



Planning  
Inspectorate

# **REPORT on the IMPLICATIONS for EUROPEAN SITES**

## **Proposed Green Hill Solar Farm**

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

Planning Inspectorate Reference: EN010170

27 January 2026

## TABLE OF CONTENTS

<b>TABLE OF CONTENTS.....</b>	<b>i</b>
<b>1 INTRODUCTION .....</b>	<b>1</b>
1.1 BACKGROUND.....	1
1.2 DOCUMENTS USED TO INFORM THIS RIES.....	2
1.3 CHANGE REQUESTS .....	2
1.4 RIES QUESTIONS .....	2
1.5 HRA MATTERS CONSIDERED DURING THE EXAMINATION .....	3
<b>2 LIKELY SIGNIFICANT EFFECTS .....</b>	<b>4</b>
2.1 EUROPEAN SITES CONSIDERED .....	4
2.2 POTENTIAL IMPACT PATHWAYS .....	5
2.3 IN-COMBINATION EFFECTS .....	5
2.4 THE APPLICANT'S ASSESSMENT .....	6
2.5 PRE-EXAMINATION AND EXAMINATION MATTERS .....	7
2.6 SUMMARY OF EXAMINATION OUTCOMES IN RELATION TO SCREENING .....	10
<b>3 ADVERSE EFFECTS ON INTEGRITY .....</b>	<b>11</b>
3.1 CONSERVATION OBJECTIVES.....	11
3.2 THE APPLICANT'S ASSESSMENT .....	11
3.3 PRE-EXAMINATION AND EXAMINATION MATTERS .....	12
<b>4 CONCLUDING REMARKS.....</b>	<b>26</b>
<b>ANNEX 1 EXA'S UNDERSTANDING OF POSITION AT POINT OF RIES PUBLICATION .....</b>	<b>27</b>

# 1 INTRODUCTION

## 1.1 Background

1.1.1 Green Hill Solar Farm Limited ('the applicant') has applied for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (PA2008) for the proposed Green Hill Solar Farm ('the proposed development'). On behalf of the Secretary of State (SoS) for Energy Security and Net Zero, 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 4 (DL4) of the examination (14 January 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://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010170-000607-Green%20Hill%20Solar%20Farm%20Examination%20Library.pdf>

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 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 documents:
  - Habitats Regulations Assessment [APP-565], updated at DL1 [REP1-153]
- 1.2.2 The HRA Report concluded that adverse effects on the integrity of all European sites could be excluded.
- 1.2.3 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 Change Requests

- 1.3.1 To date, the applicant has made one change request [CR1-001 to CR1-040]. This comprised 9 changes including changes to the routes of permissive paths, changes to access tracks and the removal of two parcels of land within Green Hill F from the order limits. The change request was submitted on 10 November 2025 and accepted by the ExA on 21 November 2025 [PD-009].
- 1.3.2 No relevant HRA matters arose from this change request.

## 1.4 RIES questions

- 1.4.1 This RIES contains questions targeted at the applicant, NE and other IPs which are drafted in **blue, bold text** and are labelled RQ1 to RQ20.
- 1.4.2 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 question number.
- 1.4.3 In responding to the questions in tables 2.2 and 3.1, please also refer to the ID number in the first column.
- 1.4.4 Comments on the RIES are timetabled for DL5 (26 February 2026).

## 1.5 HRA Matters Considered During the Examination

1.5.1 The examination to date has focussed on the following matters which were disputed by IPs and questioned by the ExA:

- the applicant's survey data interpretation for functionally linked land (FLL) to the Upper Nene Valley Gravel Pits Special Protection Area (UNVGP SPA) and Upper Nene Valley Ramsar site (UNVRS)
- the applicant's assessment of disturbance to qualifying species to relevant European sites
- the mitigation proposed for the loss of FLL
- the applicant's assessment of waterborne pollution in relation to Battery Energy Storage System (BESS) drainage and firewater systems

## 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 Section 5.2 of the HRA Report [APP-565] identified the sites within the UK National Site Network that could be affected by the proposed development.
- 2.1.3 HRA Report para 5.1.5 [APP-565] states that a standard radius of 10km from the order limits was used to identify sites for inclusion in the assessment. The search radius was extended to 30km to identify European sites designated for mobile species.
- 2.1.4 No matters have been raised in the examination to date in relation to the applicant's approach to identification of European sites.

#### Sites within the UK National Site Network (NSN)

- 2.1.5 The applicant's HRA Report [APP-565] identified 2 European sites within the UK National Site Network for inclusion within the assessment. These are described in HRA Report section 5.2 and detailed in table 2.1 below.

**Table 2.1: European sites in the UK NSN identified in the applicant's HRA Report [APP-565]**

Name of European site	Distance from proposed development (km)
Upper Nene Valley Gravel Pits Special Protection Area	0.01km
Upper Nene Valley Ramsar site	0.01km

- 2.1.6 The locations of these sites relative to the proposed development are depicted on HRA Report figure 9.3.1 [APP-565]. No European sites were identified within the wider 30km search radius.
- 2.1.7 In ExQ1, question 9.0.3 [PD-007], the ExA asked NE to confirm it was satisfied that the correct sites and qualifying features had been identified by the applicant. In response, NE agreed [REP1-181] that all relevant European sites and or European site features that could be affected by the project had been identified by the applicant.
- 2.1.8 No additional UK European sites have been identified by IPs for inclusion within the assessment in the examination to date.

