



Planning
Inspectorate

REPORT on the IMPLICATIONS for EUROPEAN SITES

Proposed Great North Road Solar and Biodiversity Park

An Examining Authority report prepared with the support of the
Environmental Services Team

Planning Inspectorate Reference: EN010162

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1 INTRODUCTION

1.1 Background

1.1.1 Elements Green Trent Limited ('the applicant') has applied for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (PA2008) for the proposed Great North Road Solar and Biodiversity Park ('the proposed development'). On behalf of the Secretary of State (SoS) for Housing, Communities and Local Government, an Examining Authority (ExA) has been appointed to conduct an examination of the application. The ExA will report its findings and conclusions and make a recommendation to the relevant SoS as to the decision to be made on the application.

1.1.2 For applications submitted under the PA2008 regime, the relevant SoS is the competent authority for the purposes of The Conservation of Habitats and Species Regulations 2017 ('The Habitats Regulations'). The findings and conclusions on nature conservation issues reported by the ExA will assist the SoS in performing their duties under The Habitats Regulations.

1.1.3 This Report on the Implications for European sites (RIES) documents and signposts the information in relation to potential effects on European sites that was provided within the DCO application and submitted during the examination by the applicant and interested parties (IPs), up to deadline 3 (DL3) of the examination (18 Feb 2026). It is not a standalone document and should be read in conjunction with the examination documents referred to. Where document references are presented in square brackets [] in the text of this report, that reference can be found in the Examination Library published on the 'Find a National Infrastructure Project' website by following the link below:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010162>

1.1.4 For the purpose of this RIES, in line with The Habitats Regulations and relevant Government policy, the term 'European sites' includes Special Areas of Conservation (SAC), candidate SACs, proposed SACs, Special Protection Areas (SPA), potential SPAs, listed and proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on any of these sites. For ease of reading, this RIES also collectively uses the term 'European site' for European sites as defined in The Habitats Regulations 2017 and 'European Marine Sites' defined in The Offshore Marine Habitats and Species Regulations 2017, unless otherwise stated. The 'UK National Site Network' refers to SACs and SPAs belonging to the United Kingdom already designated under the Directives and any further sites designated under The Habitats Regulations.

1.1.5 This RIES is issued to ensure that IPs including the Appropriate Nature Conservation Body (ANCB) - Natural England (NE) - are consulted formally on Habitats Regulations matters. This process may be relied on by the SoS for the purposes of regulation 63(3) of The Habitats Regulations.

- 1.1.6 It also aims to identify and close any gaps in the ExA's understanding of IPs' positions on Habitats Regulations matters, in relation to all European sites and qualifying features as far as possible, in order to support a robust and thorough recommendation to the SoS.
- 1.1.7 Following consultation, the responses will be considered by the ExA in making their recommendation to the SoS and made available to the SoS along with this report. The RIES will not be revised following consultation.

1.2 Documents used to inform this RIES

- 1.2.1 The applicant's Habitats Regulations Assessment (HRA) Report ('the HRA Report') comprised the following document:
- Habitats Regulations Assessment Screening Report [APP-316], updated as [AS-020]
 - At DL2 [REP2-015], the Applicant amended the report title from Habitats Regulations Assessment Screening Report to Shadow Habitats Regulations Assessment to reflect a change in methodology and identification of LSE as detailed below.
- 1.2.2 In addition to the HRA Report, the RIES refers to representations submitted to the examination by IPs, Issue Specific Hearing (ISH) documents, Statements of Common Ground (SoCG) and other examination documents as relevant. All documents can be found in the Examination Library.

1.3 RIES questions

- 1.3.1 This RIES contains questions predominantly targeted at the applicant, ANCB and host authorities, which are drafted in **blue, bold text**.
- 1.3.2 The responses to the questions posed within the RIES and comments received on it will be of great value to the ExA in understanding IPs' positions on Habitats Regulations matters. It is stressed that responses to other matters discussed in the RIES are equally welcomed. In responding to the questions, please refer to the ID number.
- 1.3.3 In responding to the questions in table 2.2, please refer to the ID number in the first column.
- 1.3.4 Comments on the RIES are timetabled for DL4 (25 March 2026).

