



## Great North Road Solar and Biodiversity Park

Draft Statement of Common Ground with Natural England

-

Document reference – EN010162/APP/8.6A

Revision number 2

January 2026

EP Rule 8(1)(e) Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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Revision History

Revision	Revision Date	Authorised By	Position	Comment
Issue 1	6/08/25	ES	Head of Planning	1 <sup>st</sup> Draft for NE Review
Issue 2	25/11/25	ES	Head of Planning	Updated draft to reflect NE Comments



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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 an application (the Application) for a Development Consent Order (DCO) from the Secretary of State (SoS) for Energy Security and Net Zero under Section 37 of the Planning Act 2008 (PA 2008) for the proposed Great North Road Solar and Biodiversity Park (the Development). The Application has been submitted by Elements Green Trent Limited (the Applicant).
- 1.1.2 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the Parties, and where agreement has not (yet) been reached.
- 1.1.3 SoCGs are an established means in the planning process of allowing all Parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

### 1.2 PARTIES TO THIS STATEMENT OF COMMON GROUND

- 1.2.1 This SoCG has been prepared by (1) Elements Green Trent Limited as the Applicant and (2) Natural England (collectively, 'the Parties').

### 1.3 TERMINOLOGY

- 1.3.1 In the table in the Issues section of this SoCG:
- "Agreed" (Green) indicates where the issue has been resolved;
  - "Under discussion" (Amber) indicates where a matter is the subject of ongoing discussion; and
  - "Not Agreed" (Red) indicates a final position.
- 1.3.2 Where Natural England expresses agreement, it does so only in so far as it has considered the issue with regards to its statutory remit and on the basis of the information provided by the Applicant. Agreement is offered without prejudice to the submissions of other interested Parties who may have greater knowledge of technical or site-specific issues.

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## 1.4 RECORD OF RELEVANT CORRESPONDENCE

- 1.4.1 The Applicant has undertaken consultation and engagement with Natural England throughout the development of the Application. The Applicant consulted Natural England in accordance with section 42 of the PA 2008, about the Development and environmental impact assessment as part of the formal pre-application consultation and publicity procedures. This process afforded Natural England the opportunity to provide responses to the information provided at various stages of the pre-application process.
- 1.4.2 Table 1-1 identifies the discussions and correspondence that has taken place between the Parties to date.

Table 1-1 Record of Correspondence

Date	Topic
03/03/2022– 23/11/2022	Setting up Discretionary Advice Service (DAS) contract.
15/08/2022	Written request for advice about scope of bird surveys.
24/01/2023	Written request for advice about scope of great crested newt surveys. <i>Response received 28/03/2023.</i>
31/03/2023	Written request for advice about scope of surveys, assessment and Statement of Common Ground (SoCG).
04/03/2024	Meeting to introduce Development and discuss approach to engagement.
09/05/2024	Meeting to provide Development update and discuss approach.
05/09/2024	Meeting to provide Development update and discuss approach.
14/11/2024	Meeting to provide Development update and discuss approach, including protected species licensing.
06/02/2025	Meeting to discuss PEIR documents.
13/03/2025	Meeting to discuss S42 comments and basis for SoCG.
18/03/2025	Meeting to discuss approach to protected species licensing.
24/07/2025	Meeting to discuss Development updates, next steps and approach to the SoCG. The parties agreed that the Applicant will take the lead on the SoCG drafting.

- 1 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Parties in relation to the issues addressed in this SoCG.

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## 2 CURRENT POSITION OF THE APPLICANT AND NATURAL ENGLAND

### 2.1 INTERNATIONAL DESIGNATED SITES

Table 2-1 International Designated Sites

Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.1.1	RR (NE2)	Habitats Regulations Assessment (HRA) Screening Scope	<b>Habitats Regulations Assessment Screening Report [EN010162/APP/5.3A] [AS-020]</b> sets out the scope of the assessment which considers the potential effects of the Development to the 'International Sites'. The scope of the assessment has been discussed with the Environment Agency and Natural England. The Applicant considers that the assessment has been prepared in accordance with good practice.	Natural England concur that the assessment has been prepared in accordance with good practice.	Agreed
2.1.2	RR (NE1)	Statutory International Designated Sites (Study Area)	The Parties agree that there are two Internationally Designated Sites within 30 km of the Order Limits of the Development and they are scoped into the assessment as set out in Table 8.14.1 of	Natural England agree with the study area used and are satisfied that all relevant internationally designated sites have been considered.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<p><b>Habitats Regulations Assessment Screening Report [EN010162/APP/5.3A] [AS-020]</b></p> <p>They include Birklands and Bilhaugh Special Area of Conservation (SAC) which lies 7.0 km North West from the Order Limits and Sherwood Forest Possible Potential Special Protection Areas (ppSPA) which is 4.5 km west and north-west from the Order Limits.</p> <p>As recorded in Table A8.1.1 in <b>ES Volume 4, Appendix 8.1: Ecology and Biodiversity Consultation [EN010162/APP/6.4.8.1] [APP-214]</b>, the Environment Agency requested that the Humber Estuary SAC/Ramsar to be scoped in due to a potential functional link, via the River Trent and its tributaries, for river lamprey, a qualifying feature of the SAC. Humber Estuary SAC/Ramsar is therefore included in Table 8.14.1 of <b>Habitats Regulations Assessment Screening Report [EN010162/APP/5.3A] [AS-</b></p>		

