Meridian Solar Farm

EN010169

Volume 6

Environmental Statement

6.3 ES Appendix 9-1: Ecology and Biodiversity Legislation, Policy and Guidance

APFP Regulation 5(2)(a)

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

March 2026

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1. Introduction

1.1. Purpose of this Appendix

1.1.1. This Environmental Statement (ES) appendix identifies and describes the legislation, policy and supporting guidance considered relevant to the assessment of the likely significant effects of Meridian Solar Farm (hereafter referred to as 'the Scheme') with regards to ecology and biodiversity. Policy is considered at both national and local levels.

1.1.2. This appendix does not assess the Scheme against legislation and policy, instead the purpose of considering legislation and policy in the EIA is twofold:

- To identify legislation and policy that could influence the sensitivity of receptors (and therefore the significance of effects) and any requirements for mitigation; and
- To identify legislation and policy that could influence the methodology of the EIA and signposting where this is dealt with in the ES. For example, a policy may require the assessment of an impact or the use of a specific methodology.

1.1.3. Instead, policy compliance is assessed within the **Planning Statement** (Doc Ref. 7.1).

1.1.4. The following sections identify and describe the legislation, policy and supporting guidance considered specifically relevant to the ecology and biodiversity assessment, which have been taken into account in preparing the ES.

2. Legislation

2.1. Conservation of Habitats and Species Regulations 2017[1]

2.1.1. The Conservation of Habitats and Species Regulations 2017 transposes the EU Birds Directive and the EU Habitats Directive into law in England and Wales. These Directives specify the designation and protection of Special Areas of Conservation (SAC) and Special Protection Areas (SPA) which, along with Ramsar sites (a wetland of international importance designated under the Ramsar Convention[2] for its biodiversity and ecological significance.), are known as Internationally Important Wildlife Sites (IIWS). The Regulations also provide protection for species, referred to as Protected Species (PS), formerly referred to as European Protected Species.

2.2. The Countryside and Rights of Way Act 2000[3]

2.2.1. The Countryside and Rights of Way Act 2000 (the CRoW Act) strengthens the protection and management of Sites of Special Scientific Interest (SSSIs) by amending the Wildlife and Countryside Act 1981[4], including controls on operations likely to damage notified features and enhanced enforcement powers. It also places a duty on relevant authorities to have regard to conserving and enhancing natural beauty in National Parks and Areas of Outstanding Natural Beauty, and introduces public access provisions that may interact with site management for ecology.

2.3. The Environment Act 2021[5]

2.3.1. The Environment Act 2021 aims, in part, to halt the decline of nature by 2030. Key biodiversity elements in the Act include strengthening the biodiversity duty placed on Local Planning Authorities (LPA); mandating Biodiversity Net Gain (BNG) for developments in England to deliver at least a 10% increase in

[1] Conservation of Habitats and Species Regulations 2017. Available at: https://www.legislation.gov.uk/uksi/2017/1012/contents [Accessed 23/11/2025]
[2] Ramsar Convention Secretariat (1971). *Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat*. Available at: https://www.ramsar.org [Accessed: 26/02/2026].
[3] Countryside and Rights of Way Act 2000. Available at: https://www.legislation.gov.uk/ukpga/2000/37/contents [Accessed 23/11/2025]
[4] The Wildlife and Countryside Act 1981 (as amended). Available at: www.legislation.gov.uk/ukpga/1981/69. [Accessed 23/11/2025]
[5] Environment Act 2021. Available at: https://www.legislation.gov.uk/ukpga/2021/30/contents [Accessed 23/11/2025]

biodiversity (note that this requirement does not currently apply to Nationally Significant Infrastructure Projects, but will from May 2026); and, establishing Local Nature Recovery Strategies to support a Nature Recovery Network.

2.4. Forestry Act 1967[6] and Tree Preservation Orders

2.4.1. Tree felling may require a felling licence and the presence of Tree Preservation Orders can restrict works. These controls are relevant to the design of the Scheme, where tree works are proposed.

2.5. The Hedgerows Regulations 1997[7]

2.5.1. The Hedgerows Regulations 1997 are intended to protect 'important' countryside hedgerows from destruction or damage. Under the Regulations, it is against the law to remove or destroy important hedgerows without permission from the LPA.

2.6. Invasive Alien Species (Enforcement and Permitting) Order 2019[8] and Wildlife and Countryside Act Schedule 9[4]

2.6.1. These instruments set restrictions and requirements for the keeping, release, management and permitting of listed invasive non-native species. Biosecurity measures and management plans need to address prevention, control and disposal to avoid ecological harm in compliance with these instruments.

2.7. The Natural Environment and Rural Communities (NERC) Act 2006[9]

2.7.1. The Natural Environment and Rural Communities (NERC) Act 2006, specifically Section 40, places a legal duty on public bodies, including planning authorities to 'have regard' to the conservation of biodiversity when carrying out their normal functions, which includes consideration of planning applications. Section 41 of the NERC Act requires the Secretary of State to publish a list of species and habitats considered to be of principal importance for conserving biodiversity in

[6] Forestry Act 1967. Available at: https://www.legislation.gov.uk/ukpga/1967/10/contents [Accessed 23/11/2025]
[7] The Hedgerows Regulations 1997. Available at: www.legislation.gov.uk/uksi/1997/1160/contents/made. [Accessed 23/11/2025]
[8] The Invasive Alien Species (Enforcement and Permitting) Order 2019. Available at: https://www.legislation.gov.uk/uksi/2019/527/contents [Accessed 23/11/2025]
[9] The Natural Environment and Rural Communities Act 2006. Available at: www.legislation.gov.uk/ukpga/2006/16/contents. [Accessed 23/11/2025]

England under the UK Post-2010 Biodiversity Framework[10]. This is referred to as the list of Species/Habitats of Principal Importance which is used to guide planning authorities in implementing their duty under the NERC Act as well as in their implementation of the National Planning Policy Framework (NPPF)[11].

2.8. The Protection of Badgers Act 1992[12]

2.8.1. The Protection of Badgers Act 1992 makes it an offence to (or attempt to) kill, injure or take a badger, or to damage, destroy or obstruct access to a sett, or disturb a badger whilst it is occupying a sett. For activities that may affect badgers or their setts, it is necessary to obtain a license from Natural England to ensure compliance with legal requirements[13].