2 LIKELY SIGNIFICANT EFFECTS

2.1 European sites considered

Introduction

- 2.1.1 The proposed development is not connected with or necessary to the management for nature conservation of any European site.
- 2.1.2 The applicant's scoping exercise, as detailed in section 2.2 of [APP-316], considers European sites within 30km in order to consider potential impacts on highly mobile receptors. Additionally, the HRA report states that the Environment Agency requested that the Humber Estuary SAC/ Ramsar be scoped in due to a potential functional link, via the River Trent and its tributaries, for river lamprey. Other qualifying features of the Humber Estuary SAC and Ramsar site were not scoped into the assessment.

Sites within the UK National Site Network (NSN)

- 2.1.3 The applicant's HRA Report [APP-316] identified 3 No. European site(s) within the UK National Site Network for inclusion within the assessment. These are listed in table 8.14.1 of the HRA Report and are as detailed in table 2.1 below.

Table 2.1: European sites in the UK NSN identified in the applicant's HRA Report [APP-316]

Name of European site	Distance from proposed development (km)
Sherwood Forest ppSPA	4.5 km west and northwest
Birklands and Bilhaugh SAC	7.00 km northwest
Humber Estuary SAC and Ramsar site	43km north

- 2.1.4 The locations of these sites (with the exception of the Humber Estuary SAC/ Ramsar site) relative to the proposed development are depicted on figure A8.2.1 of the accompanying designated sites baseline report [APP-215].
- 2.1.5 Only sites within the UK NSN are addressed in this RIES.
- 2.1.6 No additional UK European sites have been identified by IPs for inclusion within the assessment in the examination to date.
- 2.1.7 The ANCB (NE) agreed ([RR-154], NE1), that all relevant European sites and or European site features that could be affected by the project had been identified by the applicant.

2.2 Potential impact pathways

- 2.2.1 Section 3 of the HRA Report detailed the potential impacts from the proposed development, along with the potential geographical extent of effects. Section

3 of the HRA Report listed the sites and qualifying features and the impact pathways which could affect them.

Table 2.2 Pathways for LSE assessed by the applicant

European site	LSE pathway
Birklands and Bilhaugh SAC	<ul style="list-style-type: none"> • Hydrological linkage • Impacts to Functionally Linked Land (FLL) • Air pollution • In combination effects
Sherwood Forest ppSPA	<ul style="list-style-type: none"> • Hydrological linkage • Impacts to FLL • Air pollution • In combination effects
Humber Estuary SAC and Ramsar site	<ul style="list-style-type: none"> • Hydrological linkage • In combination effects

- 2.2.2 The Sherwood Forest ppSPA is assessed within the HRA Report as the applicant states that whilst the site has no formal recognition, for the purposes of this assessment, and in line with Natural England advice advocating a precautionary, risk-based approach, it was considered in the same way as other SPAs.
- 2.2.3 The HRA Report assessed the potential impacts during construction, operation and maintenance and decommissioning.
- 2.2.4 No additional impact pathways have been identified by IPs for inclusion within the assessment in the examination to date.

2.3 In-combination effects

- 2.3.1 Section 3.4 of the HRA Report [APP-316], later revised as section 4.1 [REP2-015] detailed the applicant's approach to assessing in-combination effects. The HRA report states that potential effects to Birklands and Bilhaugh SAC and Sherwood Forest ppSPA and are so extremely unlikely that the Development has no potential to contribute to effects in combination with other plans or projects
- 2.3.2 The cumulative assessment in section 8.9 of accompanying ES Chapter 8 [APP-051] identified only one other development, the A46 Bypass, which had scoped fish and the Humber Estuary SAC into its assessment of effects.
- 2.3.3 During the course of the examination, the applicant updated the in combination assessment in the HRA report [REP2-015] to include One Earth Solar Farm which had also considered this impact pathway, however there were no changes to the assessment conclusions.

2.3.4 No other additional plans or projects have been highlighted by IPs in the examination to date.

2.4 The applicant's assessment

2.4.1 The applicant's conclusions in respect of screening are presented in section 3 of the HRA Report [APP-316].

Sites for which the applicant concluded no LSE on all qualifying features

2.4.2 The applicant concluded that the proposed development would not be likely to give rise to significant effects, either alone or in combination with other projects or plans, on all qualifying features of the 4 European sites screened into the assessment.

