / Habitat Management

1.28 In recommendation 4 of our Relevant Representation (RR-203), we sought more security around the management regime for the areas of retained and enhanced grassland under grazing. We note Q1.7.17 of Examiners Questions 1 [PD-010] and the reference within the oLEMP [REP2-067] to "*grazing by cattle or sheep 'if possible'*".

1.29 We also note the Applicant's response to ExQ 1.7.17(4) in which they state that '*in the absence of grazing*' '*the mitigation would still be effective*', which was reiterated at the ISH. We advise that further information is required to justify this conclusion and provide further comments in Annex 3.

1.30 What we know is that the currently grazed fields are of value to the bats. We advise that the current existing baseline is maintained to ensure reduce risk of adverse impact. The energetic demands on bats are greatest when pregnant and lactating and grazing cattle at this time in close proximity to maternity roosts provides an excellent source of prey, including crepuscular insects at the time of bat emergence.

1.31 Because of this, it is not just the presence of grazing which is important, but also the frequency and timing of grazing, as well as stocking density. Parts of the oLEMP [REP2-067] suggest the creation of species rich grassland in the mitigation areas with any grazing of this

grassland to take place as aftermath grazing, in the autumn and winter and with a low stocking density, so as to create and maintain the floristic diversity that is required for achieving landscape and botanical objectives. Having more diverse grassland managed for biodiversity is welcomed, however, if located inappropriately or affected by being surrounded by structures that elicit an avoidance response, there will be a limit on the effectiveness of this as mitigation.

1.32 In the mitigation and enhancement areas, if cattle grazing cannot be secured, there is less certainty the impacts will be avoided or mitigated.

### Monitoring

1.33 Monitoring the impact of the development on all bats, including Bechstein's, will be essential to understanding whether mitigation is effective and guiding any changes for this and future development. For reasons discussed in our response to ExQ1 [REP2-098], the Applicant needs to be able to access HS2 data as well as input into how their radio tracking surveys are conducted/adapted to cover the relevant areas for this development. Without this agreement, it will be more or less impossible to gather meaningful data for Rosefield.

1.34 In the hearing the Applicant stated that under no circumstances would adaptive solutions to monitoring (showing a decline in the activity or abundance of the species) involve removal of PV panels, and adaptive solutions would only seek to alter the ongoing management of habitats. This is a helpful clarification by the Applicant. It highlights that there is little scope for amending aspects such as the size of buffers if there are shown to be impacts to connectivity and highlights the importance of a precautionary approach to mitigation design.

1.35 We advise that a robust monitoring strategy for this proposal is necessary given the layers of uncertainty of impacts from this development (novel bat research, novel buffer mitigation, questions over exact management methods, limited adaptive measures proposed etc.) and further detail on the monitoring strategy is provided and agreed prior to the decision being made on this Development Consent Order application.

### Conclusion

1.36 Despite this development proposal being located in a site of ecological sensitivity, we have been attempting to work with the Applicant to find a solution which allows the installation of the green energy project while ensuring nature is not harmed.

1.37 Currently, we advise that more should be done to safeguard the Bechstein's population now and into the future and to reduce the likelihood of a significant and permanent negative impact in the long term to a nationally significant population. Our detailed comments on the ES conclusions and National Policy Statement (NPS) tests can be found in Section 3 below.

## Other Matters Raised at ISH1

### 2 Licensing Requirements

2.1 Natural England were asked at the hearing for our response to the Applicant's position on the need for bat licensing set out in their oLEMP [REP2-067] and we stated that we would respond in writing.

2.2 With regard to the potential impacts from tree felling on bats, the need to survey trees prior to removal has been secured. We agree that, should any trees to be removed as part of the application be found to support a roost, we expect the Applicant to go through the standard licensing process.

2.3 With regard to the potential impacts from the loss of foraging habitat to bats, we are currently reviewing whether, should a satisfactory mitigation solution not be agreed, a bat mitigation license may need to be sought by the Applicant.

2.4 The only other protected species license we would comment on is Great Crested Newt (GCN). We note that the Applicant states in their response to ExQ1 [REP2-087] that they

have engaged with NatureSpace regarding the use of District Level GCN license (DLL). If it is confirmed that the Applicant will be proceeding with DLL, then we anticipate working with them on a Letter of No Impediment (LONI).

## 3 Assessment Methodology & NPS Test

3.1 Through discussions at the ISH, it is clear that there is confusion around the Applicant's assessment methodology, their use of the terminology 'potentially significant effect', and which paragraphs of the National Policy Statement are most relevant to the assessment of impacts on Bechstein's bat.