## 2.2 Potential impact pathways

- 2.2.1 HRA Report section 6 [APP-565] details the potential impacts from the proposed development, along with the potential geographical extent of effects. The relevant impact pathways considered to affect the UNVGP SPA and UNVRS are outlined in HRA Report section 6.2.
- 2.2.2 At ExQ1, question 9.0.6 [PD-007], the ExA requested that the applicant provide a table to demonstrate the qualifying features of UNVGP SPA and UNVRS and the impact-pathways that had been screened against each site and qualifying feature. Table 2 of the updated HRA Report [REP1-153] provides this list of relevant sites and qualifying features and the impact pathways which could affect them.
- 2.2.3 The HRA Report [APP-565] stated that potential impacts were assessed for the construction, operation and decommissioning phases. The ExA queried (question 9.0.2, [PD-007]) why the impacts assessed in the Environmental Statement (ES) ([APP-041]) differed from that in the HRA Report.
- 2.2.4 In its response [REP1-163], the applicant acknowledged that the option to remove cabling during decommissioning was described in the ES but not in the HRA Report, stating that this would be included in the updated HRA Report submitted at DL1. The updated HRA Report [REP1-153] includes reference to the potential for underground cabling to be removed in section 2.1.3. [REP1-163] stated the applicant considered that this made no change to the outcomes of the assessment.
- 2.2.5 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 HRA Report section 6.3 [REP1-153] details the applicant's approach to assessing in-combination effects, including the search area used to identify potential plans and projects for inclusion in the in-combination assessment. These are listed in HRA Report paragraph 3.6.3 [APP-565]. No figure is supplied with the locations of the plans and projects shown in relation to European sites.

**RQ1: To the applicant: Please provide a figure (or the examination library reference to the document where this figure can be found) depicting the plans and projects assessed by the applicant in its HRA Report.**

- 2.3.2 No additional plans or projects have been highlighted by IPs in the examination to date.
- 2.3.3 In response to ExQ1, question 9.0.5 [PD-007], NE stated that it was satisfied with the applicant's methodology for the assessment of in-combination effects [REP1-181]. No further matters were raised by NE regarding the in-combination assessment set out in the HRA Report [REP1-153].

## 2.4 The applicant's assessment

2.4.1 The applicant's conclusions in respect of screening are presented in HRA Report section 6 [REP1-153].

2.4.2 In paragraph 6.1.2 [REP1-153], the applicant notes the similarity in designations between the SPA and Ramsar site and as a result, where the HRA Report refers to the SPA, states that comments are considered to apply to the corresponding Ramsar site as well.

2.4.3 Following ExQ1 [PD-007] and the applicant's addition of table 2 to the HRA Report [REP1-153], the ExA further queried (question 2.8.3, ExQ2, [PD-011]) why the bittern, golden plover, gadwall, mute swan were the only species of the UNVGP SPA that were listed in HRA Report table 2, noting that paragraph 5.2.6 [REP1-153] also listed additional bird species as part of the waterbird assemblage. The ExA asked the applicant and NE, therefore, to clarify whether the waterbird qualifying feature for the SPA site within table 2 should include reference to the list of individual bird species in paragraph 5.2.6.

2.4.4 In response, the applicant [REP3-074] clarified that where an individual species within the waterbird assemblage was also a qualifying feature in its own right (ie bittern, golden plover, gadwall and mute swan) it had been assessed separately. Where the species formed part of the waterbird assemblage it was assessed collectively as part of that qualifying feature. NE [REP3-094] nevertheless noted it considered that table 2 [REP1-153] should list each species that forms part of the waterbird assemblage.

**RQ2: To the applicant: Please provide the list of birds forming the waterbird assemblage within the appropriate text and tables in an updated HRA Report.**

### **Sites for which the applicant concluded no LSE on some or all qualifying features**

2.4.5 The applicant concluded no LSE on all qualifying features of both sites from the following impact-pathways:

- direct habitat loss or change (project alone and in-combination)
- killing, injury or removal of a designated species or their prey (project alone and in-combination)
- disturbance to species outside the SPA (project alone and in-combination)

2.4.6 The applicant also concluded (table 2, [REP1-153]) no LSE on the bittern and gadwall qualifying features of the UNVGP SPA and the mute swan qualifying feature of the UNVRS from habitat fragmentation.

**Sites for which the applicant concluded LSE on some or all qualifying features**

2.4.7 The applicant concluded that the proposed development would be likely to give rise to significant effects, either alone or in combination with other projects or plans, on all qualifying features of the UNVGP SPA and UNVRS from the following impact-pathways:

- disturbance – species within SPA (project alone and in-combination)
- pollution and habitat degradation – airborne and waterborne pollution and surface water runoff (project alone and in-combination)
- spread of invasive non-native species – (project alone only)

2.4.8 The applicant also concluded that the proposed development would be likely to give rise to significant effects on the following qualifying features either alone or in combination with other projects or plans from:

UNVGP SPA

- habitat fragmentation – golden plover, waterbird assemblage

UNVRS

- habitat fragmentation – waterbird assemblage

2.4.9 The qualifying features and LSE pathways screened in by the applicant are detailed in HRA Report table 2 [REP1-153] and in annex 1 of this RIES for both sites.

## 2.5 Pre-examination and examination matters

2.5.1 Matters raised in relevant representations and examination to date, or those for which the ExA seeks clarity, in relation to the applicant's screening assessment are summarised in table 2.2 below.