2.9. The Wildlife and Countryside Act 1981[14]

2.9.1. The Wildlife and Countryside Act 1981 is a key piece of national legislation which provides legal protection for Sites of Special Scientific Interest (SSSIs) in England and Wales and varying levels of protection for all wild birds, including those listed in Schedule 1 which receive greater protection whilst breeding, and animals, listed in Schedule 5 of the Act. Key amendments to the Wildlife and Countryside Act 1981 have been made through the Countryside and Rights of Way (CRoW) Act 2000.

[10]JNCC and Defra (2012) *UK Post-2010 Biodiversity Framework (2012-2019)*. Available at: https://hub.jncc.gov.uk/assets/587024ff-864f-4d1d-a669-f38cb448abdc. [Accessed 23/11/2025]

[11] Ministry of Housing, Communities and Local Government (2024) *National Planning Policy Framework*. Available at: https://assets.publishing.service.gov.uk/media/675abd214cbda57cacd3476e/NPPF-December-2024.pdf. [Accessed 23/11/2025]

[12] The Protection of Badgers Act 1992. Available at: www.legislation.gov.uk/ukpga/1992/51/contents. [Accessed 23/11/2025]

[13] Natural England (n.d.). *Badgers: surveys and mitigation for development projects*. Available at: https://www.gov.uk/guidance/badgers-surveys-and-mitigation-for-development-projects [Accessed: 26/02/2026].

[14] The Wildlife and Countryside Act 1981 (as amended). Available at: www.legislation.gov.uk/ukpga/1981/69. [Accessed 23/11/2025]

3. National Policy Statements

3.1.1. The EIA has been undertaken with reference to the following National Policy Statements (NPSs), which are relevant to the Scheme:

- Overarching National Policy Statement for Energy (NPS EN-1)[15];
- National Policy Statement for Renewable Energy (NPS EN-3)[16];
- National Policy Statement for Electricity Networks Infrastructure (NPS EN-5)[17].

3.1.2. The NPSs set out the Government's energy policy for the delivery of major energy infrastructure, along with the need for new infrastructure and guidance for determining applications for Development Consent Orders (DCOs). The NPSs provide specific guidance and criteria that applicants should cover when assessing the effects of their Scheme, and how the Secretary of State should consider these impacts and any mitigation measures applied.

3.1.3. The relevant NPS requirements for ecology and biodiversity are provided in Table 3-1, along with an indication of where in the ES this information can be sourced.

[15] DESNZ (2025). Overarching NPS for Energy (NPS EN-1). Available at: https://assets.publishing.service.gov.uk/media/695d1015f41883f4e50ed9ab/overarching-national-policy-statement-for-energy-en-1-web-accessible.pdf [Accessed 10 March 2026]

[16] DESNZ (2025) NPS for Renewable Energy Infrastructure (NPS EN-3). Available at: https://assets.publishing.service.gov.uk/media/695d1368b5c46330350ed9a2/national-policy-statement-for-renewable-energy-infrastructure-en-3-web-accessible.pdf [Accessed 10 March 2026]

[17] DESNZ (2025) NPS for Electricity Networks (NPS EN-5). Available at: https://assets.publishing.service.gov.uk/media/695d12e1b5c46330350ed9a1/national-policy-statement-for-electricity-networks-infrastructure-en-5-web-accessible.pdf [Accessed 10 March 2026]

Table 3-1: Relevant NPS Policy for ecology and biodiversity

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
Overarching NPS for Energy EN-1		
4.6.1 to 4.6.2	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. Biodiversity net gain is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **Outline Landscape and Ecology Management Plan (OLEMP)** (Doc Ref. 7.16). A **Biodiversity Net Gain Report** (Doc Ref. 7.9) has also been submitted as part of the DCO Application.
4.6.6 to 4.6.8	Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. In England, applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16).

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This calculation data should be presented in full as part of their application. Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority, Natural England and, where relevant, the EA, for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	A BNG Assessment using Defra's Statutory Biodiversity Metric has been completed and is available for review as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
4.6.10	Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). Where relevant, reference is made to any national or local plans/strategies (as described in this appendix) to inform the plan for biodiversity enhancement within the Order Limits.
4.6.11 to 4.6.13	Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent. When delivering biodiversity net gain offsite, developments should do this in a manner that best contributes to the achievement of relevant	

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use. In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as: a. reductions in GHG emissions b. reduced flood risk c. improvements to air, water or soil quality, d. climate adaptation, e. landscape enhancement f. increased access to natural greenspace, and/or	A BNG Assessment using Defra's Statutory Biodiversity Metric is also included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9). All BNG will be delivered on-site, with no off-site BNG proposed.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	g. the enhancement, expansion or provision of trees and woodlands The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.	
4.6.15 and 4.6.17	Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project. Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). A BNG Assessment using Defra's Statutory Biodiversity Metric has been completed and is available for review as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9). Consideration of alternatives and site selection are included within **ES Chapter 3: Alternatives and Design Evolution** (Doc Ref. 6.3) and Appendix D:

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
		Site Selection Report of the **Planning Statement** (Doc Ref. 7.1).
5.4.4 to 5.4.5	The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA (Habitat Regulation Assessment) will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas. As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required: a. Potential Special Protection Areas and possible Special Areas of Conservation; b. Listed or proposed Ramsar sites; and c. Sites identified, or required, as compensatory measures for adverse effects on Special Protection Area, Special Areas of Conservation, and any of the other sites covered by this paragraph.	Both **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) and the **ES Appendix 9-14: Habitats Regulations Assessment Report** (Doc Ref. 6.3) consider proposed SPAs, SACs, Ramsar sites (listed or proposed) and sites identified, or required, as compensatory measures for adverse effects on other European sites, where relevant.
5.4.8	Development on land within or outside a SSSI, and which is likely to have an adverse effect on it	Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	(either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.	effects on designated sites of ecological importance, including SSSIs. This concludes, that due to distance and viable pathways, post embedded mitigation, Negligible–Minor adverse (Not significant) effect on SSSIs.
5.4.13 to 5.4.14	Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. National planning policy expects plans to identify and map Local Wildlife Sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.	Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely effects Local Wildlife Sites, including sites of regional and local biodiversity interest. This concludes, that with careful Scheme design and embedded mitigation, there will be no significant adverse effects on these sites.
5.4.16	Ancient woodland is a valuable biodiversity resource both for its diversity of species and for	There are no areas of ancient woodland within a 2km radius of the Site. Impacts on ancient and