3.2 The ES [REP2-035] paragraph 7.8.113 states that "*the installation of Solar PV modules will result in the modification of habitats within the Order Limits which may adversely impact Bechstein's bat foraging and/or commuting behaviour through reductions in habitat quality or habitat fragmentation*". This approach is repeated throughout the ES (e.g. paragraph 7.8.129). Paragraph 7.10.132 concludes the assessment on Bechstein's bat and states that "i*t is not possible, at this time, to definitively state that this mitigation will be fully efficacious* [and so there may be a potential impact]". This conclusion is open to misinterpretation and can be challenging to 'unpick'. But we do agree that, as first presented, it did demonstrate a precautionary approach to assessment.

3.3 However, in the Applicant's response to Q1.7.13 [REP2-087], they explain that the conclusion of potentially significant is reached because "*studies are largely short-term and the evidence limited*" and "*the mechanism by which any negative effect might arise .. is uncertain".* We highlight that this it appears to be a substantive change in the reasoning presented in the Environmental Statement. Whereas the earlier use of 'potentially significant' was adding an extra layer of precaution to the assessment, recognising the uncertainty of the proposed novel mitigation, this more recent comment plus discussion at the ISH suggests the opposite might be true.

3.4 Further comments were made at ISH which suggest the Applicant is suggesting that the installation of PV modules would not constitute a loss of foraging habitat for Bechstein's bat. At [00:04:13:20 - 00:04:51:24 of ISH1 Transcript Day 1 - Part 3] it was said that it would be "*difficult to see how installation of solar could translate into significant harm*". And at [00:04:52:08 - 00:05:25:21 of ISH1 Transcript Day 1 - Part 3] "*almost nothing is going to be significant at a national level*", "*I can't see how that district level significance that we are potentially talking about could feed into a long term influence impact on the conservation status*".

3.5 We would welcome clarification from the Applicant on these statements. Natural England's view is that:

- The installation of Solar PV Modules should be considered as a loss of foraging habitat and as having an avoidance effect/impact on bats in the absence of mitigation (in line with a worst case scenario assessment).
- The loss of approximately 40ha of grazed grassland and foraging habitat would constitute a significant negative impact on a nationally important population of Bechstein's bat.
- Significant impacts to this foraging habitat have the potential to negatively effect the conservation status of the species.

3.6 We would welcome comment from the Applicant on the above three points to understand if there are fundamental disagreements about the potential impacts and assessment assumptions.

3.7 We would also welcome further explanation from the Applicant why the residual effects of the development are assessed as potentially significant at the **district** level. Significant

impacts to a nationally important population would usually be assessed as significant at the national level.

3.8 At [00:11:03:29 - 00:11:36:14 of ISH1 Transcript Day 1 - Part 3] a representative of the Applicant made a clarifying point about the difference between the conclusion of the Environmental Impact Assessment vs. the conclusion on "*significant harms to the favourable conservation status of the bat species*". We would welcome further clarification from the Applicant on the differentiation between these two tests, as paragraph (7.10.133 of ES [REP2-035] implies that 'significant harm' would be defined as an effect which impacts the overall favourable conservation status of the species. These two statements appear to conflict.

3.9 Paragraph 5.4.42 of National Policy Statement EN-1 refers to 'significant harm'. It is Natural England's view that the impacts to foraging habitat in Parcel 1 constitute a significant harm to the Bernwood population of Bechstein's bats. Any reduction to the fitness, extent, distribution or abundance of this population could be considered to pose significant harm. Please also see our comments on the Applicant's response to ExQ Q1.7.13 in Annex 3 below.

3.10 Ultimately, we disagree with the conclusion of the ES. We advise there is a risk that the application in its current form has not mitigated potential impacts to an acceptable level and therefore a significant residual impact remains. We advise that the scheme is amended to address this risk given the national significance of the population and the uncertainty over the effectiveness of the mitigation.

## 4 Bernwood SSSI Proposed Mapping

4.1 Comments were made by representatives of Claydon Solar Action Group (CSAG) regarding the mapping of the proposed Bernwood SSSI. As the result of a Freedom of Information request, draft mapping of the proposed SSSI boundary has recently been released. This information can be shared with the Examining Authority if it would benefit your decision making. Now that the information has been released, we can clarify that the draft mapping did not include fields B3, 6, 7, and 8.