**Table 2.2: 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	Potential impact pathway	Details of issue	ExA observation / question
<b>Upper Nene Valley Gravel Pits SPA</b>			
2.1.1	Disturbance to species within the SPA Construction	<p>The applicant's assessment concluded LSE arising from disturbance to the golden plover and waterbird assemblage qualifying features (specifically the lapwing and golden plover components of this assemblage) of the UNVGP SPA from disturbance within the SPA.</p> <p>The ExA requested (question 9.0.8, [PD-007]) that NE comment on whether the applicant's assessment [APP-565] of disturbance to qualifying features included impacts from visual as well as noise disturbance.</p> <p>NE responded to confirm [REP1-181] that it considered the assessment included both visual and noise disturbance to qualifying species within the SPA and that NE agreed with the conclusions of LSE presented by the applicant in para 6.2.37 [APP-565].</p>	N/A
2.1.2	Disturbance to species outside the SPA Construction	The applicant concluded ([REP1-153]) that there would no LSE from noise or visual disturbance to qualifying features outside of the SPA due to a patchy distribution and as the construction works would be temporary in nature. It also noted that alternative areas were available for birds to use if disturbed, and that birds habituate	<u><a href="#">RQ3: to the applicant: Please provide an update to the HRA Report [REP1-153] to confirm that this impact-pathway could give rise to LSE. Please also include an assessment of disturbance to species outside</a></u>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>to noise and visual disturbance and are mobile within the local landscape (para 6.2.41, [REP1-153]).</p> <p>In its response to ExQ1 (question 9.0.8, [PD-007]), NE stated [REP1-181] that it disagreed with the applicant's conclusion of no LSE from disturbance to qualifying features outside of the SPA boundary using FLL, noting the scale of the project.</p> <p>NE also considered, therefore [REP1-181], that the applicant needed to apply appropriate mitigation measures for this impact-pathway and thus disputed the conclusions that no significant effects would occur.</p> <p>The applicant responded [REP2-050] that significant numbers of golden plover or lapwing would need to be displaced to risk an adverse effect from disturbance from the proposed development. It noted that these species move around extensively during the winter and that the only risk to disturbance would be a notable displacement of birds from FLL as a result of construction activities in adjacent fields.</p> <p>It confirmed nevertheless that mitigation measures would be discussed with NE.</p> <p>Further discussion of this impact-pathway is therefore provided in relation to Adverse Effects on Integrity (AEol) and mitigation measures in section 3 of this RIES.</p>	<p><b>the SPA for adverse effects on integrity.</b></p>

## 2.6 Summary of examination outcomes in relation to screening

- 2.6.1 The ExA's understanding of the applicant's and NE's current positions in relation to LSEs is set out above in section 2.5 and table 2.2.
- 2.6.2 To date in the examination, the matter of LSE from disturbance to qualifying feature birds outside of the SPA identified in table 2.2 of this RIES remains unresolved. The ExA seeks responses from the applicant and ANCB, where indicated, to provide clarity on the outstanding matters, including an updated HRA Report from the applicant as stated in **RQ3** above.
- 2.6.3 For the avoidance of doubt, where there is dispute or where it is not clear to the ExA whether an LSE should be screened in, the ExA has taken a precautionary approach in this RIES and considered the impact pathway in section 3. This conclusion is not final and could be subject to change further to any additional representations received during the examination.

## 3 ADVERSE EFFECTS ON INTEGRITY

### 3.1 Conservation Objectives

- 3.1.1 The conservation objectives for UNVGP SPA were included within the HRA Report [APP-565]. However, separate conservation objectives were not provided for UNVRS.
- 3.1.2 The current condition of each qualifying feature of the UNVGP SPA is described in section 5.2 of the HRA Report [APP-565].
- 3.1.3 The HRA Report states that no information on the current condition of the UNVRS was available. In response to question 9.0.10 [PD-007] and question 2.8.4 [PD-011], NE confirmed ([REP1-181] [REP3-094]) that the conservation objectives for the UNVGP SPA apply to the UNVRS but also referred to the conservation objectives and site improvement plan for information on the measures for both sites.

**RQ4: to the applicant: Please update the HRA Report [REP1-153] by the addition of the conservation objectives for the UNVRS.**

### 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 HRA Report section 7 [REP1-153].

#### **Mitigation measures**

- 3.2.2 The applicant's HRA Report identified mitigation measures in sections 7.2 and 7.3 [APP-565]. These were taken into account in the applicant's assessment of effects on integrity.
- 3.2.3 The applicant has employed embedded design mitigation measures and other mitigation measures that are described within the following construction, operation and decommissioning management plans secured within the DCO:
  - Outline Ecological Protection and Mitigation Strategy (OEPMS) [REP1-139] [REP4-010]
  - Outline Landscape and Ecological Management Plan (OLEMP) [REP3-062]
  - Outline Construction Environmental Management Plan (OCEMP) [REP1-131]
  - Outline Battery Storage Safety Management Plan (OBSSMP) [REP1-143]
  - Outline Decommissioning Statement (ODS) [REP1-135]

- Water Framework Directive Assessment [REP1-155] and Flood Risk Assessment and Drainage Strategy Report [REP1-053]

3.2.4 A further version of the OEPMS was received at DL4 [REP4-010] that did not contain changes relevant to the HRA.

3.2.5 The OEPMS [APP-549] was not initially made available to the public or NE [RR-1242], due to a confidential method statement. A redacted OEPMS [AS-011] was provided by the applicant and a complete version was shared with NE for review at DL1 [REP1-140].