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	its longevity as woodland. Keepers of Time, the government's policy for ancient and native trees and woodlands in England sets out the government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active management. Ancient or veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, salt marsh swards, mediterranean saltmarsh scrub and lowland fen.	veteran trees have been considered within **ES Appendix 12-8: Arboricultural Impact Assessment** (Doc Ref. 6.3), which concludes that there are no significant effects on veteran and ancient trees.
5.4.18	Where the development is subject to EIA, the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England and Wales), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.	Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely effects on designated sites of ecological importance, protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
5.4.20 to 5.4.21	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
5.4.22 to 5.4.23	As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains (see Section 4.6 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project. The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and	Mitigation measures have been embedded in the Scheme design with the aim of enabling the continued movement of species, including birds, fish, aquatic and terrestrial mammals detailed. A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.	Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
5.4.26 to 5.4.27	The applicant should seek the advice of the appropriate Statutory Nature Conservation Body (SNCB) and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.	**ES Appendix 9-14: Habitats Regulations Assessment Report** (Doc Ref. 6.3) provides the required information for the Secretary of State to undertake an Appropriate Assessment. It concludes that there are no likely significant residual effects on the designated sites included in the assessment.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.	
5.4.30-31	It is vital that applicants consider the need for compensation as early as possible in the design process as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process. Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant LPA at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.	Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely effects on designated sites nature conservation, protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. No likely significant residual effects post embedded mitigation have been identified, and as such, no compensatory measures are required.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
5.4.33	Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phases.	Section 9.7 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out embedded mitigation measures to avoid and protect any ancient/veteran trees and priority habitats during the construction, operational and decommissioning phases of the Scheme (where required).
5.4.34	Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9). As discussed in Section 7.4 of **ES Chapter 7: Climate Change** (Doc Ref. 6.1), an assessment of greenhouse gas (GHG) impacts from land use change associated with the conversion of arable land to grassland has been omitted to present a worst-case assessment. Though land use change due to the Scheme is anticipated to have an overall

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
		net positive GHG impact, due to the higher carbon sequestration value of grassland in comparison to cropland, it is expected that the land will return to its original use upon decommissioning of the Scheme, with any carbon stored in soil or vegetation re-released to the atmosphere. The beneficial GHG impact from land use change is therefore considered to only be temporary (approximately 40 years) and has therefore been excluded from the lifecycle GHG impact assessment.
5.4.35	Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
5.4.36 to 5.4.37	Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: a. during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; b. the timing of construction has been planned to avoid or limit disturbance; c. during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; d. habitats will, where practicable, be restored after construction works have finished; e. opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the DCO Site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the location and quality will be of key importance. In this regard	The management of biodiversity throughout the life of the Scheme will be covered by the following documents, included within the Application: • **Outline Construction Environmental Management Plan** (OCEMP) (Doc Ref. 7.10) • **Outline Operational Environmental Management Plan** (OOEMP) (Doc Ref. 7.11) • **Outline Decommissioning Environmental Management Plan** (ODEMP) (Doc Ref. 7.12) • **OLEMP** (Doc Ref. 7.16) All of the above plans are secured via the DCO requirements within the **Draft DCO** (Doc Ref. 3.1). Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) provides information on how the Scheme has mitigated for likely effects and taken advantage of opportunities to enhance biodiversity.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised; and f. mitigations required as a result of legal protection of habitats or species will be complied with. Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages	
5.4.40	The Government's Environmental Improvement Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the Government's Environmental Improvement Plan , and in Wales the objectives of the Nature Recovery Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.	**ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) has been produced with regard to the aims and goals of all relevant legislation and prepared with regard to the Environmental Improvement Plan (2023) and the Environment Act 2021.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
5.4.43 to 5.4.44	As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.	Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely effects on designated sites of nature conservation, protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. No likely significant residual effects have been identified, and as such, no compensatory measures have been proposed.
5.4.45	The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for	The management of biodiversity throughout the life of the Scheme will be covered by the following documents, included within the Application: • **OCEMP** (Doc Ref. 7.10) • **OOEMP** (Doc Ref. 7.11) • **ODEMP** (Doc Ref. 7.12)

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.	• **OLEMP** (Doc Ref. 7.16) All of the above plans are secured via the DCO requirements within the **Draft DCO** (Doc Ref. 3.1).
5.4.47 to 5.4.48	Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The Secretary of State should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited. When considering proposals, the Secretary of State should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering biodiversity net gain as part of or in addition to the approach set out at Section 4.6.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
5.4.51-57	The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (a habitat site), a protected marine site,	Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely effects on designated sites of nature conservation, protected species and on habitats and other

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. The Secretary of State should use requirements and/or planning obligations to mitigate the harmful. The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009. The Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	species identified as being of principal importance for the conservation of biodiversity. No likely significant adverse residual effects have been identified, and as such, no compensatory measures have been proposed.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate. The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which they consider may result from a proposed development.	
NPS for Renewable Energy EN-3		
2.10.68 to 2.10.71	The applicant's ecological assessments should identify any ecological risk from developing on the proposed site. Issues that need assessment may include habitats, ground nesting birds, wintering and migratory	The assessment provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) considers relevant protected species, their habitats, appropriate mitigation and enhancements. The assessment has been informed by both desk-studies and field

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	birds, bats, dormice, reptiles, great crested newts, water voles and badgers. The applicant should use an advising ecologist during the design process to ensure that adverse impacts are avoided, minimised or mitigated in line with the mitigation hierarchy, and biodiversity enhancements are maximised. The assessment may be informed by a 'desk study' of existing ecological records, an evaluation of the likely impacts of the solar farm upon ecological features and should specify mitigation to avoid or minimise these impacts, and any further surveys required.	surveys, as described within Section 9.4 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1).
2.10.74	Applicants should consider how security and lighting installations may impact on the local ecology. Where pole mounted CCTV facilities are proposed the location of these facilities should be carefully considered to minimise impact. If lighting is necessary, it should be minimised and directed away from areas of likely habitat.	The assessment provided in Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) considers impacts from lighting on ecological features. Mitigation measures to minimise impacts from lighting have also been incorporated within the **OCEMP** (Doc Ref. 7.10), **OOEMP** (Doc Ref. 7.11) and **ODEMP** (Doc Ref. 7.12).
2.10.75	Applicants should consider how site boundaries are managed. If any hedges/scrub are to be removed, further surveys may be necessary to account for impacts. Buffer strips between	The assessment provided in Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) considers impacts on Site boundaries, with the majority of vegetation on Site boundaries retained