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<p><a href="#">020</a>. Effects to other qualifying features of the SAC/Ramsar are scoped out of this assessment and are therefore excluded from Table A8.14.1.</p> <p>The baseline study of Designated Sites shows their locations in Figure A8.2.1 and A8.2.2 in <b>ES Volume 4, Appendix 8.2: Ecology and Biodiversity Designated Sites Baseline [EN010162/APP/6.4.8.2] [APP-215]</b>. Table 8.7 of the <b>ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051]</b> identifies the Important Ecological Features to be assessed, including the identified Designated Sites. Table 8.8 of the ES outlines the features that have been scoped out of further assessment.</p>		
2.1.3	RR (NE5)	Mitigation Measures (Management Plans – CEMP, LEMP, OEMP and DRP)	The embedded mitigation and enhancement measures to prevent effects on the Designated Sites are set out in Section 8.6 of the <b>ES Volume 2, Chapter 8: Ecology and</b>	Natural England consider the relevant mitigation measures are suitably secured within the DCO control documents.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<p><b>Biodiversity</b>  <b>[EN010162/APP/6.2.8] [APP-051].</b>  The Applicant considers that the measures are appropriate and reduce the effects of the Development to an acceptable level.</p> <p>The mitigation measures are secured in the relevant Management Plans as follows:</p> <ul style="list-style-type: none"> <li>• <b>ES Volume 4, Appendix 5.1: Outline Landscape and Ecological Management Plan (LEMP)</b>  <b>[EN010162/APP/6.4.5.1A] .ES</b>  <b>Volume 4, Appendix 5.3: Outline Construction Environmental Management Plan (CEMP)</b>  <b>[EN010162/APP/6.4.5.3A].</b></li> <li>• <b>ES Volume 4, Appendix 5.5: Outline Operation Environmental Management Plan (OEMP)</b>  <b>[EN010162/APP/6.4.5.5A].</b></li> </ul>		

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<ul style="list-style-type: none"> <li>ES Volume 4, Appendix 5.6: Outline Decommissioning and Restoration Plan (DRP) [EN010162/APP/6.4.5.6A].</li> </ul>		
2.1.4	RR (NE5)	Effects on Birklands and Bilhaugh SAC	<p>The Parties agree that there is no clear ecological pathway between the Development and Birklands and Bilhaugh SAC. The Parties agree that the qualifying features of the SAC i.e. habitats and plants are extremely unlikely to be functionally linked to the Order Limits, as well as there being no direct hydrological links. The Parties also agree that the Order Limits are not in the Impact Risk Zone (IRZ) for the Birklands and Bilhaugh SAC.</p> <p>The Parties therefore agree that the effects on Birklands and Bilhaugh SAC would not be significant.</p> <p>An assessment of the effects of the Development on Birklands and Bilhaugh SAC is provided in Section 8.8 of the <b>ES Volume 2, Chapter 8:</b></p>	Natural England concur with the assessment of impacts to Birklands & Bilhaugh SAC.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<b>Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051].</b>		
2.1.5	RR (NE5)	Effects on Sherwood Forest ppSPA	<p>The Parties agree that the Development is not considered to be functionally linked land for the two potential qualifying features, breeding European nightjar and Woodlark. The Parties therefore agree that the effects on Sherwood Forest ppSPA would not be significant.</p> <p>An assessment of the effects of the Development on Sherwood Forest ppSPA is provided in Section 8.8 of the <b>ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8] [APP-051].</b></p>	Natural England concur with the assessment of impacts to the Sherwood Forest ppSPA.	Agreed
2.1.6	RR (NE5)	Effects on Humber Estuary SAC/Ramsar	<p>The Applicant considers that there are no identified likely significant effects on any qualifying interest of Humber Estuary Sac/Ramsar, as stated in the <b>Habitats Regulations Assessment Screening Report [EN010162/APP/5.3A] [AS-020].</b></p> <p>There is a very low likelihood of occurrence of lamprey as a result</p>	It is noted that cable burial is included as an embedded mitigation measure. Natural England acknowledge that cable burial is a factor likely to reduce EMFs, however, must note that the effect of EMFs on Migratory Lamprey are largely unknown, and there is no	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant’s Position	NE’s Position	Status
			of the very large separation distance between the Development and the SAC and the physical obstructions to lamprey distribution in the Trent catchment. Furthermore, the embedded designed-in mitigation secured in <b>ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3]</b> <a href="#">[APP-204]</a> ensures that in the very unlikely event that lamprey are present, there is no potential for likely significant effects in any event. The Development will not undermine the conservation objectives of the Humber Estuary SAC.	established burial depth considered ‘deep enough’ to avoid effects from EMF. Nonetheless, as a result of the separation distance from the SAC/Ramsar site, absence of crossings of the River Trent itself, and the other embedded mitigation set out, Natural England concur with the conclusion regarding impacts to Lamprey associated with the Humber Estuary SAC/Ramsar.	