2.4.3 NE confirmed it agreed with the applicant's conclusion of no LSEs from impacts to functionally linked land ([RR-154], NE2), hydrological connectivity ([RR-154], NE3), air quality ([RR-154], NE4) and in combination effects ([RR-154], NE5) in respect of the above European sites. NEs agreement was also confirmed in its risk and issues log [REP1-084] and SoCG with the applicant [REP1-055] [REP2-096].

2.5 Examination matters

2.5.1 Matters raised to date, or those for which the ExA seeks clarity, in relation to LSEs screened out [or not considered] by the applicant are summarised in table 2.3 below.

2.5.2 The ExA also sought some minor clarification from the applicant and NE at first written questions [PD-008]:

- Q4.1.9 – NE confirmed [REP2-127] that it did not consider that there were any credible impact pathways to other qualifying features of the Humber Estuary SAC and Ramsar site that were not included in the HRA report, and that there was no requirement to assess potential LSE to the Humber Estuary SPA.
- Q4.1.10- NE confirmed [REP2-127] that additional mitigation had not been considered at the screening stage. Agreement on this was also provided by the Environment Agency [REP2-125].
- Q4.1.11 – The applicant provided confirmation of how it had applied relevant case law.

Table 2.3: Issues raised in the examination to date by the ExA and IPs in relation to the applicant's screening of LSEs (alone and in-combination)

ID	Examination issue	Details of issue	ExA observation/ question
Sherwood Forest ppSPA			
2.3.1	Adequacy of baseline survey data and overall conclusions on LSE	<p>The representations submitted by Nottinghamshire County Council (NCC) and Newark and Sherwood District Council (NSDC) referred to HRA matters in brief, however the ExA seeks clarity on these matters.</p> <p>In its Local Impact Report (LIR), NCC [REP1-078] noted a query in relation to whether specific nightjar and other crepuscular species surveys were undertaken, given the sites location within proximity of the Sherwood Forest ppSPA (para 5.2.13). However, the DL1 SoCG between the applicant and NCC [REP1-050] indicated that all matters in relation to the Sherwood Forest ppSPA were agreed (entry 2.1.3).</p> <p>In its LIR, NSDC [REP1-075] refer to agreement with the conclusions of the HRA report (para 9.7). However, the DL1 SoCG between the applicant and NSDC [REP1-051] noted a query over the requirement for dusk surveys of breeding birds (entry 2.4.18). However, the ExA however notes that the SoCG stated that the qualifying features of the ppSPA are unlikely to be present within the order limits, and the order limits are outside of the zone of influence of the ppSPA. The SoCG entry was later agreed as of DL3 [REP3-071].</p>	<p>RIES Q1 - To NCC and NSDC – Please confirm if you have any comments to make on the conclusions of the HRA report?</p>
Humber Estuary SAC and Ramsar site			

2.3.2	Applicant position on mitigation and assessment of LSE	Whilst the response to written question 4.1.10 confirmed NE's agreement with the applicant's approach, at DL2 the applicant provided an amended HRA report [REP2-015] which advanced the lamprey qualifying features of the Humber Estuary SAC and Ramsar site to an assessment of AEol. The applicant confirmed [REP3-101] that this was undertaken on a precautionary basis to avoid any implication that mitigation measures had been taken into account at the screening stage (para 1.5.36).	n/a – discussed in the AEol section below
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3 ADVERSE EFFECTS ON INTEGRITY

3.1 Conservation Objectives

- 3.1.1 The conservation objectives for the Humber Estuary SAC, for which a LSE was identified by the applicant were included within the HRA Report [REP2-015] within table 1.
- 3.1.2 The HRA report states that for the Humber Estuary Ramsar, conservation objectives are not available, and therefore the objectives for the overlapping SAC are used.
- 3.1.3 No information is given on the condition status of the SAC/ Ramsar site and relevance qualifying features.

RIES Q2 – To the applicant – Can you confirm the condition status of the Humber Estuary SAC (and subsequently Ramsar site) and how this has been considered within the assessment of AEol?

3.2 The applicant's assessment

- 3.2.1 The European sites and qualifying features for which LSE were identified were further assessed by the applicant to determine if they could be subject to AEol from the proposed development, either alone or in combination. The outcomes of the applicant's assessment of effects on integrity are summarised in section 4 of the HRA Report [REP2-015].

Mitigation measures

- 3.2.2 The applicant's HRA Report identified mitigation measures in section 4 [REP2-015]. These were taken into account in the applicant's assessment of effects on integrity.