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	perimeter fencing and hedges may be proposed, and the construction and design of any fencing should account for enabling mammal, reptile and other fauna access into the DCO Site if required to do so in the ecological report.	and buffers maintained. Furthermore, the fence design will include gaps at strategic locations to allow small mammals to pass through, which will maintain connectivity for such species.
2.10.81	Solar farms have the potential to increase the biodiversity value of a site, especially if the land was previously intensively managed. In some instances, this can result in significant benefits and enhancements beyond biodiversity net gain, which result in wider environmental gains which is encouraged.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
2.10.82	For projects in England, applicants should consider any reasonable opportunities to maximise restoration, creation, and enhancement of wider biodiversity. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan.	
2.10.92 to 2.10.93	The applicant should consider as part of the design, layout, construction, and future maintenance plans how to protect and retain,	Information on the management and protection of existing vegetation is included within the **OCEMP** (Doc Ref. 7.10) and the **OLEMP** (Doc Ref. 7.16). **ES**

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	wherever possible, the growth of vegetation on site boundaries, as well as the growth of existing hedges, established vegetation, including mature trees within boundaries. Applicants should also consider opportunities for individual trees within the boundaries to grow on to maturity. The impact of the proposed development on established trees and hedges should be informed by a tree survey and arboricultural/hedge assessment as appropriate.	**Appendix 12-8: Arboricultural Impact Assessment** (Doc Ref. 6.3) provides an assessment of the Scheme on established trees. Impacts on hedgerows are considered within Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1).
2.10.120 to 2.10.122	In England, proposed enhancements should take account of the above factors and as set out in Sections 4.6 and 5.4 of EN-1 aim to achieve environmental and biodiversity net gain in line with the ambition set out in the Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act 2021 or elsewhere. This might include maintaining or extending existing habitats and potentially creating new important habitats, for example by installing cultivated strips/plots for rare arable plants, rough grassland margins, bumble bee plant mixes, and wild bird seed mixes.	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16), including with regards to proposed monitoring. Where relevant, reference is made to any national or local plans/strategies (as described in this appendix) to inform the plan for biodiversity enhancement of the Order Limits. A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	Applicants are advised to develop an ecological monitoring programme to monitor impacts upon the flora of the DCO Site and upon any particular ecological receptors (such as bats and wintering birds). Results of the monitoring will then inform any changes needed to the land management of the DCO Site, including, if appropriate, any livestock grazing regime.	Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
NPS for Electricity Networks Infrastructure EN-5		
2.5.1	When planning and evaluating the proposed development's contribution to environmental and biodiversity net gain, it will be important – for both the applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.6) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to: a. Reconnect important habitats via green corridors, biodiversity stepping zones, and reestablishment of appropriate hedgerows; and/or b. Connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements.	The **OLEMP** (Doc Ref. 7.16) details habitat creation proposed within the Order Limits to increase biodiversity and how the Scheme will be managed and monitored.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
2.9.2 to 2.9.6	Applicants must provide information on relevant impacts as directed by this NPS and the Secretary of State Electricity networks infrastructure pose a particular potential risk to birdlife including large birds, such as swans and geese, and perching birds. These may collide with overhead lines and risk being electrocuted. Large birds may also be electrocuted when landing or taking off by completing an electric circuit between live and ground wires. Even perching birds can be killed as soon as their wings touch energised parts of the infrastructure. Applicants should consider measures to make lines more visible such as bird flappers and diverters which are covered in more detail in paragraphs 2.10.3 and 2.10.4. The applicant will need to consider whether the proposed line will cause such problems at any point along its length and take this into consideration in the preparation of the ES (see Section 4.3 of EN-1). Particular consideration should be given to feeding and hunting grounds, migration corridors	Section 9.8 of the **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) and **ES Appendix 9-14: Habitats Regulations Assessment Report** (Doc Ref. 6.3) address impacts on birds from overhead lines, including collision risk modelling and assessment of activity of vulnerable species. The risk of electrocution is not considered to be significant. The Scheme includes mitigation for collision risk in the form of proposed line markers to mitigate the risk of collisions in identified higher risk locations.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
	and breeding grounds, where they are functionally linked to sites designated or allocated under the 'national site network' provisions of the Conservation of Habitats and Species Regulations.	
2.10.2 to 2.10.4	Careful siting of a line away from, or parallel to, but not across, known flight paths can reduce the numbers of birds colliding with overhead lines considerably. Making lines more visible by methods such as the fitting of bird flappers and diverters to the earth wire, which swivel in the wind, glow in the dark and use fluorescent colours designed specifically for bird vision can also reduce the number of deaths. The design and colour of the diverters will be specific to the conditions – the line and pylon/transmission tower specifications and the species at risk. Electrocution risks can be reduced through the design of lattice steel tower crossarms, insulators and the construction of other parts of high voltage power lines so that birds find no opportunity to perch near energised power lines on which they might electrocute themselves.	Section 9.8 of the **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) and **ES Appendix 9-14: Habitats Regulations Assessment Report** (Doc Ref. 6.3) address impacts on birds from overhead lines, including collision risk modelling and assessment of activity of vulnerable species. The risk of electrocution is not considered to be significant. The Scheme includes mitigation for collision risk in the form of proposed line markers to mitigate the risk of collisions in identified higher risk locations.

Relevant NPS Paragraph	Requirement of the NPS	Location of information provided to address this
2.11.1	Where biodiversity impacts are identified, including those associated with bird collision with overhead lines, the Secretary of State should be satisfied that all feasible options for mitigation have been considered and evaluated appropriately	Section 9.8 of the **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) and **ES Appendix 9-14: Habitats Regulations Assessment Report** (Doc Ref. 6.3) address impacts on birds from overhead lines, including collision risk modelling and assessment of activity of vulnerable species. The risk of electrocution is not considered to be significant. The Scheme includes mitigation for collision risk in the form of proposed line markers to mitigate the risk of collisions in identified higher risk locations.

4. National Planning Policy Framework (NPPF)

4.1.1. The National Planning Policy Framework (NPPF) [18] outlines the Government's planning policies for England and provides guidance on their implementation. Paragraph 5 outlines that while the NPPF does not contain specific policies for Nationally Significant Infrastructure Projects (NSIPs), the NPPF is still relevant when considering the determination of DCOs. As a result, the EIA is taking the NPPF into account.

4.1.2. Relevant NPPF requirements relating to ecology and biodiversity, along with an indication of where the information is located within the ES to address these requirements, are provided in Table 4-1.