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## 2.2 NATIONAL DESIGNATED SITES

**Table 2-2 National Designated Sites**

Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.2.1	RR (NE6)	Statutory National Designated Sites (Study Area)	<p>The Parties agree that there are nine SSSI sites (Site of Special Scientific Interest) within 5 km of the Order Limits. The Order Limits of the Development crosses several of Natural England's IRZs including two which trigger the 'All Planning Applications' development category, namely, Eakring and Maplebeck Meadows SSSI and Mather Wood SSSI.</p> <p>The Parties agree that no other IRZ triggers within the Order Limits include the development category of 'Wind and Solar Energy'.</p>	Natural England agree that all relevant SSSI sites have been identified and assessed in the ES.	Agreed
2.2.2	RR (NE6)	The Scope of Important Ecological Features	In relation to the national designated sites, the Parties agree that the Important Ecological Features as set out in Table 8.7 and the Features scoped out of further assessment in Table 8.8 are agreed, as presented in <b>ES Volume 2, Chapter 8: Ecology and</b>	Natural England agree that all relevant notified features of the identified SSSI sites have been considered, and that valuable functional linkage with the Order Limits is unlikely.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<b>Biodiversity [EN010162/APP/6.2.8] [APP-051].</b> The Parties agree that the notified features identified in all other SSSI are very unlikely to be functionally linked to the Order Limits due principally to the lack of clear ecological connectivity.		
2.2.3	RR (NE7, NE8, NE9)	Mitigation Measures (CEMP)	The Parties agree mitigation measures as set out in Section A5.3.11.2 of the <b>ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3] [APP-204]</b> are acceptable and sufficient to mitigate for potential effects to the notified features of the Designated Sites.  Mitigation includes:  (1) measures to mitigate for potential adverse effects from dust pollution and hydrological impact pathways on Eakring and Maplebeck Meadows SSSI during construction.	Natural England agree that the mitigation measures proposed are likely to avoid impacts upon the identified SSSI sites.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant’s Position	NE’s Position	Status
			<p>(2) the construction of passing places will be outside the bird breeding season in order to avoid disturbance to the breeding bird assemblage of Eakring and Maplebeck Meadows SSSI.</p> <p>(3) measures to avoid waterborne pollution in the upstream work areas of Laxton Sykes SSSI.</p> <p>(4) protective fencing around the cable works to prevent encroachment into Mather Woods SSSI.</p> <p>Requirement 12 in Schedule 2 to <b>Draft DCO [EN010162/APP/3.1B]</b> secures that no phase of the authorised development may commence until a construction environmental management plan for that phase has been submitted to and approved by Newark and Sherwood District Council. This must be prepared in accordance with the <b>ES Volume 4, Appendix</b></p>		