3.2.6 The applicant [REP1-161] also clarified that details on the provision and management of mitigation land and the ecological monitoring schedule proposed are set out in the OLEMP [REP3-062] as opposed to the OEPMS [REP1-140].

3.2.7 HRA Report section 7.2 [REP1-153] sets out that the design of the proposed development includes 96.62 hectares of land that would be either created or managed specifically to maintain suitability for the golden plover and lapwing qualifying features of UNVGP SPA. HRA Report tables 4 and 5 [REP1-153] provide quantitative details of each field and its proposed land management.

3.2.8 North Northamptonshire Council (NNC) [RR-1243] considered that the level of FLL mitigation provision by the applicant along with substantial areas of unaffected FLL available outside of the proposed development was sufficient for NNC to be satisfied that the proposed development would not result in harm to species associated with the UNVGP SPA.

3.2.9 During the course of the examination, several IPs including NE, West Northamptonshire Council (WNC), NNC and Stop Green Hill Solar (SGHS) nevertheless raised concerns around the timing, approach and monitoring plans for proposed mitigation measures. The matters discussed are covered in table 3.1 below.

#### **Sites for which the applicant concluded no AEoI**

3.2.10 With mitigation measures in place, the applicant concluded that the proposed development would not adversely affect the integrity of any of the qualifying features of either the UNVGP SPA or UNVRS, either alone or in combination with other projects or plans.

### **3.3 Pre-examination and examination matters**

#### **Survey effort**

3.3.1 In its relevant representation, NE noted [RR-1242] that it was in discussion with the applicant regarding its approach to winter bird surveys to identify areas of FLL.

3.3.2 The applicant noted in its response to relevant representations [REP1-161] that some survey work carried out for over-wintering birds at Green Hill A and Green Hill A.2 was incomplete. The applicant also noted in paragraph 7.2.30 of the HRA Report [REP1-153] that neither Green Hill F nor Green Hill G had been subject to the two winter seasons of diurnal and nocturnal bird surveys

recommended by NE [REP1-182]. The applicant explained that as a result, a precautionary approach had been taken to calculating the number of birds using FLL [REP1-153]. This used data from the surveys that had been completed to calculate numbers of birds using FLL at a 'land parcel scale'.

3.3.3 SGHS [REP1-218] noted a limitation listed in the applicant's over wintering bird surveys that surveys were undertaken during periods when archaeological surveys were also being conducted, querying whether this activity would have affected the bird surveys through disturbance.

**RQ5: to SGHS: With reference to your response in [REP1-218], please provide the document title and examination library reference where these limitations were identified.**

**Use of survey information to determine presence of Functionally Linked Land (FLL)**

3.3.4 NE initially were unclear on the use of the term 'land parcel scale' [RR-1242] and raised "significant" concerns regarding the interpretation of the survey data to identify the amount of FLL that could be affected by the proposed development.

3.3.5 NE [RR-1242] also noted that the functionality of the land was given to individual fields rather than to the one large parcel of land that was surveyed, explaining that if the birds were identified in one field and the entire parcel is similar in regard to topography, disturbance and habitat character, there is no reason the birds might not use all fields within that parcel. As a result, NE [RR-1242] stated it was not clear how survey data had been used.

3.3.6 The applicant [REP1-161] explained that field level was used as the scale to determine FLL as it enabled the applicant to identify pattern use of individual fields by qualifying species. The applicant [REP1-161] noted that defining pattern use is a key component of determining FLL and can only be done at a clearly defined spatial scale.

3.3.7 The applicant [REP1-161] also stated that the approach to categorising FLL was supported by "extensive" survey data collected from all fields within the order limits. The applicant [REP1-161] noted that the survey data gathered to identify actual usage patterns was at odds with NE's position that areas of land which did not support significant numbers of birds during the surveys could nonetheless be classified as FLL.

3.3.8 NE [REP1-182] then approved the use of "land parcel scale" and agreed that the applicant's approach to identifying FLL was appropriate. However, the applicant [REP2-048] clarified that the land parcel scale was not used to determine FLL and all fields within the order limits were surveyed. The ExA nevertheless queried NE's interpretation in ExQ2, question 2.8.2, [PD-011] given the applicant's clarification of its approach in [REP2-048]. At DL3, [REP3-094], NE confirmed it was satisfied with the applicant's approach to determining FLL, noting that it had clarified the meaning of the applicant's terminology and concluding it was now in agreement with the applicant's approach to determining FLL.

Report on the Implications for European Sites for  
Green Hill Solar Farm

3.3.9 Both WNC [REP1-175] and NNC [REP1-171] agreed that the applicant's surveys and approach, agreed with NE, were appropriate to determine the extent of existing FLL and to inform the assessment. However, NNC [RR-1243] also commented that its "primary concern" was in relation to the availability and suitability of FLL. At DL2 it maintained that some areas of land within NNC had not been subject to full surveys [REP2-056].

3.3.10 Within the draft Statement of Common Ground with the applicant, it was also reported that NE [REP3-081] would further review the survey data to confirm their position in relation to the final conclusions of the assessment.

**RQ6: To SGHS, NE and NNC: Please confirm if you have further comments or concerns in relation to the applicant's survey data.**

3.3.11 No IPs have disputed the applicant's conclusions of no AEol, but matters raised in the pre-examination and examination to date, or for which the ExA seeks clarity, in relation to AEol are summarised in table 3.1 below.