[18] Ministry of Housing, Communities and Local Government (2024) *National Planning Policy Framework*. Available at: https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf. [Accessed March 2026].

Table 4-1: Relevant NPPF Requirements for Ecology and Biodiversity

Relevant NPPF Paragraph	Requirement of the NPPF	Location of information provided to address this
187	Planning policies and decisions should contribute to and enhance the natural and local environment by: a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b. recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c. maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). Where relevant, reference is made to any national or local plans/strategies (as described in this appendix) to inform the plan for biodiversity enhancement of the Order Limits. A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).

Relevant NPPF Paragraph	Requirement of the NPPF	Location of information provided to address this
	e. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f. remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.	
188	Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a	**ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) distinguishes the sensitivity and hierarchy of ecological features according to their designation / value. A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details

Relevant NPPF Paragraph	Requirement of the NPPF	Location of information provided to address this
	catchment or landscape scale across local authority boundaries.	are also provided within the **OLEMP** (Doc Ref. 7.16), including with regards to proposed monitoring. Where relevant, reference is made to any national or local plans/strategies (as described in this appendix) to inform the plan for biodiversity enhancement of the Order Limits. A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
192	To protect and enhance biodiversity and geodiversity, plans should: a. identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and	A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16), including with regards to proposed monitoring. Where relevant, reference is made to any national or local plans/strategies (as described in this

Relevant NPPF Paragraph	Requirement of the NPPF	Location of information provided to address this
	b. promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.	appendix) to inform the plan for biodiversity enhancement of the Order Limits. A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
193	When determining planning applications, local planning authorities should apply the following principles: a. if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b. development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely	**ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely effects on designated sites of nature conservation including SSSIs. This concludes that with careful site design and embedded mitigation there will be no likely significant adverse effects on statutory and non-statutory designated sites. A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16), including with regards to proposed monitoring. Where relevant,

Relevant NPPF Paragraph	Requirement of the NPPF	Location of information provided to address this
	impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest (SSSIs); c. development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d. development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.	reference is made to any national or local plans/strategies (as described in this appendix) to inform the plan for biodiversity enhancement of the Order Limits. A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the **Biodiversity Net Gain Report** (Doc Ref. 7.9).
194	The following should be given the same protection as habitats sites: a. potential Special Protection Areas and possible Special Areas of Conservation;	Both **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) and the **ES Appendix 9-14: Habitats Regulations Assessment Report** (Doc Ref. 6.3) consider potential SPAs, SACs,

Relevant NPPF Paragraph	Requirement of the NPPF	Location of information provided to address this
	b. listed or proposed Ramsar sites; and c. sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.	Ramsar sites (listed or proposed) and sites identified, or required. No likely significant residual adverse effects have been identified that would adversely affect the integrity of habitat site designated for nature conservation.
195	The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.	

5. Local Policy and Guidance

5.1.1. Local policy and guidance relevant to the climate change assessment comprise:

- South East Lincolnshire Local Plan (SELLP) 2011-2036[19]; and
- Lincolnshire Biodiversity Action Plan[20].

5.1.2. The relevant considerations are summarised within Table 5-1.

[19] South East Lincolnshire Joint Strategic Planning Committee (2019) *South East Lincolnshire Local Plan 2011-2036*. Available at: https://southeastlincslocalplan.org/media/21941/South-East-Lincolnshire-Local-Plan-2011-2036/pdf/Local-Plan-text-March-2019.pdf?m=1720710748483 [Accessed 23/11/2025]

[20] Lincolnshire Biodiversity Partnership (2011) *Lincolnshire Biodiversity Action Plan*. Available at: www.nelincs.gov.uk/wp-content/uploads/2016/02/201110-LincolnshireBAP-3rd-edition.pdf. [Accessed 23/11/2025]

Table 5-1: Relevant Local Policy and Guidance with respect to Ecology and Biodiversity

Relevant Document	Relevant Policies	Location of information provided to address this
South East Lincolnshire Local Plan (SELLP) 2011-2036	Policy 28 (The Natural Environment) sets out that development proposals will not be permitted except in exceptional circumstances if they result in harm on internationally, nationally or locally designated sites. Development proposals should address gaps in the ecological network and provide net gain in biodiversity.	Section 9.8 of **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1) sets out the likely effects on designated sites of nature conservation. This concludes, that with careful Scheme design and embedded mitigation, there will be no significant adverse effects on these sites. A description of how the Scheme will take advantage of opportunities to enhance biodiversity within the Order Limits and potentially of the wider environment is provided in **ES Chapter 9: Ecology and Biodiversity** (Doc Ref. 6.1). Further details are also provided within the **OLEMP** (Doc Ref. 7.16). Where relevant, reference is made to any national or local plans/strategies (as described in this appendix) to inform the plan for biodiversity enhancement of the Order Limits. A BNG Assessment using Defra's Statutory Biodiversity Metric is included as part of the DCO Application within the
Lincolnshire County Council Biodiversity Action Plan	The Lincolnshire Biodiversity Action Plan (BAP) aims to conserve and enhance Lincolnshire's biodiversity. It identifies local priorities for biodiversity conservation and sets targets for priority habitats and species and locally important wildlife and sites.	

Relevant Document	Relevant Policies	Location of information provided to address this
		Biodiversity Net Gain Report (Doc Ref. 7.9).

6. Other Policies and Guidance

6.1. National Planning Practice Guidance (NPPG)[21]

6.1.1. The NPPG includes specific guidance on the natural environment and BNG, which explain key issues in implementing policy to protect and enhance the natural environment.

6.2. Ancient Woodland and Veteran Trees Standing Advice[22]

6.2.1. Where relevant, proposals should follow standing advice on avoiding and minimising impacts to ancient woodland and veteran trees, applying buffers, root protection zones and appropriate design changes to safeguard irreplaceable habitats.

6.3. Bat Surveys for Professional Ecologists: Good Practice Guidelines[23] (4th edition, 2023)

6.3.1. The UK standard for bat survey design and impact assessment. It sets expected levels of effort, methods for roost and activity surveys, data analysis, reporting, and proportionate mitigation and compensation to support robust planning decisions.

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21 Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government (2024) *National Planning Practice Guidance*. Available at: https://www.gov.uk/government/collections/planning-practice-guidance. [Accessed 23/11/2025]

22 Natural England and Forestry Commission. n.d. Ancient woodland, ancient trees and veteran trees: advice for making planning decisions. London: Natural England and Forestry Commission. Available at: https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-advice-for-making-planning-decisions (Accessed 10 March 2026).