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<b>5.3: Outline CEMP</b> [EN010162/APP/6.4.5.3] [APP-204].		
2.2.4	RR (NE9)	Effects on Laxton Sykes SSSI	<p>The Parties noted that there is a direct hydrological connection via a small stream flowing northwards from the Order Limits to the SSSI. Subject to the surface water mitigation measures and the watercourse crossing inventory in the <b>ES Volume 4, Appendix 5.3: Outline CEMP</b> [EN010162/APP/6.4.5.3] [APP-204], the potential adverse effects mediated by surface water will be mitigated. The Parties agree that the residual effects from localised pollution will be low risk in terms of impacts to the SSSI. The mitigation measures are secured in the <b>ES Volume 4, Appendix 5.3: Outline CEMP</b> [EN010162/APP/6.4.5.3] [APP-204] and a detailed CEMP is secured by Requirement 12 in Schedule 2 of the <b>Draft DCO</b> [EN010162/APP/3.1B].</p>	NE welcome consideration of impacts to Laxton Sykes SSSI due to the potential of direct hydrological connectivity and consider significant impacts to the notified interest features of Laxton Sykes SSSI to be unlikely.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			The effects on Laxton Skyes SSSI have been assessed to be negligible and the Parties agree that the assessment of effects is acceptable..		
2.2.5	RR (NE7)	Effects on Eakring and Maplebeck Meadows SSSI	<p>Subject to the mitigation measures in relation to the construction of new passing places (Work no. 8: Access Works) outlined within the <b>ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3] [APP-204]</b>, the potential effects from hydrological pathways and dust pollution will be mitigated. The mitigation measures are secured in the <b>ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3] [APP-204]</b> and a detailed CEMP is secured by Requirement 12 in Schedule 2 of the <b>Draft DCO [EN010162/APP/3.1B]</b>.</p> <p>In relation to the operation phase, the Parties agree that the enhancement of 74 ha of grassland habitats around The Beck, c. 500 m</p>	Natural England consider significant impacts to the notified interest features of Eakring and Maplebeck Meadows SSSI to be unlikely.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<p>downstream of the SSSI (as specified <b>ES Volume 4, Appendix 5.1: Outline LEMP [EN010162/APP/6.4.5.1A]</b> [ will result in beneficial effects.</p> <p>The Parties agree that there are no other likely pathways for ecological effects from operational activities.</p> <p>The effects on Eakring and Maplebeck Meadows SSSI have been assessed to be negligible and the Parties agree that the assessment of effects is acceptable.</p>		
2.2.6	RR (NE8)	Effects on Mather Wood SSSI	<p>The Parties agree the assessment of impacts on the Mather Wood SSSI is acceptable, as outlined in Section 8.8.5 of the <b>ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8]</b> <a href="#">[APP-051]</a>.</p> <p>No construction works will take place within or on the boundary of the SSSI and so there will be no permanent or temporary habitat loss. With the implementation of the <b>ES Volume 4, Appendix 5.3:</b></p>	Natural England consider significant impacts to the notified interest features of Mather Wood SSSI to be unlikely.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			Outline CEMP [EN010162/APP/6.4.5.3] [APP-204], the likelihood of effects to the notified features of the SSSI will be reduced.		

## 2.3 PROTECTED SPECIES

Table 2-3 Protected Species

Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.3.1	RR	Protected Species Mitigation	<p>The Parties agree that the approach taken to avoid impacts on the protected species is acceptable, as presented in Section 5.3.11 of the Construction Ecological Management Plan (CEcMP), included in <b>ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3] [APP-204]</b>.</p> <p>The Parties agree that the approach to the CEcMP is appropriate, which has been prepared on the basis of</p>	Natural England agree that the approach taken to avoid impacts to Protected Species is in line with the mitigation hierarchy. However, it should be noted that Natural England have not reviewed in detail the reasonable avoidance measures proposed.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			'reasonable avoidance measures' and seeks to avoid the need for species mitigation licences in most scenarios.		
2.3.2 <a href="#">NE12</a> <a href="#">/W</a>	RR	Protected Species Licences	Section A5.3.11.1.4 <b>ES Volume 4, Appendix 5.3: Outline Construction Environmental Management Plan (CEMP) [EN010162/APP/6.4.5.3A]</b> <b>was revised to clarify the position about protected species licencing.</b> As stated in section A5.3.11.8.3 of the CEMP, water vole mitigation is expected to take place under a CL31 displacement class licence <b>and Natural England has confirmed that</b> site-specific, <b>draft</b> licence applications to Natural England are not required. Requirement 12 in Schedule 2 of the <b>Draft DCO [EN010162/APP/3.1B]</b> secures that no phase of the authorised development may commence until a construction environmental management plan for that phase has been submitted to and approved by Newark and	Natural England welcome the approach to avoid impacts to protected species, in line with the mitigation hierarchy.  <b>It is unclear at this stage whether the applicant intends to submit draft Licence applications during examination &amp; clarity has been requested in this regard.</b>  Where the need for licences is identified later on in the development process (i.e. upon completion of pre-commencement and pre-construction studies, as proposed by the applicant), this licence will need to be applied for in the usual manner; Natural England are unable to provide a position on the likelihood of a licence being granted without	<b>Agreed</b>

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Para.170 of the oCEMP to be updated to reflect the applicant's position on the draft licence applications for watervole. ¶

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			Sherwood District Council. This must be prepared in accordance with the <b>ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3A]</b>	having reviewed a draft licence application.  <u>WR - Applicant states that a draft species licence for Water Vole has been submitted. To date Natural England has not received this application.</u>	