**Table 3.1: Issues raised in the examination to date by the ExA and IPs in relation to the applicant's assessment of effects on integrity (alone and in-combination)**

ID	Potential impact pathway	Details of issue	ExA observation / question
<b>Upper Nene Valley Gravel Pits SPA and Upper Nene Valley Ramsar site</b>			
3.1.1	Habitat fragmentation (FLL) – suitability of mitigation measures	<p>The applicant identified (table 4, [REP1-153]) that the proposed development would result in the loss of 67.49 hectares of FLL used by the golden plover and waterbird (lapwing) qualifying features. This figure includes a level of precautionary FLL arising from the applicant's approach discussed in section 3.3 of this RIES.</p> <p>The HRA Report [REP1-153] sets out that impacts from habitat fragmentation and loss of FLL would be addressed through either creation of a mix of new permanent grassland and scrapes or management of spring sown cereal crops in existing fields (table 5, [REP1-153]). With these measures in place, the applicant concluded no AEol on the golden plover and waterbird (lapwing) qualifying features of both sites.</p> <p>NE [RR-1242] requested further information regarding the proposed habitat mitigation. This included details of the suitability of each parcel of land to replace any impacted functionality of the extant FLL, the proposed methods for habitat creation, and details of the management and monitoring programme, including costing.</p> <p>The ExA [PD-007, Q8.0.2] requested further information on the suitability of the FLL mitigation fields in terms of the</p>	<p><b>RQ7: To NE: Please comment on the applicant's clarifications on the suitability of the proposed fields, the methods of habitat creation and their timing, as well as management and monitoring measures, in light of your previous comments [RR-1242, REP1-181, REP1-182]. Are you satisfied that the applicant's approach, set out in its updated OLEMP [REP3-062] and associated plans REP3-042 to REP3-055] covers your concerns? If so, are you satisfied that these measures are sufficient (and sufficiently secured) to reach a conclusion of no AEol on qualifying features</b></p>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>habitat suitability, context and proximity considerations referred to by NE.</p> <p>SGHS [REP1-218] also queried whether birds would use some areas identified as FLL if they were not currently using it.</p> <p>The applicant [REP1-161] explained that section 7 of the updated HRA Report [REP1-153] set out the total quantum of mitigation habitat to be provided as well as the existing and proposed habitats for each individual field parcel. The applicant [REP1-161] also confirmed that the FLL mitigation land would be managed for the lifetime of the development and a finalised mitigation and monitoring programme, with associated costing, would be created to accompany a detailed landscape and ecology management plan at the detailed design stage.</p> <p>The applicant proposed that this be secured through requirement 7 of the draft Development Consent Order (dDCO) [REP1-008].</p> <p>The applicant provided further qualitative information [REP1-163] on the mitigation land, in response to the ExA's request. The applicant stated that all fields were of a size which accords with the minimum size of fields confirmed to be used by target species, that the presence of solar infrastructure on adjacent fields was not considered likely to deter birds from using the mitigation fields, and how screening and public access considerations had affected the selection of the fields.</p>	<p>of the UNVGP SPA and UNVRS? If not, please set out what further information is required to reach this conclusion.</p>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>NE [REP1-181] [REP1-182] advised that further information should be provided on the location, the habitat creation and establishment method, the timing and phasing of the habitats, management for the lifetime of the development, and the monitoring strategy, noting that this information was not provided in the OEPMS [REP1-140]. NE [REP1-182] also recommended that a monitoring programme is put in place to monitor the establishment of habitats and their functionality for birds.</p> <p>The applicant [REP2-048] stated that details of the establishment, management and monitoring of both retained FLL and proposed FLL mitigation land were provided in the OLEMP [REP1-137] not the OEPMS. The OLEMP [REP1-137] describes the proposed habitat creation and management for each relevant habitat type, including grassland, wetland and farmland habitats which are proposed as part of the FLL mitigation.</p> <p>The applicant [REP2-048] also noted that a suite of post-construction habitat and bird surveys would be undertaken to assess the success of the proposed FLL mitigation and to identify any remedial measures required. The applicant [REP2-048] reiterated that a full LEMP with further detail, including costing, would be prepared post-consent.</p> <p>The applicant [REP2-048] also confirmed that the measures described in the OEPMS [REP1-140] would be detailed in an Ecological Protection and Mitigation Strategy</p>	