23 Bat Conservation Trust. 2023. Bat Surveys for Professional Ecologists: Good Practice Guidelines. 4th edn. London: Bat Conservation Trust. Available at: https://shop.bats.org.uk/products/bat-surveys-for-professional-ecologists-good-practice-guidelines-4th-edition (Accessed 10 March 2026).

6.4. Bat and Artificial Lighting Guidance[24] (Bat Conservation Trust and Institution of Lighting Professionals)

6.4.1. Current guidance on bats and artificial lighting should be followed to avoid and minimise effects on nocturnal fauna through design, specification and controls for construction and operation.

6.5. Bats and Artificial Lighting in the UK (ILP GN08/23 with BCT)[25]

6.5.1. Best-practice lighting design to reduce ecological impacts. It covers luminaire selection, spectrum, intensity, zoning, curfews and layout to protect bats and other light-sensitive fauna during construction and operation.

6.6. Biodiversity 2020: A strategy for England's Wildlife and Ecosystem Services[26]

6.6.1. Biodiversity 2020 was published in August 2011, building on the Natural Environment White Paper and setting out the strategic direction for biodiversity policy to 2020 on land (including rivers and lakes) and at sea in England.

6.6.2. Biodiversity 2020 established a new global vision for biodiversity, including a set of strategic goals and targets to drive action. It outlines the Government's vision for the natural environment, shifting the emphasis from piecemeal conservation action towards a more integrated landscape-scale approach.

[24] Institution of Lighting Professionals and Bat Conservation Trust. 2023. Bats and artificial lighting in the UK: Guidance Note 08/23. Rugby: Institution of Lighting Professionals. Available at: https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting-in-the-uk/ [Accessed 10 March 2026].

[25] Institution of Lighting Professionals and Bat Conservation Trust. 2023. Bats and artificial lighting in the UK: Guidance Note 08/23 (GN08/23). Rugby: Institution of Lighting Professionals. Available at: https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting-in-the-uk/ [Accessed 10 March 2026].

[26] Defra (2011). Biodiversity 2020: A strategy for England's wildlife and ecosystem services. [online] Available at: https://assets.publishing.service.gov.uk/media/5a78c263ed915d04220651ea/pb13583-biodiversity-strategy-2020-111111.pdf. [Accessed March 2026].

6.7. Biodiversity duty: public authority duty to have regard to conserving biodiversity[27]

6.7.1. Practical guidance for meeting the biodiversity duty in planning decisions. Encourages on-site habitat creation or enhancement, biodiversity-by-design, alignment with wider recovery strategies, and securing appropriate management and monitoring where needed.

6.8. Biodiversity Net Gain: Good Practice Principles for Development (CIRIA, CIEEM, IEMA)[28]

6.8.1. Widely adopted principles for delivering measurable, lasting BNG. It covers governance, application of the mitigation hierarchy, design integration, securing long-term management and transparent reporting.

6.9. British Standard 42020:2013 Biodiversity – Code of Practice for Planning and Development[29]

6.9.1. British Standard 42020:2013 Biodiversity – Code of Practice for planning and development outlines recommendations and provides guidance to ensure decisions takes at each stage of the planning process are informed by sufficient and appropriate ecological information.

6.10. BS 5837:2012 Trees in Relation to Design, Demolition and Construction[30]

6.10.1. The principal standard for integrating trees into development. It covers surveying, root protection areas, construction methodologies near trees, and safeguarding retained trees through design and site controls.

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[27] Department for Environment, Food and Rural Affairs (Defra). 2023. Biodiversity duty: public authority duty to conserve biodiversity. London: Defra. Available at: https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-conserve-biodiversity [Accessed 10 March 2026].

[28] CIEEM, CIRIA and IEMA. 2016. Biodiversity Net Gain: Good practice principles for development. London: CIEEM, CIRIA and IEMA. Available at: https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development/ [Accessed 10 March 2026].

[29] British Standards Institution (2013) *Biodiversity: Code of practice for planning and development: 42020*. BSI, London.

[30] British Standards Institution (BSI). 2012. BS 5837:2012 Trees in relation to design, demolition and construction — Recommendations. London: BSI. Available at: https://shop.bsigroup.com/products/trees-in-relation-to-design-demolition-and-construction-recommendations [Accessed 10 March 2026].

6.11. BS 8596:2015 Surveying for Bats in Trees and Woodland[31]

6.11.1. A risk-based standard for assessing bat roost potential in trees and woodlands. It details inspection techniques, categorisation of roost suitability, survey effort, and how findings inform avoidance, timing and mitigation.

6.12. BS 8683:2021 Process for Designing and Implementing Biodiversity Net Gain[32]

6.12.1. British Standard 8683 provides a structured process for designing and implementing BNG, covering governance, measurable outcomes, long-term management and monitoring, and should be used alongside the statutory metric and EN-1 expectations.

6.13. Chartered Institute of Ecology and Environmental Management (CIEEM) (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland[33]

6.13.1. The CIEEM 'Guidelines for Ecological Impact Assessment in the UK and Ireland' (2018) provide a framework for Ecological Impact Assessment (EcIA) to promote a scientifically rigorous and transparent approach to EcIA, promote good practice and ensure decision makers are provided with relevant information about the likely ecological effects of a project.

6.14. CIEEM Advice Note: Ecological Survey Seasonality and Effort[34] (2019)

6.14.1. Professional guidance on appropriate seasonal windows and minimum effort for common ecological surveys. It supports proportionate design, transparent limitations statements and robust interpretation of results.

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[31] British Standards Institution (BSI). 2015. BS 8596:2015 Surveying for bats in trees and woodland – Guide. London: BSI. Available at: https://shop.bsigroup.com/products/surveying-for-bats-in-trees-and-woodland-guide [Accessed 10 March 2026].

[32] British Standards Institution (BSI). 2021. BS 8683:2021 Biodiversity net gain – Process for designing and implementing – Specification. London: BSI. Available at: https://shop.bsigroup.com/products/biodiversity-net-gain-process-for-designing-and-implementing-specification [Accessed 10 March 2026].

[33] CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal Version 1.3*. Chartered Institute of Ecology and Environmental Management.

