

Date: 03 February 2026
Our ref: 536264
Your ref: EN0110001



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BY EMAIL ONLY

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Dear Sir/Madam

NSIP Reference Name / Code: Keadby Next Generation Power Station EN0110001

Thank you for your consultation on the above dated 20 January 2026 which was received by Natural England on 20 January 2026.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

For any further advice on this consultation please contact the case officer at

[REDACTED]

Yours sincerely

Lisa Sheldon

NSIP Senior Officer –Yorkshire and Northern Lincolnshire

Natural England's Written Representations

PART I: Summary and conclusions of Natural England's advice
PART II: Natural England's detailed advice (starting on page 6)

Part I: Summary and conclusion of Natural England's advice

Purpose and structure of these representations

These Written Representations are submitted in pursuance of rule 10(1) of the Infrastructure Planning (Examination Procedure) Rules 2010 ('ExPR') in relation to an application under the Planning Act 2008 for a Development Consent Order ('DCO') for **Keadby Next Generation Power Station Project** ('the Project') submitted by Keadby Next Generation Limited ('the Applicant') to the Secretary of State.

Natural England has already provided a summary of its principal concerns in its Relevant Representations, submitted to the Planning Inspectorate on 27 November 2025. This document comprises an updated statement of Natural England's views, as they have developed in view of the common ground discussions that have taken place with the Applicant to date.

Part I of these representations summarises what Natural England considers the main issues¹ to be in relation to the DCO application, and indicate the principal submissions that it wishes to make at this point. Natural England will develop these points further as appropriate during the examination process. Natural England may have further or additional points to make, particularly if further information about the project becomes available.

Our comments are set out against the following sub-headings which represent our key areas of remit:

- Internationally designated sites
- Nationally designated sites
- Protected species
- Biodiversity net gain
- Ancient woodland and ancient/veteran trees

Our comments in Part II are colour coded according to risk;

Red are those where there are fundamental concerns which it may not be possible to overcome in their current form.

Amber are those where further information is required to determine the impacts of the project and allow the Examining Authority to properly undertake its task and/or where further information is required on mitigation/compensation proposals in order to provide a sufficient degree of confidence as to their efficacy.

Yellow are those where Natural England does not agree with the Applicant's position or approach. We would ideally like this to be addressed but are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision-making process. However, we reserve the right to revise our opinion should further evidence be presented. It should be noted by interested parties that whilst these issues/comments are not raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances.

Green was used in the submission under Relevant Representations to show those issues which have been successfully resolved (subject always to the appropriate requirements being adequately secured). **Green issues are not shown in this submission for Written Representations.**

Grey are notes for Examiners and/or competent authority.

The natural features potentially affected by this application

International conservation designations

Natural England's position regarding impacts on internationally designated sites is summarised below. Further detail on our reasoning for this is given against each impact pathway in Part II.

Natural England is not yet satisfied for 'amber' issues identified in Table 1 below that it can be ascertained beyond reasonable scientific doubt that the project would not have an adverse effect on the integrity (AEOI) of the following internationally designated sites. Humber Estuary SAC, SPA and Ramsar.

Further information is required to justify the conclusion of no AEOI for impacts to Humber Estuary designated sites. Including;

- Further information on the critical loads applied to Humber Estuary habitat.
- Whether amines will be emitted as part of the process, and if so if they have been considered in deposition calculations.
- What sources have been included in the in combination assessment, along with justification for those omitted.
- Whether the results presented in App8B cover the project alone or in combination.
- Further information on impacts to water quality in the Humber Estuary including:
 - Impacts to the Humber Estuary arising from effluent discharge to the River Trent, including consideration of pollutant levels in effluent discharge, thermal plume modelling and volume of discharge water.
 - Potential impacts from the infilling or partial infilling or several drains onsite and how these will be avoided/mitigated.