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>to be prepared post-consent, secured through requirement 8 of the dDCO [REP1-008].</p> <p>No further representations have been received on this matter which remained under discussion at the point of publication of this RIES.</p>	
3.1.2	<p>Habitat fragmentation</p> <p>Timing of availability of FLL mitigation land</p>	<p>NE [RR-1242], WNC [REP1-175] and NNC [REP1-171] all queried whether mitigation habitat would be in place prior to any impacts on FLL.</p> <p>WNC [REP1-175] considered that existing FLL should not be removed until suitable replacement site(s) in favourable condition were available.</p> <p>NNC also raised in its Local Impact Report [REP1-171] that land to replace FLL to be lost should be established at least one season prior to the loss to allow time for the habitat to develop.</p> <p>In response to these points, in [REP2-049] the applicant stated that land would not be prepared in advance of construction but that during this time, existing arable land would be available for bird foraging from the outset. The applicant concluded that while a "short time lag" between the removal of existing FLL and the availability of mitigation fields would occur, there would be no net loss of FLL and thus no AEol.</p> <p>At DL3, the applicant's OLEMP [REP3-062] included additional text in section 4.10 that stated fields would be available for target species (golden plover and lapwing)</p>	<p><b>RQ8: To the applicant:</b> Please provide further details of the potential 'short time lag' [WNC 4.235, REP2-049] expressed as occurring between FLL being lost to SPA qualifying features and mitigation land being available.</p> <p><b>RQ9: To NE:</b> Do you consider that mitigation land for loss of FLL should be available and functional prior to the loss of FLL to the UNVGP SPA and UNVRS? If so, can NE comment on the applicant's assertion that sufficient existing land is available during any time lag between loss of FLL and mitigation land becoming available?</p>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>from the outset of construction, with some areas of arable fields that would be converted to grassland occurring after construction commences.</p> <p>At DL2, this matter remained under discussion with WNC (SoCG [REP2-057]) and no further updates were received at the point of publication of this RIES.</p> <p>SGHS noted [REP3-098] that discussion was ongoing between the applicant and NE on mitigation and stated that SGHS “have no further comments to make about this, at this time”.</p>	<p><b>Please comment on the timing of the applicant's measures included in the applicant's OLEMP [REP3-062], do you consider these sufficient and if not, what additional information or commitment(s) are required of the applicant?</b></p> <p><b>RQ10: To WNC and NNC:</b> Please comment on the timing of the availability of the proposed mitigation for FLL, set out in the applicant's updated OLEMP [REP3-062].</p>
3.1.3	Disturbance to species within the SPA Construction	<p>The applicant provided an update to its HRA Report at DL1 in response to ExQ1 (see paragraph 2.2.2 of this RIES). The additional table 2 in this update [REP1-153] clarified the qualifying features where there was potential for LSE to UNVGP SPA and UNVRS from both noise and visual disturbance impacts.</p> <p>In response to ExQ1 (question 9.0.8, [PD-007]), NE advised that it had reviewed the disturbance chapter of the HRA Report [REP1-153] and agreed with the applicant's</p>	<p><b>RQ11: To the applicant:</b> Please provide an updated assessment of the disturbance within the SPA impact-pathway for AEol to clarify the baseline used for all components of the waterbird qualifying feature and other specific qualifying features.</p>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>conclusions on this impact-pathway for both noise and visual disturbance.</p> <p>The applicant provided an assessment of this impact-pathway in paragraphs 7.2.79 to 7.2.87 [REP1-153]. This uses five-year peak counts of birds (tables 6 to 9) but not all of the qualifying features of sites are represented in these data. The applicant concludes no AEol from this impact-pathway without reference to specific qualifying features of the UNVGP SPA.</p> <p>In response to ExQ2, question 2.8.3, [PD-011], the applicant explained that where species form part of the waterbird assemblage but do not qualify in their own right, that these are assessed collectively. However, no baseline data or assessment conclusions are provided to support the conclusion of no AEol for golden plover or bittern (both as individual qualifying features and as components of the waterbird assemblage) and no data are supplied for the lapwing component of the waterbird assemblage qualifying feature of the UNVGP SPA in reaching these conclusions.</p>	
3.1.4	<p>Habitat fragmentation</p> <p>Disturbance to species outside the SPA – mitigation plan</p>	<p>The applicant's proposed mitigation for effects to FLL and disturbance to species outside the SPA is contained in 3 control documents; the OLEMP [REP3-062], CEMP [REP1-131] and OEPMS [REP4-010]. All provide different levels of detail in relation to the proposed mitigation, requiring all 3 documents to be reviewed for a full picture of mitigation measures to be reached.</p>	<p><b>RQ12: To the applicant:</b> The ExA requests that the applicant provide measures to address AEol from habitat fragmentation and to FLL in a single method statement for ease of reference, such as a consolidated Method</p>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>The applicant's proposed mitigation in method statement 10, [REP1-140], sets out the approach to avoiding impacts on over-wintering birds. This proposes to postpone mobilisation into fields for approximately one day where a pre-works inspection by an Ecological Clerk of Works identifies flocks of golden plover and lapwing as being present, to allow for birds to relocate elsewhere.</p> <p>SGHS [REP1-218] noted that checking for flocks of overwintering birds when works moved to a new field was an approach 'not seen very often', noting the scale of the proposed development.</p>	<p><b>Statement within the OEPMS.</b></p> <p><b>RQ13: To the applicant:</b> Please provide further details of how this approach would work in the event that birds do not relocate as described. Please also describe the alternative or remedial actions that would be taken, therefore, in response to the proposed pre-works inspections. How will this continue to be monitored? Please include any further information within the updated Method Statement requested in RQ12.</p> <p><b>RQ14: To NE:</b> Please comment on the applicant's proposed Method Statement 10 approach [REP1-140].</p>