## Annex 2: Responses to comments on written representations

In REP2-086 the Applicant responds to various Written Representations (WRs). We provide comments on the sections within our remit where we think advice to the Examining Authority will be useful. We have tried to reduce the unnecessary repetition of the Applicant's Response in order to aid legibility, but where necessary the Applicant's response is reproduced in italics.

| Ref | WR, page ref | NE Response |
|---|---|---|
| **2.1.21** | Natural England WR [REP1-124], Page 8 | On page 8 of our WRs [REP1-124] we discuss how the functional range of bat detection equipment should not be used as a proxy for the echolocation range of a bat. The response from the Applicant focuses on disturbance from construction noise. Our comments on page 8 did not relate to construction noise but were a response to the Applicant's position regarding 'echolocation range' of bats in relation to buffer size. We provide further detailed comments on buffer size and echolocation range in paragraph 1.27 of Annex 1. |
| **2.1.22** | Natural England WR [REP1-124], Page 8 | The Applicant's response to our position on buffer sizes seems to be based on a fundamental misunderstanding of our position. At the ISH this misunderstanding came to light, and the Applicant has agreed this is a topic which warrants further discussion which we welcome. |
| **2.1.23** | Natural England WR [REP1-124], Page 9 | The Applicant summarises our position on this issue incorrectly. Their summary states that "*they don't accept this as it constitutes further physical distance between the Solar PV modules and the hedgerow feature*". We assume that the inclusion of 'as it' in this quote is a typographical error and the summary is intended to read as "they don't accept this constitutes further physical distance between the Solar PV modules and the hedgerow feature" although we are not certain.<br><br>Our WR specifically states that we "**do** accept this strip constitutes further physical distance between the solar panels and the hedgerow feature". We won't repeat our previous comments in this response. The Applicant's comments here do not seem to present any new information or position, so we advise our previous advice still stands. This largely seems to be a point about semantics and how the buffer strips are quantified or described, and not their ecological effectiveness. |
| **2.1.38** | Natural England WR [REP1-124], Page 3 | *"This introductory statement ('without proper mitigation') does not take into account the design changes that have been made and the mitigation proposed."* |

| Ref | WR, page ref | NE Response |
|---|---|---|
| | | Our WRs specifically do consider these changes and the proposed mitigation. In our representations, we provide detailed comment on why we advise the potential impacts to bats have not yet been fully mitigated in the current design.<br><br>*It also does not take into account that the majority of the land that will support panels is currently arable.*<br><br>We have agreed that the primary potential impact arising from the conversion of arable to solar is primarily one of connectivity and we have agreed in principle that buffers along hedgerows (i.e. commuting routes) can provide mitigation for this impact. Cultivated arable habitat itself provides very little by way of resources for bats, however, it does not elicit an avoidance response.<br><br>*The value of arable crops tends to be limited due to their management and (usually) use of pesticides that are designed to reduce invertebrate biomass. The mitigation has been designed on a landscape-scale ensuring that commuting is protected and foraging is improved compared to the current situation. As outlined within the Outline LEMP [EN010158/APP/7.6.3] the retention of all woodland habitat, the majority of hedgerows and the provision of wide buffers along these features together with sensitive long-term management will actively protect and safeguards those features that foraging bats use and result in an overall betterment*<br><br>We disagree that the proposed mitigation ensures that foraging is improved compared to the current situation and provide detailed comments on this in Annex 1 above.<br><br>Conversion of arable to grassland may increase the invertebrate biomass, but attributing value to this is not precautionary given the evidence which shows bats are unlikely to be foraging over the solar panels.<br><br>Invertebrates may travel from field to edge or buffers but there is no evidence to quantify this or compare the to forage quality vs arable. It also does not consider what this resource would offer relative to a high quality mature hedgerow with appropriate buffer (i.e. would the invertebrates travelling from field to edge provide a statistically significant increase in foraging prey?). |
| **2.1.39** | Natural England WR [REP1-124], Pages 6 and 7 | The Applicant points to [PDA-006] and states that '*The Applicant is aware that fields located between Sheephouse Wood SSSI and Shrubs Wood form an important areas of the Bechstein's bat core sustenance zone. However, the extent to which these pasture areas are of greater value than other pasture areas, based on the quality of the habitat as well as their location, is questionable'* |

| Ref | WR, page ref | NE Response |
|---|---|---|
| | | Natural England have not asserted that the grazed fields in Parcel 1 are of greater value than grazed pasture elsewhere within the core sustenance zone.<br><br>It is our advice that this is known to be a habitat which provides an existing foraging resource and that impacts to this resource should be avoided.<br><br>We have provided advice on why we do not think the proposed mitigation in fields B17 and B9 are ecologically equivalent to the existing baseline (paragraph 1.13 of Annex 1). |
| **2.1.40** | Natural England WR [REP1-124], Page 7 | We welcome the Applicant's commitment to consulting us on the detailed LEMP and provide comments on the statement the Applicant has made that the mitigation strategy would function without grazing in Annex 1. |