Nationally designated sites

Natural England's position regarding nationally designated sites is summarised below. Further detail on our reasoning for this is given against each impact pathway in Part II.

- Our advice on Humber Estuary SSSI is in line with the advice given on the international designated sites.
- The air quality assessment for Crowle Barrow Pits SSSI should provide additional detail on the potential for this development to slow recovery of the designated site pollutant levels.
- The air quality critical load for Hatfield Chase Ditches SSSI should be given as the value for fen habitat, and an assessment should be undertaken.
- Further information required for air quality impacts to Risby Warren SSSI. This application has a >1% process contribution for the designated site. The latest habitat assessment for the SSSI identifies air pollution as a reason for unfavourable condition due to existing exceedances.

Protected Species

Natural England's position regarding European protected species is summarised below. Further detail on our reasoning for this is given in Part II (NE28 – NE31).

Natural England recommend the Applicant considers applying for a Letter of No Impediment for water voles to assist the decision-maker.

We also advise considering whether a licence will be required for the works in proximity to the badger sett.

Biodiversity net gain

Natural England's position regarding provision of biodiversity net gain is summarised below. Further detail on our reasoning for this is given in Part II (NE32).

We generally welcome the commitment to delivering BNG on this project. We recommend that the target increase in BNG of 10% across all biodiversity unit types is secured by a suitably worded requirement in the DCO.

By reviewing the project's biodiversity gain plan at this early stage, it gives us an opportunity to help maximise outcomes and reduce risks.

Improvements that could be considered include commitment to delivery of BNG habitats for a minimum of 30 years, rather than the proposed 25.

Ancient woodland and ancient/veteran trees

In our Relevant Representation we referred to the policy in the Overarching National Policy Statement for Energy (EN-1) for irreplaceable habitats and noted that the ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement. Chapter 11 Biodiversity and Nature Conservation (dated 22 September 2025) identified the presence of veteran or ancient trees within the application boundary. However, the Applicant has since provided an updated version of Chapter 11 to Natural England, which states in Table 11.2 that North Lincolnshire Council have visited the site and have confirmed T145 and T149 are not veteran trees and T152 and T154 are not ancient trees. Updates have also been provided to the outline LBMEP to reflect this clarification. Therefore, provided these updated documents are uploaded as part of the examination, we consider this matter to be addressed.

Natural England's position regarding ancient woodland and ancient/veteran trees is summarised below (NE34). Further detail on our reasoning for this is given in Part II.

Part II: Natural England's detailed advice

Part II of these representations expands upon the detail of all the significant issues ('red' and 'amber' issues) which, in our view remain outstanding and includes our advice on pathways to their resolution where possible. Part II does not show 'green' issues where a resolution has been reached, subject always to the appropriate requirements being adequately secured. "Green" issues were included in Natural England's submission on the Relevant Representations and we have no further comments to make on these at this stage.

NE key issue ref	Topic / Construction (C) or Operation (O)	NE commentary and advice on: <ul style="list-style-type: none"> • Further details about the project in order to enable assessment • Further evidence or assessment work require 	Matters that must be secured in the DCO (with DCO/DML or omission ref as applicable)	Risk Rating
NE1	Humber Estuary SPA and Ramsar - noise disturbance to birds (C)	Natural England notes the inclusion of noise contour maps in the updated Habitats Regulations Assessment (HRA). The contour maps demonstrate that a small area of the field to the north of the redline boundary will experience noise levels of 60db (figure 3) due to construction piling, with the noise level dissipating beyond this to 55db. The area which will experience 60db encompasses the site of Keadby wind turbines and is therefore less likely to be suitable to support SPA birds. However, the maps are based on noise levels calculated using the LAeq measure, and therefore this does not demonstrate potential impacts from loud bangs which can be more disturbing to birds than constant noise. We also note that the significance criteria outlined in 5.2.11 uses the LAmax figures. We advise LAmax figures should be	N/A	Amber