Sites for which the applicant concluded no AEol

- 3.2.3 The applicant concluded that the proposed development would not adversely affect the integrity of any of the European sites and features assessed, either alone or in combination with other projects or plans.
- 3.2.4 No specific matters on the assessment of AEol have been raised by the ExA or any interested parties during the examination to date.

RIES Q3. The applicant's conclusions of no AEol for all sites were not disputed by ANCB during the examination, and no comments have been received to date on the revised HRA report [REP2-015] which progresses to an assessment of AEol. Can NE confirm it agrees with the applicant's conclusions?

4 CONCLUDING REMARKS

- 4.0.1 This RIES is based on information submitted throughout the examination by the applicants and IPs, up to DL3 (18 February 2026), in relation to potential effects on European sites. It should be read in conjunction with the examination documents referred to throughout.
- 4.0.2 The RIES has identified gaps in the ExA's understanding of IPs' positions on Habitats Regulations and comments on the RIES will be of great value to the ExA in order to support a robust and thorough recommendation to the SoS. In particular, the ExA seeks:
- Responses to the questions identified in sections 1 to 3 of this RIES
 - Confirmation whether the ExA's understanding of screening and adverse effects conclusions at point of RIES publication (tables (A.1 – A1.4) in annex 1) is correct.
- 4.0.3 Comments on the RIES must be submitted for DL4 (25 March 2026).

ANNEX 1 EXA'S UNDERSTANDING OF POSITION AT POINT OF RIES PUBLICATION

4.0.4 The tables in this annex summarise the ExA's understanding of the applicant's screening exercise and assessment of effects on integrity, and agreement with the relevant ANCB (NE)/ IPs at time of publication of this RIES.

Key to tables:

C = Construction

O = Operation

D = Decommissioning

✓ = LSE or AEol cannot be excluded

X = LSE or AEol can be excluded

n/a = not applicable

Table A1.1: Birklands and Bilhaugh SAC

Feature	Potential impact (C, O and D)	LSE?		AEol?	
		Applicant's conclusion (alone and in combination)	Agreement with ANCB	Applicant's conclusion (alone and in combination)	Agreement with ANCB?
Old acidophilous oak woods with <i>Quercus robur</i> on sandy plains.	Hydrological linkage	X	Yes – [RR-154] – NE3	N/A	N/A
	Impacts to functionally linked land	X	Yes - [RR-154] – NE2	N/A	N/A
	Air pollution	X	Yes - [RR-154] – NE4	N/A	N/A
	In combination effects	X	Yes - [RR-154] – NE5	N/A	N/A

Table A1.2: Sherwood Forest ppSPA

Feature	Potential impact (C, O and D)	LSE?		AEol?	
		Applicant's conclusion (alone and in combination)	Agreement with ANCB/ IPs	Applicant's conclusion (alone and in combination)	Agreement with ANCB/ IPs?
Breeding populations of nightjar and woodlark	Hydrological linkage	X	NE - Yes – [RR-154] – NE3 IPs - ? – See Q1 above	N/A	N/A
	Impacts to functionally linked land	X	NE - Yes - [RR-154] – NE2 IPs - ? – See Q1 above	N/A	N/A
	Air pollution	X	NE - Yes - [RR-154] – NE4 IPs - ? – See Q1 above	N/A	N/A
	In combination effects	X	NE - Yes - [RR-154] – NE5 IPs - ? – See Q1 above	N/A	N/A

Table A1.3: Humber Estuary SAC

Feature	Potential impact (C, O and D)	LSE?		AEoI?	
		Applicant's conclusion (alone and in combination)	Agreement with ANCB	Applicant's conclusion (alone and in combination)	Agreement with ANCB
Sea lamprey and River Lamprey	Hydrological linkage	✓	? – See Q3 above	X	? – See Q3 above

Table A1.4: Humber Estuary Ramsar site

Feature	Potential impact (C, O and D)	LSE?		AEol?	
		Applicant's conclusion (alone and in combination)	Agreement with ANCB	Applicant's conclusion (alone and in combination)	Agreement with ANCB
Ramsar criterion 8 - The Humber Estuary acts as an important migration route for both river lamprey and sea lamprey between coastal waters and their spawning areas.	Hydrological linkage	✓	? – See Q3 above	X	? – See Q3 above