2.4 BIODIVERSITY NET GAIN

Table 2-4 Biodiversity Net Gain

Ref	Description of Matter	Applicant's Position	NE's Position	Status
2.4.1	BNG assessment methodology	The Parties agree that the BNG calculation presented in <b>ES Volume 4, Appendix 8.13: BNG Assessment [EN010162/APP/6.4.8.13]</b> <a href="#">[APP-226]</a> has been prepared in accordance with the statutory biodiversity metric.	In the absence of mandatory BNG for NSIPs, Natural England have not reviewed the BNG Assessment Methodology in detail so cannot comment on the suitability of the calculations.	Not reviewed
2.4.2	BNG Results	The Parties welcome the commitment of a minimum of 60% biodiversity net gain in area-based habitat units, a	Natural England welcome the commitment to specific	Agreed

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Ref	Description of Matter	Applicant's Position	NE's Position	Status
		minimum of 26% biodiversity net gain in hedgerow units and a minimum of 11% biodiversity net gain in watercourse units during its operational lifetime. This commitment is secured by Requirement 8 in Schedule 2 of the <b>Draft DCO</b> [EN010162/APP/3.1B] .	biodiversity net gain targets within the DCO.	

2.5 AGRICULTURAL LAND AND SOIL

Table 2-5 Agricultural Land and Soil

Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.5.1	RR (NE13)	Methodology of the ALC Assessment	<b>ES Volume 4, Appendix 17.1: ALC Survey</b> [EN010162/APP/6.4.17.1] [APP-288] [APP-289] has been carried out at a density of 1 auger per hectare, with an appropriate number of pits completed, as set out in <b>ES Volume 2, Chapter 17: Agricultural Land</b> [EN010162/APP/6.2.17] [APP-060]. Therefore the methodology of the	Natural England welcome the completion of an ALC survey across a total 2869.1 hectares (ha) of land, of which 1764.6 ha are within the Order Limits, in line with the 1988 ALC Guidelines and at a detailed level (1 auger per hectare) (APP-288).	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			ALC Assessment is considered acceptable.		
2.5.2	RR (NE14) / <u>WR</u>	ALC Survey Results and Assessment of Effects (C, O, D)	<p>In terms of the ALC and its accuracy, the survey has been carried out by qualified and experienced surveyors at a detailed level, and it follows NE's guidance. It provides the classification of land required in order to understand and assess impacts of the Proposed Development, including the amount of BMV. The results are provided in the ALC report [APP-288 and APP-289].</p> <p>The ES Chapter 17 [APP-060] assesses the quality of land that will be affected temporarily for construction, temporarily for the duration of the operational phase, and permanently.</p> <p>The factual analysis regarding the temporary and permanent use and loss of agricultural land are found in the documents as signposted below. It is worth emphasising that the large proportion of the</p>	<p>Chapter 17, Paragraph 153 'summary of construction phase effects' states that the quantum of BMV land to be disturbed by the development is 19.4ha. Natural England disagrees with this statement. This figure considers only the elements of the development that will be in situ for the entire operational lifespan of the proposal. There is a considerably larger area of BMV land that will be disturbed during construction only (including construction compounds, access tracks (13.4ha BMV) and cable routes (95ha BMV)). Whilst these effects are shorter term, they continue to introduce the potential for permanent adverse effects to the soil resource and agricultural land quality.</p> <p>Whilst it is noted that as a result of the proposed mitigation, in the form of the Soil Management Plan,</p>	Under Discussion

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<p>Development is fully reversible. The quantum of permanent loss is limited, such that mostly the considerations need to focus on land use rather than land loss.</p> <p>Requirement 19 of Schedule 2 of the Draft DCO then secures the decommissioning of the Development, and requires the Detailed Decommissioning and Restoration Plan to be submitted for approved by NSDC within 6 months of the 40<sup>th</sup> anniversary of the first export of electricity from the Development. Requirement 20 then secures the Detailed Soil Management Plan before any phase of the Authorised Development can commence.</p> <p>These controls therefore provide clear and robust controls that ensure that the mitigation relied on by the ES have been secured.</p> <p><u>In response to NE's request, the Planning Statement [EN010162/APP/5.4B] has been updated at Deadline 1 and 2 to</u></p>	<p>and with the commitment for these areas to be restored to the same ALC grade, this is unlikely to alter the outcome of the EIA. Natural England consider the overall quantum of BMV land that will be disturbed is significantly larger than the stated 19.4ha.</p> <p><b>Natural England have made a recommendation to review the amount of BMV land that is temporarily disturbed, to ensure The Planning Inspectorate and Secretary of State understand the full extent of potential effects in the absence of mitigation.</b></p> <p><u>WR - Recommendation to review the amount of BMV land that is temporarily disturbed</u></p>	