		provided for the construction activities with the most significant noise inputs, along with contour maps where there is potential for attenuation beyond that demonstrated for the LAeq maps.		
NE2	Humber Estuary SPA and Ramsar – Noise disturbance to birds (O)	Figure 4 provides noise contour information for the operational impacts. This also demonstrates that the most significant noise impacts (>65db) will overlap with the site of the Keadby wind turbines, and the noise impacts will reduce beyond this. However, the maps are based on noise levels calculated using the LAeq measure, and therefore this does not demonstrate potential impacts from loud bangs which can be more disturbing to birds than constant noise. We also note that the significance criteria outlined in 5.2.11 uses the LAmx figures. We advise LAmx figures should be provided for the operational activities with the most significant noise inputs, along with contour maps where there is potential for attenuation beyond that demonstrated for the LAeq maps.	N/A	Amber
NE4	Humber Estuary – water discharge (O)	The assessment does not consider the impact that the discharged water and sediment transport may have on the forage resource for birds and lamprey within the River Trent. Designations on this section are Humber Estuary Ramsar and SAC only, however the birds associated with the SPA may still use that section of the river as supporting habitat.	N/A	Amber
NE5	Humber Estuary SAC/ Ramsar Site - Mortality and Barriers to	Noise and/or sediment can create a barrier to movement. While noise impacts have been deemed negligible, sediment has not. For works occurring between 1st May and 30th November activities should therefore be restricted	Any lighting restrictions should be secured within the DCO. This could be secured within Requirement 7, Schedule 2 of the DCO which	Amber

	Lamprey Movement (C and O)	to daylight hours only, i.e., between dawn and dusk. This is to avoid activity occurring at peak migration periods (i.e., at night). Lighting impacts, especially when used outside of daylight hours, should also be considered due to the risk of impacts to migration in the River Trent.	requires development of an external lighting strategy.	
NE9	The Humber Estuary SAC/ Ramsar Site - Air Quality	<p>NE has several comments on the air quality assessment across Chapter 8, Appendix 8A/8B, ES Chapter 11 and the HRA.</p> <p>As a large protected site, this SAC (and associated SPA, Ramsar and SSSI) contains many qualifying features. At LSE/ initial assessment stage (i.e. considering whether or not 1% is exceeded alone or in combination) the most sensitive feature should be used. In this case, this would be the “Fixed coastal dunes with herbaceous vegetation (grey dunes)” – with a Ndep critical load of 5-15kgN/ha/yr, and an ammonia critical level of 1ug/m3. However, NE acknowledges that this habitat type is distant from the River Trent, on the coast, and there is no suitable location nearby where this habitat would be expected to expand to.</p> <p>Therefore, it is acceptable, in this case, not to screen in on the basis of this habitat.</p> <p>The applicant provided mapping indicating that the “pioneer saltmarsh” associated with the “Salicornia and other annuals colonising mud and sand” (H1310) saltmarsh was located at Blacktoft sands (OE32) – alongside “upper marsh” and “reedbeds”. Land closest to the site on the banks of the River Trent was mapped as a mosaic of “reedbeds” and “upper marsh”. These features would appear to be indicative of the features of H1130 ‘Estuaries’ and H1140 ‘Mudflats and sandflats not covered by</p>	N/A	Amber