## Annex 3: Comments on responses to Examining Authority's first written questions (ExQ1)

In REP2-087 the Applicant responds to the Examining Authority's first written questions (ExQ1). We provide comments on the sections within our remit where we think advice to the Examining Authority will be useful. We have tried to reduce the unnecessary repetition of the Applicant's Response in order to aid legibility, but where necessary the Applicant's response is reproduced in italics. It should be noted that we use the question references from ExQ1 [PD-010] below as questions are incorrectly referenced in the Applicant's response (i.e. Q1.7.7 in ExQ1 is referenced as Q1.1.6 in the Applicant's response).

| ExQ1 | NE Response |
|---|---|
| **Q1.7.7** | **Environmental Improvement Plan 2023 and Local Nature Recovery Strategy for Buckinghamshire and Milton Keynes**<br>The Applicant sets out their reasoning for reaching a conclusion of 'potentially significant effect' in their response to Question 1.7.7. We highlight our advice in Section 3 of our Annex 1 response. Q1.7.7 is a good example of how the Applicant's assessment process has led to a lack of clarity over the meaning of the conclusion. Clarity over whether this is a question mark over the effectiveness of mitigation or a question over the impact pathways being assessed would be welcomed. |
| **Q1.7.13** | **Effects on Bechstein's bats**<br>1) Regarding Appendix 2 of the Applicant's comments on responses to ExQ1 ("Review of Research Papers on the Impacts of Solar Development to Bats"), we would welcome a steer from the Examining Authority on whether or not Natural England needs to commission a detailed review of this document and provide a formal written response. In our view, entering into such a detailed academic discussion in the midst of an examination may not be helpful, and it will be challenging for Natural England to produce this review in a timely manner. Relevant specialists have conducted an initial assessment of the document, and it has **not** changed our position or advice. It is still our advice that the published best-available evidence shows there is a credible impact pathway posed to bats from solar developments.<br>2) The Applicant states that potential impacts would not result in an effect at a scale to adversely change the current conservation status of the species. They highlight paragraphs 5.4.42 and 5.4.43 of NPS EN-1. The Applicant should also consider paragraphs 5.4.54 and 5.4.55 of NPS EN-1. We would encourage the Applicant to share more of their rationale for the conclusion of no significant harm. They that 'significance is assigned at different geographic scales', while this is an accepted principle, it is not clear why the Applicant has defined impacts as 'potentially significant at the district level' (7.10.133 of ES [REP2-035]) despite, in the same paragraph, noting that the Bernwood Bechstein's bat population is of national importance.<br>3) It is not Natural England's place to comment on any potential weighing exercises. |

| ExQ1 | NE Response |
|---|---|
| | 4) Natural England challenge the Applicant's assertion that the mitigation hierarchy has been applied as they have avoided 'all woodland habitat and the majority of hedgerows and individual trees'. In our view the avoidance should have extended to ensuring no impact on all grazed field parcels, given the published evidence that these form a key part of the core sustenance zone. This would have been a more precautionary way to design the development. Where impacts cannot be avoided then the mitigation must have an equivalent ecological function, and we have given our detailed comments on the suitability of the mitigation proposal in paragraph 1.13 of Annex 1. |
| **Q1.7.17** | **Proposed Grassland**<br>1) The Applicant states that the available grassland area represents a doubling compared with the current baseline. We do not dispute that the total quantum of grassland will be significantly increased. Our concerns regarding the impacts to Parcel 1 relate mainly to the spatial distribution of the proposed mitigation. While we agree the proposed mitigation around the 'C' and 'D' fields are appropriate, we advise the loss of approx. 28ha of grazed grassland in Parcel 1 has not been adequately avoided, mitigated or compensated.<br>We do not disagree with what the Applicant has set out regarding habitat function for ground nesting birds.<br><br>2) While we recognise there may be unforeseen circumstances which result in disruption to agreed grazing regimes '*such as biosecurity risks including TB outbreaks or other diseases that affect cattle or sheep'*, we would still expect that grazing agreements are secured as part of the detailed LEMP. Any potential disruption is unlikely to have long term negative consequences provided alternative measures are secured temporarily.<br><br>3) Here the Applicant confirms that they are "*not relying on grazing to deliver effective mitigation*". We strongly encourage the implementation of a grazing regime with cattle in the mitigation areas for reasons previously discussed in great detail. The Applicant offers no evidence that a '*cutting regime designed to maximise flora diversity and subsequently invertebrate biomass*' is a suitable alternative. Grassland will produce more invertebrate biomass than arable, but the important thing for the ES to consider is the impact compared to the current baseline, which includes grazing.<br><br>4) The Applicant refers to '*data from HS2 for at least one grazed field (Rosefield Field B7) does not show extensive use*'. It should be noted that this is a result from acoustic survey and, in our view, does not carry weight compared to the published NECR558 (see our comments in paragraph 1.9 of Annex 1). Our position has not changed. |