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<u>include further details on the approach to BMV policy. This is set out in Section 6.8.</u>		
2.5.3	RR (NE15) / <u>WR</u>	Development Design & Avoidance of BMV land	<p>The Applicant notes this request and further details on the approach to BMV have been set out within <u>Section 6.8 of the Planning Statement [EN010162/APP/5.4B]</u>.</p> <p>In terms of land quality within the site, the key reference is as follows. <b>ES Volume 4, Appendix 17.1: Agricultural Land Classification Survey [EN010162/APP/6.4.17.1]</b> [APP-288] [APP-289] states that the Site (within the Order Limits) comprises 149ha (8.5%) of Grade 2 land, 944ha (53.5%) of Grade 3a land, 596ha (33.8%) of Grade 3b land and 75ha (4.2%) of non-agricultural and not surveyed land. As stated in Table 17.8 of the ES Chapter, the Development excluding the Works No. 2, Cables (which will not be affected other than short-term) involves the use</p>	<p>Natural England have requested further detail on steps taken to avoid BMV as far as reasonably practicable for all elements of the development, in line with the NPPF mitigation hierarchy and NPS EN-1 paragraph 5.11.12.</p> <p>Natural England have requested further information regarding the amount of BMV land that could be permanently lost due to woodland planting.</p> <p><u>WR - Limited consideration of avoidance of BMV land.</u></p>	Under Discussion

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Ref	Relevant Documents	Description of Matter	Applicant’s Position	NE’s Position	Status
			<p>of 1030.9ha of BMV land within the Order Limits, and 285.3ha of the BMV land will be used for Work No.3, Enhancement and Mitigations.</p> <p>Only a small part of the land is physically affected by soil movement, to create tracks, and for the substation and BESS areas. Temporary short-term disturbance for burying cables, or short-term construction compounds, will be restored to comparable ALC grade.</p> <p>In respect of the amount of land disturbed for physical works for tracks and infrastructure, the key reference from the ES is as follows.</p> <p><b>ES Volume 2, Chapter 17: Agricultural Land</b></p> <p><b>[EN010162/APP/6.2.17] [APP-060]</b></p> <p>at paragraph 142 states that:</p> <p><i>“Accordingly, potentially the Development involves the permanent loss of 4.5 ha of BMV, as expected, for Work no. 4 and Work no. 5b. Even if none of the land was restored, the permanent</i></p>		

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			<p><i>loss of 19.4 ha of BMV (worst-case assessment) represents a negligible proportion of BMV agricultural land at a District, County or National level. The threshold for consultation with Natural England is 20 ha of BMV and, whilst for EIA the effect is assessed as significant, in land-use planning considerations the effect would not weight significantly against the benefits. However, the realistic expectation is for the loss of 4.5 ha of BMV, all subgrade 3a.”</i></p> <p>The quantum of land temporarily affected is a negligible proportion of land in the District and Country. The permanent loss of 4.5 ha of BMV is negligible in a local and national context.</p> <p>Table 17.14 of the <b>ES Volume 2, Chapter 17: Agricultural Land [EN010162/APP/6.2.17] [APP-060]</b> shows the proportion of land by ALC grade at a district, county level (based on the provisional ALC maps and so to be treated with caution due to their</p>		

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<p>limitations) suggesting that the permanent loss as a result of the Development represents a negligible proportion of the 182,819 ha of agricultural land in Nottinghamshire , of which an estimated 50.2% is BMV.</p> <p>The Applicant therefore considers that this demonstrates that the Development minimises impacts on agricultural land in accordance with national policy by keeping the permanent loss of BMV land to a very low amount and retaining the ability to reinstate arable agriculture after decommissioning.</p>		
2.5.4	RR (NE16)	Permanent loss of BMV land (D)	Noted.	Section 17.8.1.6 of Chapter 17 sets out a 'worst-case scenario' of the loss of 4.5ha of BMV, all subgrade 3a, should the Substations/Bess infrastructure remain in-situ following the decommissioning of the project. This loss has been appropriately assessed in the EIA.	Agreed
2.5.5	RR (NE17)	Time Limit (D)	Noted	Natural England welcome the inclusion of a time limit in DCO requirement 19. Where a time limit	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
				is applied, relevant impacts may be considered temporary, providing correct soil management and reinstatement, thus, protecting the long-term potential of the agricultural land resource.	
2.5.6	RR (NE18)	oSMP– Soil Handling and Management	An outline Soil Management Plan (oSMP) is provided in <b>ES Volume 4, Technical Appendix A17.2: Outline Soil Management Plan [EN010162/APP/6.4.17.2]</b> <a href="#">[APP-290]</a> <a href="#">[APP-291]</a> <a href="#">[APP-292]</a> <a href="#">[APP-293]</a> , setting out the principles of handling soils for the construction and decommissioning works. A final SMP will be secured by Requirement 20 in Schedule 2 of the <b>Draft DCO [EN010162/APP/3.1C]</b> . <u>Natural England were added as a consultee to requirement 20 at Deadline 1. The Applicant considers that the NE point has been resolved.</u>	Natural England note the commitment to produce a Soil Management Plan, and welcome the principles set out in the outline Soil Management Plan (oSMP) ( <a href="#">APP-290</a> ). <b>However, we request that Requirement 20 is amended to include consultation with Natural England.</b>	Under Discussion
2.5.7	RR (NE19)	oSMP – Soil Reinstatement	The land will be returned to farming use on completion of decommissioning barring	Natural England welcome the inclusion of the 40 -year time limit, secured by DCO Requirement 19.	Under Discussion