	<p>seawater at low tide'. APIS records the "Estuary" feature as being associated with Atlantic upper-mid & mid-low salt marshes, stating "the lower level of 10 kgN/ha/yr should be applied to the more densely vegetated upper marsh (e.g. EUNIS class MA223, MA224) and to areas of marsh subjected to direct run-off from adjacent catchments (NRW recommendation). For pioneer saltmarsh (MA225) use the higher 20-30 kg N/ha/yr critical load". The salicornia pioneer saltmarsh (H1310) can therefore use the 20-30kgN/ha/yr range, reflecting its lesser sensitivity due to more frequent inundation.</p> <p>The applicant states (eg HRA 5.2.29, Ch 11 section 11.7.97) that "During the examination of the Keadby CCS Power Station DCO, Natural England initially advised that this species-poor riparian vegetation on the banks of the River Trent should be considered saltmarsh in the context of the Humber Estuary SAC and Ramsar site. However, following further review and discussion, it was agreed that this vegetation is not of a type listed as a qualifying interest feature of these sites". They state that the "pioneer saltmarsh [...] develops at the lower reaches of saltmarshes where the vegetation is frequently flooded by the tide, and can also colonise open creek sides, depressions or pans within saltmarshes, as well as disturbed areas of upper saltmarshes (JNCC, 2025). There is no niche for such vegetation on the River Trent at Keadby, where there is only a narrow band of intertidal mud that is fully covered by all tides and a sharp transition from this to dense perennial vegetation of common reed." Section 11.7.97 indicates that "the vegetation closest to the Proposed Development is considered to be transitional reedbed which is a species-</p>		
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	<p>poor plant community that is not sensitive to additional nitrogen. Further, the qualifying mudflat and estuary habitats present in the affected area are not sensitive to nitrogen deposition as they do not support vegetation”.</p> <p>While previous discussion agreed that the riverbank vegetation was not true “saltmarsh” in accordance with the estuary qualifying feature, it is not considered appropriate that the vegetation closest to the proposed development is not assigned a critical load – at least in screening - as it is within the designated Estuary, and, in the upper reaches could have potential for more diverse upper marsh/ reedbed vegetation to develop. For example, reedbed vegetation could be addressed under the “fen marsh and swamp” habitat class – as defined in APIS as “rich fen” (as acknowledged at HRA 5.3.35) – this habitat could also be appropriate for the saltmarsh/ reedbed mosaic at Blacktoft sands. The range for this is 15-25kgN/ha/yr. In the AA it may be appropriate to use a higher point in this range, recognising the extent of inundation at the most affected area – and concluding that this would not be appropriate for more sensitive habitat types to colonise. Inundation of the muddy substrate would be expected to add nutrients to the system beyond those from atmospheric pollution, indicating that the site may be less sensitive than “pristine” rich fen.</p> <p>Any argument that the area closest to the site would not have this potential, or that no more sensitive habitat could develop in the area should be provided within the appropriate assessment. However, on a precautionary basis, if the saltmarsh critical load (as the most</p>		
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		sensitive feature) is not applied at screening, the lower reedbed critical load should be used.		
NE10	Air Quality – Critical levels and loads	<p>Critical levels and loads for the sites in question are provided across several tables. In all cases, the annual NOx critical level of 30µg/m³ is appropriate.</p> <p>Humber estuary (Table 8.13/ Table 8A.19-21/ HRA Appendix E) has been assigned:</p> <ul style="list-style-type: none"> • ammonia critical level of 3µg/m³ - this is likely acceptable, but evidence should be provided that lichens/ bryophytes would not be integral to the “upper marsh/reedbed” communities adjacent to the site, or that there would be no potential for more sensitive features to be present in the most affected area. This may impact the assessment provided in section 8.6.21. (Receptor OE32 at Blacktoft Sands should also be considered). Where the relevant feature is frequently submerged it is accepted that bryophytes/ lichens will not be integral. • Ndep critical load of 20kgN/ha/yr – As indicated above, APIS indicates the lower critical load is 10kgN/ha/yr for the estuary/ upper saltmarsh features. This critical load should strictly be used at screening, as the most sensitive feature. In the appropriate assessment it may be appropriate to assign another critical load – for example, that for “fen marsh and swamp” of 15-25kgN/ha/yr, with justification if the higher point of that range is used. 	N/A	Amber