ID	Potential impact pathway	Details of issue	ExA observation / question
3.1.5	Disturbance to species outside the SPA	<p>The applicant concluded [REP1-153] no LSE from noise and visual disturbance to species outside the SPA. Further to its response to ExQ1, question 9.0.8, [PD-007], NE [REP1-181] advised that it did not agree with the conclusion of no AEol from this impact-pathway. It queried whether the applicant's conclusions were sufficiently precautionary, requesting further information on the phasing and length of time fields would be subject to construction disturbance and querying whether birds would habituate to the disturbance at a landscape scale. NE also queried the potential for the applicant's proposed mitigation measures to be effective for this impact-pathway.</p> <p>NE noted [REP1-181], however, that its concerns would be addressed either where the applicant's FLL mitigation areas have already been secured and made available to birds prior to the commencement of development or the mitigation proposed for avoiding direct disturbance impacts (set out in method statement 10 of the OEPMS [REP4-010]) extended to cover the FLL which might be subject to noise and visual disturbance. NE [REP1-181] stated that provided the relevant mitigation is secured it would agree there would be no adverse impacts to the designated sites.</p> <p>At DL1, NNC stated [paragraph 8.82, REP1-171] that there was a possibility of disturbance during construction that was short-lived but that as the FLL was part of a network,</p>	<p><b>RQ15: To the applicant:</b> <b>Please update the HRA Report [REP1-153] to include the assessment of the AEol from disturbance to qualifying features outside the SPA boundary.</b></p> <p><b>RQ16: To NE:</b> Please comment on the applicant's updated mitigation measures in place in relation to disturbance (OLEMP section 4.10, [REP3-062]). Are you satisfied that with measures in place there would be no AEol from noise and visual disturbance to areas of FLL, both existing FLL and that proposed as mitigation for loss of FLL from the proposed development?</p>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>temporary disturbance was unlikely to have a material impact on wintering bird population.</p> <p>The applicant [REP2-050] agreed to update the Outline Landscape and Ecological Management Plan (OLEMP) [REP1-137] to confirm that proposed FLL bird habitat mitigation would be available prior to the commencement of development on the adjacent fields. Moreover, the applicant [REP2-050] noted that temporary cabling works required within FLL bird habitat mitigation areas would adhere to method statement 10 of the OEPMS [REP4-010].</p> <p>NE nevertheless cautioned that this agreement was on the basis that mitigation areas themselves were not subject to construction disturbance [REP1-181].</p> <p>The applicant responded at DL2 [REP2-050], noting that the OLEMP [REP1-137] would be updated to ensure FLL mitigation areas were available to birds prior to commencement of construction and that it would discuss any further mitigation measures, such as extending mitigation measures in adjacent fields, with NE.</p> <p>In its response to ExQ2 (question 2.8.1, [PD-011]), NE advised [REP3-094] that the applicant's response [REP2-050] addressed its concerns with respect to this impact-pathway. An updated OLEMP containing the amendment to the availability of FLL was provided in section 4.10 [REP3-062].</p>	

ID	Potential impact pathway	Details of issue	ExA observation / question
		No other IPs have commented on the noise and visual disturbance impact-pathways.	
3.1.6	Waterborne pollution Operation	<p>The applicant concluded no AEol on all qualifying features of the UNVGP SPA and UNVRS from waterborne pollution on the basis of measures to limit the spread of firewater pollutants outlined in the OBSSMP, para 1.1.13, [REP1-143].</p> <p>Both SGHS [REP1-193] and NNC [REP1-171] raised concerns with potential effects from contaminants in the event of a Battery Energy Storage System (BESS) fire on the SPA and Ramsar site, with SGHS noting the proximity of the River Nene and its floodplain to the SPA and Ramsar site.</p> <p>NNC [REP1-171] raised concerns for the integrity of the SPA should the measures outlined by the applicant be insufficient to isolate potential contaminants arising from a fire. It also noted that these technical matters were beyond the council's remit to determine whether the proposed measures were "credible and deliverable".</p> <p>The applicant responded [REP2-049] to these comments, directing to its response to the Environment Agency's comments in [REP1-161].</p> <p>Although not referring to European sites specifically, the Environment Agency (EA) [RR-1224] has raised concerns on the risks to water environment receptors from firewater and other chemicals from the BESS, outlining several measures it advised were required to address risks in the</p>	<p><b>RQ17: To NE: Do you have any comments on the applicant's proposed mitigation measures for control of waterborne pollution through the OBSSMP, para 1.1.13 [REP1-143] with regard to the waterborne pollution impact-pathway? Can NE confirm whether it is satisfied that there are no AEol from this impact-pathway on all qualifying features of UNVGP SPA and UNVRS?</b></p> <p><b>RQ18: To the applicant: Please provide an update on your discussions with the Environment Agency and any agreements reached in relation to acceptable mitigation measures to address risks from battery fire. Where additional</b></p>

ID	Potential impact pathway	Details of issue	ExA observation / question
		<p>applicant's OBSSMP [REP1-143]. The applicant's response to these concerns [REP1-161] noted its proposal for the drainage system around the BESS to be infilled with gravel risking secondary release of contaminants from firewater. It also proposed additional design measures, including an isolated and impermeable drainage system, would be employed and secured through the OBSSMP [REP1-143] to address these concerns.</p> <p>In the draft SoCG with the EA [REP4-033], the applicant and the EA note that further measures in relation to operational maintenance and inspection of shut-off valves and gravel drainage are under discussion. The EA requested that further details should be provided in an updated OBSSMP. No points have been raised by NE nor progress from other IPs reported on this matter at the point of publication of this RIES.</p>	<p><b>measures are required specifically to address concerns raised in relation to European sites, please reflect this in the updated HRA Report.</b></p> <p><b>RQ19: To NNC and SGHS:</b> Please comment on the further measures identified by the applicant in the OBSSMP [REP1-143] in relation to your concerns on the SPA and Ramsar site.</p> <p><b>RQ20: To the EA:</b> Please confirm your position in relation to the mitigation measures proposed to address risks from battery fire.</p>