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			<p>woodland and hedgerow, see <b>ES Volume 2, Chapter 17: Agricultural Land [EN010162/APP/6.2.17A]</b> [APP-060] and <b>ES Volume 4, Technical Appendix A5.6: Outline Decommissioning and Restoration Plan [EN010162/APP/6.4.5.6B]</b> .</p> <p>Grassland mixes have been selected to suit land conditions.</p> <p>A final Decommissioning and Restoration Plan ('DRP') is secured through Requirement 19 in Schedule 2 of the <b>Draft DCO [EN010162/APP/3.1C]</b>, which provides that the final DRP must be submitted to the planning authority for its approval, in consultation with the county authority prior to commencement of any decommissioning works for any part of the Project.</p> <p>Given that the Development is temporary, the agricultural land, including BMV, would not be permanently lost.</p>	<p>Natural England welcome the commitment to restore all fixed infrastructure areas to return the land to the same ALC grade and condition as it was when the construction phase commenced.</p> <p><b>However, Natural England consider commitment should be made clear within the oSMP that all land disturbed temporarily during construction (access tracks, construction compounds, cable routes etc) are also restored to the same ALC grade.</b></p> <p><u>WR - Recommendation for clearer commitment to restoration of all land disturbed during construction to be reinstated to its original ALC grade.</u></p>	

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.5.8	RR (NE20)	Monitoring and Research (O, D)	The Applicant notes that there is no policy requirement for monitoring or research to be imposed on the Development. <u>The Applicant is considering how this could be achieved, and is</u>	At this stage, no soil monitoring or additional research is proposed throughout the Development. <b>Natural England recommend that the scheme could include a scheme of soil health monitoring and/or an area dedicated to research into future technologies and/or management practises (i.e. agrivoltaics).</b>  <u>WR - Recommendation for additional soil monitoring and research throughout the project.</u>	Under Discussion
2.5.9	RR	Cumulative Effects on agricultural land	The cumulative effect on BMV land has been considered in <b>ES Volume 2, Chapter 17: Agricultural Land [EN010162/APP/6.2.17A]</b> . This includes assessments of national and regional availability of land of BMV quality.  The cumulative schemes involve the use of approximately 2,350 ha of BMV land within Nottinghamshire and Lincolnshire. They are principally solar scheme	Natural England agree that the cumulative effects of the relevant schemes has been considered appropriately in the ES.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			proposals and accordingly will be wholly or mostly reversible, and accordingly they will represent a temporary impact, which is a low magnitude impact on a resource of high sensitivity, which results in a low magnitude effect, which is not significant.		

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## 2.6 ANCIENT WOODLAND AND VETERAN TREES

*Table 2-6 Ancient Woodland and Veteran Trees*

Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.6.1	RR	Ancient woodland and Veteran Trees	<p>Ancient Woodland is identified in <b>ES Volume 4, Appendix 8.3: Habitats and Vegetation Baseline [EN010162/APP/6.4.8.3]</b> <a href="#">[APP-216]</a></p> <p>As stated in Section 8.12.6 of the <b>ES Volume 4, Appendix 8.12: Arboricultural Impact Assessment [EN010162/APP/6.4.8.12]</b> <a href="#">[APP-225]</a>, Ancient Woodlands G55, G60, G72 and G126 are identified</p>	Noted. Natural England welcome the avoidance of direct loss of Ancient Woodland.	Agreed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			in the targeted survey areas. All works are outside of the 15 m buffer zones, with the exception of an area east of G60, where the works encroach within the buffer (10.9 m separation; 20 m <sup>2</sup> area).  Nine veteran trees were recorded in the targeted survey areas: T7, T15, T22, T27, T65, T74, T107, T185 and T190. No ancient trees were observed.		
2.6.2	RR	Arboricultural survey Scope and Methodology	The Applicant considers that the arboricultural desk study has been prepared in line with good practice and with Natural England's Standing Advice for Ancient Woodland, Ancient Trees and Veteran Trees, as presented in the <b>ES Volume 4, Appendix 8.12: Arboricultural Impact Assessment [EN010162/APP/6.4.8.12]</b> <a href="#">[APP-225]</a> .	Natural England have not reviewed the Arboricultural Survey Scope and Methodology in detail but welcome the use of our Standing Advice.	Not reviewed
2.6.3	RR	Mitigation for Ancient Woodland	The Development includes a range of measures to safeguard ancient woodland and veteran trees, and	Natural England have not reviewed the proposed mitigation for impacts to Ancient Woodland	Not reviewed