[34] Chartered Institute of Ecology and Environmental Management (CIEEM). 2019. Advice note: Ecological survey seasonality and effort. Winchester: CIEEM. Available at: https://cieem.net/resources/ [Accessed 10 March 2026].

6.15. CIEEM Advice Note: Evidencing Likely Absence and Use of Professional Judgement[35]

6.15.1. Guidance on dealing with imperfect detection and integrating multiple lines of evidence. It supports defensible conclusions, targeted additional effort and clear justification of residual uncertainties.

6.16. CIRIA C741 Environmental Good Practice on Site (4th edition)[36]

6.16.1. Construction-phase good practice to prevent ecological harm. It covers pollution prevention, materials and waste management, biosecurity, and integration of ecological controls into Construction Environmental Management Plan implementation.

6.17. CIRIA Guidance on Invasive Non-Native Species Management (e.g., C679)[37]

6.17.1. Industry guidance on planning and delivering invasive species control. It sets biosecurity protocols, identification and treatment methods, and safe handling and disposal to prevent spread during construction.

6.18. Environmental Improvement Plan 2023 [38]

6.18.1. In 2023, the UK Government published its Environmental Improvement Plan, the first revision of the 25 Year Environment Plan to set out how the Government will work with landowners, communities and businesses to deliver each of its goals for the natural environment. An Environmental Improvement Plan is required to be prepared, updated and reported on under the Environment Act 2021. This document continues to use the ten goals set out within the 25 Year Environment Plan with the apex goal being to achieve 'thriving plants and wildlife' and sets interim targets pursuant to the long-term targets set under the

[35] Chartered Institute of Ecology and Environmental Management (CIEEM). n.d. Advice Note: Evidencing likely absence and use of professional judgement. Winchester: CIEEM. Available at: https://cieem.net/resources/ [Accessed 10 March 2026].
[36] Construction Industry Research and Information Association (CIRIA). 2015. Environmental good practice on site guide. 4th edn (C741). London: CIRIA. Available at: https://www.ciria.org [Accessed 10 March 2026].
[37] Construction Industry Research and Information Association (CIRIA). n.d. Guidance on invasive non-native species management (e.g., C679). London: CIRIA. Available at: https://www.ciria.org [Accessed 10 March 2026].
[38] Department for Environment, Food and Rural Affairs (Defra) (2023). *Environmental Improvement Plan 2023*. Available at: https://assets.publishing.service.gov.uk/media/64a6d9c1c531eb000c64fffa/environmental-improvement-plan-2023.pdf. [Accessed March 2026].

Environment Act 2021. The Environmental Improvement Plan recognises the wider value of the environment and its contribution, such as food, clean water and air, wildlife, energy, wood, recreation and protection from hazards.

6.19. Froglife Advice Sheet 10: Reptile Survey[39]

6.19.1. Good-practice guidance for surveying common reptiles. It sets out survey timing, methods and effort, and supports avoidance and mitigation strategies such as phased clearance and habitat manipulation.

6.19.2. This guidance focuses on Scotland where peatland habitats are extensive, but could be applied elsewhere in the UK or Ireland where this habitat also occurs. While it deals explicitly with peatlands, many of the recommendations could be followed or adapted for other habitats which may be occupied by reptiles.

6.20. Great Crested Newt Conservation Handbook[40] (Froglife)

6.20.1. Practical standards for survey, impact assessment and mitigation for great crested newts. It includes habitat design, exclusion and translocation methods, and long-term management and monitoring requirements.

6.21. Guidelines for Ecological Impact Assessment in the UK and Ireland Terrestrial, Freshwater, Costal and Marine (2024)[41]

6.21.1. These guidelines, issued by the Chartered Institute of Ecology and Environmental Management (CIEEM) promote good practice and provide a common framework to EcIA in order to provide decision-makers with relevant information about the likely ecological effects of a project.

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[39] Froglife. n.d. Advice Sheet 10: Reptile Survey. Peterborough: Froglife. Available at: https://www.froglife.org/info-advice/advice-sheets/ [Accessed 10 March 2026].

[40] Langton, T., Beckett, C. and Foster, J. 2001. Great Crested Newt Conservation Handbook. Peterborough: Froglife. Available at: https://www.froglife.org/great-crested-newt-conservation-handbook/ [Accessed 10 March 2026].

[41] Chartered Institute of Ecology and Environmental Management (CIEEM) (2018). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*, version 1.3. CIEEM, Winchester.

6.22. Mitigating biodiversity impacts associated with solar and wind energy development: Guidelines for project developers (2021)[42]

6.22.1. The document produced by the Biodiversity Consultancy, Mitigating Biodiversity Impacts Associated with Solar and Wind Energy Development: Guidelines for Project Developers, aims to provide practical support for solar and wind energy developments by effectively managing risks and improving overall outcomes related to biodiversity and includes guidance and reference for the approach to assessing impacts on biodiversity and mitigation.

6.23. Natural England and Department of Environment, Food and Rural Affairs (Defra) Standing Advice (protected species) (2014)[43]

6.23.1. Standing advice from Natural England and Defra provides guidance on protected and notable species and includes reference to the best practice approaches for survey, mitigation and compensation. Guidance is also provided on the procedure for obtaining protected species licences.

6.23.2. This advice has informed the planning of surveys and the approach to mitigating impacts upon protected species, including where necessary the requirement to submit an application for Natural England mitigation licences.

6.24. Nature-Positive Solar Farms: A Practical Guide[44] (Solar Energy UK)

6.24.1. Industry guidance for designing and managing solar farms to deliver biodiversity benefits. It sets out habitat creation, seeding, grazing regimes, margins and mosaic management compatible with long-term net gain outcomes.

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[42] Bennun, L., van Bochove, J., Ng, C., Fletcher, C., Wilson, D., Phair, N., Carbone, G. (2021). Mitigating biodiversity impacts associated with solar and wind energy development. Guidelines for project developers. Gland, Switzerland: IUCN and Cambridge, UK: The Biodiversity Consultancy.

[43] Natural England and Defra (updated 2023). Protected species and development: advice for local planning authorities. Available at: https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications. [Accessed March 2026].

[44] Solar Energy UK. n.d. Nature-positive solar farms: A practical guide. London: Solar Energy UK. Available at: https://solarenergyuk.org/resource/nature-positive-solar-farms-a-practical-guide/ [Accessed 10 March 2026].