## 4 CONCLUDING REMARKS

- 4.0.1 This RIES is based on information submitted throughout the examination by the applicants and IPs, up to DL4 (14 January 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:
  - An updated HRA Report from the applicant to include:
    - addition of the conservation objectives for the UNVRS
    - clarification of the information used to support the assessment of AEol from disturbance to the waterbird assemblage qualifying features inside the SPA
    - an assessment of AEol from disturbance to species outside the SPA (alone and in combination)
    - consolidation of measures to address AEol from habitat fragmentation and to FLL in a single method statement and clarification of proposed mitigation (see bullet point below)
  - an updated OEPMS to bring together all measures to address effects on FLL from habitat fragmentation and disturbance to UNVGP SPA and UNVRS (see RQ12)
  - responses from relevant parties to the questions in sections 1 to 4 of this RIES (in particular tables 2.2 and 3.1)
- 4.0.3 The ExA also seeks confirmation from NE whether the ExA's understanding of screening and adverse effects conclusions at the point of publication of this RIES (in annex 1) is correct.
- 4.0.4 Comments on the RIES must be submitted for DL5 (26 February 2026).

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

4.0.5 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 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

Y = Yes

N = No

? = Unclear

n/a = not applicable

**Table A1.1 Upper Nene Valley Gravel Pits SPA**

Note that the conclusions recorded in the table below apply to impacts from the proposed development alone and in combination, unless otherwise stated.

Feature	Potential impact (C, O and D unless otherwise stated)	LSE?		AEoI?	
		Applicant's conclusion (alone or in combination)	Agreement with ANCB?	Applicant's conclusion (alone or in combination)	Agreement with ANCB?
Bittern Gadwall	Direct habitat loss or change	X	Y	n/a	n/a
	Killing/ injury/ removal of a designated species, or their prey	X	Y	n/a	n/a
	Habitat fragmentation	X	Y	n/a	n/a
	Disturbance to species within SPA	✓	Y	X	Y
	Disturbance to species outside SPA	X	N	n/a	?
	Airborne pollution	✓	Y	X	Y
	Waterborne pollution	✓	Y	X	?
	Spread of invasive/ non-native species	✓ (alone only)	Y	X	Y

Feature	Potential impact (C, O and D unless otherwise stated)	LSE?		AEoI?	
		Applicant's conclusion (alone or in combination)	Agreement with ANCB?	Applicant's conclusion (alone or in combination)	Agreement with ANCB?
	Surface water runoff	✓	Y	X	n/a
Golden plover	Direct habitat loss or change	X	Y	n/a	n/a
	Killing/ injury/ removal of a designated species, or their prey	X	Y	n/a	n/a
	Habitat fragmentation	✓	Y	X	?
	Disturbance to species within SPA	✓	Y	X	Y
	Disturbance to species outside SPA	X	N	X	?
	Airborne pollution	✓	Y	X	Y
	Waterborne pollution	✓	Y	X	?
	Spread of invasive/ non-native species (alone only)	✓	Y	X	Y
	Surface water runoff	✓	Y	X	Y

Feature	Potential impact (C, O and D unless otherwise stated)	LSE?		AEoI?	
		Applicant's conclusion (alone or in combination)	Agreement with ANCB?	Applicant's conclusion (alone or in combination)	Agreement with ANCB?
Waterbird assemblage	Direct habitat loss or change	X	Y	n/a	Y
	Killing/ injury/ removal of a designated species, or their prey	X	Y	n/a	Y
	Habitat fragmentation	✓	Y	X	?
	Disturbance to species within SPA	✓	Y	X	Y
	Disturbance to species outside SPA	X	N	X	?
	Airborne pollution	✓	Y	X	Y
	Waterborne pollution	✓	Y	X	?
	Spread of invasive/ non-native species	✓ (alone only)	Y	X	Y
	Surface water runoff	✓	Y	X	Y

**Table A1.2 Upper Nene Valley Ramsar site**

Note that the conclusions recorded in the table below apply to impacts from the proposed development alone and in combination, unless otherwise stated.

Feature	Potential impact (C, O and D unless otherwise stated)	LSE?		AEoI?	
		Applicant's conclusion (alone or in combination)	Agreement with ANCB?	Applicant's conclusion (alone or in combination)	Agreement with ANCB ?
Gadwall Mute Swan	Direct habitat loss or change	X	Y	n/a	n/a
	Killing/ injury/ removal of a designated species, or their prey	X	Y	n/a	n/a
	Habitat fragmentation	X	Y	n/a	n/a
	Disturbance to species within SPA	✓	Y	X	Y
	Disturbance to species outside SPA	X	N	n/a	?
	Airborne pollution	✓	Y	X	Y
	Waterborne pollution	✓	Y	X	?
	Spread of invasive/ non-native species	✓ (alone only)	Y	X	Y

Feature	Potential impact (C, O and D unless otherwise stated)	LSE?		AEoI?	
		Applicant's conclusion (alone or in combination)	Agreement with ANCB?	Applicant's conclusion (alone or in combination)	Agreement with ANCB ?
	Surface water runoff	✓	Y	X	Y
Waterbird assemblage (wintering)	Direct habitat loss or change	X	Y	n/a	Y
	Killing/ injury/ removal of a designated species, or their prey	X	Y	n/a	Y
	Habitat fragmentation	✓	Y	X	?
	Disturbance to species within SPA	✓	Y	X	?
	Disturbance to species outside SPA	X	?	n/a	?
	Airborne pollution	✓	Y	X	Y
	Waterborne pollution	✓	Y	X	?
	Spread of invasive/ non-native species (alone only)	✓	Y	X	Y
	Surface water runoff	✓	Y	X	Y