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
		and Veteran Trees, and Hedgerows	hedgerows during the construction phase. These measures include the provision of Root Protection Areas and a separation distance of 5 m from hedgerow centres. Some hedgerow removals will be required. Where possible, mitigation will be implemented to reduce losses of hedgerows. The measures are outlined in Section 5.3.11.3.2 within <b>ES Volume 4, Appendix 5.3: Outline CEMP [EN010162/APP/6.4.5.3]</b> <a href="#">[APP-204]</a> and the Applicant considers the commitments are appropriate for the protection of trees and woodland. A detailed CEMP is secured by Requirement 12 in Schedule 2 of the <b>Draft DCO [EN010162/APP/3.1B]</b> .  Extensive tree planting and hedgerow and woodland creation is also proposed in the <b>ES Volume 4, Appendix 5.1: Outline Landscape and Ecological Management Plan [EN010162/APP/6.4.5.1A]</b> , which	and Ancient and Veteran Trees in detail but welcome the use of our Standing Advice.	

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			is secured by Requirement 8 in Schedule 2 of the <b>Draft DCO [EN010162/APP/3.1B]</b> [.		
2.6.4	RR	Effects on Ancient Woodland Veteran Trees, and Hedgerows	<p>No works will be undertaken within the RPA of any areas of ancient woodland and so they would not be affected. Therefore, the Applicant considers that the effects on ancient woodland are acceptable.</p> <p>Section 8.8.8 of the <b>ES Volume 2, Chapter 8: Ecology and Biodiversity [EN010162/APP/6.2.8]</b> <a href="#">[APP-051]</a> states that tree and woodland creation and enhancement would compensate for the losses of habitats and vegetation and create a net increase of the resources. It concludes that the overall effect on the woodland and tree resource during construction is low and constitutes an adverse effect at the Site level. Woodland and hedgerow creation and enhancement as part of the overall</p>	Natural England have not reviewed the Assessment of impacts to Ancient Woodland and Ancient and Veteran Trees in detail but welcome the use of our Standing Advice.	Not <del>reviewed</del>

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
			landscape scheme, as set out in <b>ES Volume 4, Appendix 5.1: Outline Landscape and Ecological Management Plan</b> [EN010162/APP/6.4.5.1A] will have a significant beneficial effect on habitats at the Local scale.		

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2.7 PUBLIC RIGHTS OF WAY

Table 2-7 Public Rights of Way

Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.7.1	RR	Relevant Consultees	The Applicant considers that NCC is the responsible authority for PRoW.	Noted.	Agreed

2.8 CUMULATIVE SCHEMES

Table 2-8 Cumulative Schemes

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Ref	Relevant Documents	Description of Matter	Applicant's Position	NE's Position	Status
2.8.1	RR	Assessment scope and methodology	The Applicant considers that the long list and short listed cumulative sites are properly scoped, and which are presented in <b>ES Volume 4, Appendix 2.1: Cumulative Assessment Stages 1 and 2 [EN010162/APP/6.4.2.1A]</b> .	Natural England consider that all relevant schemes have been considered in the cumulative assessment of matters relevant to our remit.	Agreed
2.8.2	RR	Assessment of Effects	As summarised in Section 19.4 of the <b>ES Volume 2, Chapter 19: Interrelationships [EN010162/APP/6.2.19]</b> <a href="#">[APP-062]</a> , potential in-combination effects of the Development on local people have been assessed as negligible, in almost all cases, and as a worst-case minor, which is not significant in terms of the EIA Regulations.	The assessment of effects of the Development on local people is beyond the remit of Natural England & we have no comments on this matter.	Not reviewed

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### 3 SIGNATURES

2 The above SoCG is a working draft and reflects the current status of the discussions between the Applicant and Natural England, as specified below.

Duly authorised for and on behalf of <b>Elements Green Trent Ltd</b>	Name	Mike Gray
	Job Title	Ecology Director
	Date	
	Signature	
Duly authorised for and on behalf of <b>Natural England</b>	Name	Robert Clarey
	Job Title	Sustainable Development Senior Officer – Natural England
	Date	
	Signature	

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