6.25. Overhead Line Ecology and Bird Collision Risk Assessment and Line-Marking Guidance[45]

6.25.1. Overhead line design and assessment should follow established good practice for avoiding and reducing ecological effects, including mapping bird flightlines and sensitive areas, applying routeing to avoid key habitats and flight corridors, using appropriate span height and alignment, and fitting bird flight diverters or other line-marking to increase conductor visibility where collision risk is identified. Construction and operational controls, post-consent monitoring and adaptive management should be secured where necessary to confirm effectiveness of mitigation and address residual risks.

6.26. Otter Survey and Mitigation Guidance[46]

6.26.1. Established guidance on otter field signs, survey design and buffers to avoid disturbance. It informs culvert and bridge design, timing of works near water and proportionate mitigation and monitoring.

6.27. Protected Species and Development: Advice for Local Planning Authorities[47]

6.27.1. Standing advice to help planning authorities assess applications that may affect protected species. Covers where species are likely, when surveys are needed, how to secure avoidance, mitigation or compensation, how licensing interacts with planning, and considering whether a licence is likely before granting permission.

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[45] NatureScot (2023) *Guidance: Assessment and mitigation of impacts of power lines and guyed meteorological masts on birds*. Inverness: NatureScot. Available at: https://www.nature.scot/doc/guidance-assessment-and-mitigation-impacts-power-lines-and-guyed-meteorological-masts-birds (Accessed: 10 March 2026].

[46] Chanin, P. (2003) *Monitoring the Otter Lutra lutra*. Conserving Natura 2000 Rivers Monitoring Series No. 10. Peterborough: English Nature. Available at: https://publications.naturalengland.org.uk/publication/78019 [Accessed: 10 March 2026].

[47] Natural England (2022) *Protected species and development: advice for local planning authorities*. Available at: https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications [Accessed: 10 March 2026].

6.28. Solar Farm Biodiversity Good Practice[48] (Solar Energy UK and BRE National Solar Centre)

6.28.1. Industry guidance providing measures to design solar farms for biodiversity benefits, including habitat creation, management for pollinators and ground-nesting birds, and integration of BNG into long-term stewardship.

6.29. The International Union for Conservation of Nature Red List of Threatened Species[49]

6.29.1. Established in 1964, the International Union for Conservation of Nature's (IUCN) Red List of Threatened Species is a source of information on the global extinction risk status of animal, fungus and plant species that is continually reviewed and updated. The IUCN Red List Categories and Criteria are intended to be an easily and widely understood system for classifying species at high risk of global extinction. It divides species into nine categories: Not Evaluated, Data Deficient, Least Concern, Near Threatened, Vulnerable, Endangered, Critically Endangered, Extinct in the Wild, and Extinct.

6.30. UK Biodiversity Framework[50]

6.30.1. The UK Biodiversity Action Plan (UKBAP) was launched in 1994 and established a framework and criteria for identifying species and habitat types of conservation concern and remains an important reference material. The UKBAP was subsequently succeeded by the UK Post-2010 Biodiversity Framework (July 2012)[51], and then again by the UK Biodiversity Framework 2024[52].

6.30.2. The UK list of priority species and habitats (of which there are 943 priority species and 56 priority habitats in England) remains an important reference

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[48] Solar Energy UK and BRE National Solar Centre (2019) *Solar farms and biodiversity: best practice guidance for developers*. London: Solar Energy UK. Available at: https://www.solarenergyuk.org/resource/solar-farms-and-biodiversity/ [Accessed: 10 March 2026].

[49] The International Union for Conservation of Nature (IUCN) (2024). The IUCN Red List of Threatened Species.

[50] HMSO (1994). *Biodiversity: The UK Action Plan*. Available at: https://assets.publishing.service.gov.uk/media/5a7ced59ed915d2017106d17/2428.pdf. [Accessed March 2026].

[51] JNCC (2012). *UK Post-2010 Biodiversity Framework 2012*. Available at: https://data.jncc.gov.uk/data/587024ff-864f-4d1d-a669-f38cb448abdc/UK-Post2010-Biodiversity-Framework-2012.pdf [Accessed March 2026].

[52] *JNCC on behalf of the Four Countries' Biodiversity Group. (2024). UK Biodiversity Framework. [online] Available at:* https://data.jncc.gov.uk/data/19a729f6-440e-4ac6-8894-cc72e84cc3bb/uk-biodiversity-framework.pdf. [Accessed March 2026].

source and has been used to help draw up statutory lists of priority habitats and species in England, Scotland, Wales and Northern Ireland. For the purpose of this assessment, the UKBAP is used as one of the criteria to assist in assigning national value to an ecological feature.

6.30.3. The UK Biodiversity Framework 2024[53] is relevant within England in the context of the NERC Act 2006[54]. This means that HaPI and SPI are of material consideration in planning. These habitats and species are identified as those of conservation concern due to their rarity or a declining population trend. The objectives of the Framework have been included in the assessment of HaPI and SPI.

6.31. UKHab Habitat Classification[55]

6.31.1. UKHab provides a standardised habitat classification system aligned with the biodiversity metric. It should be used to record baseline habitats and post-development habitats consistently.

6.32. Water Vole Conservation Handbook[56] (3rd edition, 2016)

6.32.1. Standard methods for water vole survey, impact assessment and mitigation. It addresses riparian habitat protection, displacement risks, predator control considerations and post-works monitoring.

6.33. Biodiversity Guidance for Solar Developments (2014)[57]

6.33.1. The document produced by BRE, Biodiversity Guidance for Solar Developments provides guidance to planners and the solar industry on how biodiversity can be supported on solar farms.

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[53] Four Countries Biodiversity Group. 2024. The UK Biodiversity Framework. Peterborough: Joint Nature Conservation Committee (JNCC). Available at: https://jncc.gov.uk/uk-biodiversity-framework/ [Accessed 10 March 2026].

[54] UK Public General Acts. 2006. Natural Environment and Rural Communities Act 2006 (c.16). London: The Stationery Office. Available at: https://www.legislation.gov.uk/ukpga/2006/16/contents [Accessed 10 March 2026].

[55] UK Habitat Classification Working Group (2023) *UK Habitat Classification User Manual Version 2.0*. Available at: https://ukhab.org [Accessed: 10 March 2026].

[56] Dean, M., Strachan, R., Gow, D. and Andrews, R. (2016) *The Water Vole Conservation Handbook* (3rd edn). Clayhidon: Wildlife Conservation Research Unit.

[57] BRE National Solar Centre (2014) Biodiversity Guidance for Solar Developments. Eds G E Parker and L Greene