	<p>Risby Warren SSSI (operational assessment) is assigned an ammonia critical level of 1µg/m³ with which NE agrees.</p> <p>Hatfield Chase Ditches SSSI (construction traffic assessment) - Table 8A.19-21 indicates no critical loads or levels are available. This should be reassessed, as the “lowland ditch systems” contain wetland species and reeds, so could be assessed as a fen ecosystem (15-25kgN/ha/yr). Ammonia and NOx critical levels are also provided in APIS (bryophytes and lichens are likely to be integral in wetland ecosystems).</p> <p>Crowle Borrow Pits SSSI (construction traffic assessment) Table 8A.19-21</p> <ul style="list-style-type: none"> • ammonia critical level of 1µg/m³ with which NE agrees; NE note that table 8B14 in the operational assessment for this site has CLevel as 3ug/m³ which is not considered correct for the wet wood/ fen habitat. • Ndep critical load of 10kgN/ha/yr reflecting the broadleaved deciduous woodland with which NE agrees. <p>A range of operational receptor sites (table 8B.10) indicated that no critical levels or loads apply, without justification of the relevant features. Further information is required to provide justification for this indication.</p> <p>The Operational assessment (Table 8B.14) assigns ammonia critical levels of 3µg/m³ to several SSSIs, some</p>		
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		<p>of which are considered to have the potential to have bryophyte interest, which should be considered. Eg</p> <ul style="list-style-type: none"> • Crowle Borrow Pits SSSI - alder carr, scrub, fen and open water (the correct 1µg/m³ level is assigned in the construction traffic assessment) • Broughton Far Wood SSSI – ash and oak woodland with diverse understorey • Broughton Alder Wood SSSI – alder woodland with diverse understorey, including a carpet of mosses, as outlined in the citation <p>Humber Estuary (at Blacktoft Sands) Ramsar, SPA, SAC and SSSI would have a different range of features to the site immediately adjacent to Keadby, so may require a separate assessment as to whether bryophyte communities could be integral.</p>		
NE11	Air Quality – in-combination assessment	<p>It is unclear to what extent an in-combination assessment has been undertaken within the modelling informing the assessment.</p> <p><i>In combination construction traffic</i></p> <p>It is accepted that traffic numbers informing the traffic modelling in the construction assessment are intrinsically in-combination. However, it is unclear whether other sources that could overlap temporally or spatially with the vehicle emissions are considered. For example, non-traffic emissions from agricultural or industrial developments close to the protected sites adjacent to the road. 8A.2.5 suggests that in-combination (cumulative) projects (as</p>	N/A	Amber

		<p>outlined in Ch 21) are considered in the construction assessment “where relevant” but not which emissions were added to the construction (and/or operational) modelling.</p> <p>In addition, Ch21 (table 21.6) acknowledges that projects including Humber Carbon Capture Pipeline, Moors Solar Farm, Palfrey Solar Farm and North Humber to High Marnham could result in in combination construction traffic, but the applicant screened this out due to mitigation and control measures (though these would not impact traffic numbers). It is unclear whether these projects were nevertheless included in the traffic modelling.</p> <p>The traffic modelling is stated (App 8A) to have been undertaken in accordance with the method set out in DMRB LA 105. NE does not consider this method is appropriately precautionary to assess ecological impacts. For example, in-combination impacts should be considered before confirming <1%.</p> <p><i>Operational assessment</i></p> <p>For the operational assessment, it is stated (e.g. in 8B.2.21) that “There are no short-listed schemes with significant sources of combustion gases that require dispersion modelling, and therefore no further consideration of these schemes is carried out in this Chapter”. NE would require confirmation that all relevant emission sources are included (including traffic and waste emissions during operation for example) and not just combustion gases.</p> <p>There also appears to be acknowledgement of potential in-combination impacts in Ch21. For example, ammonia and</p>		
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		<p>N dep impacts are identified at Risby Warren SSSI arising from North Lincolnshire Green Energy Park alongside the proposed development, so it is unclear why these are not included in the in-combination assessment, despite mitigation being in place to reduce emissions to the SSSI. HRA App F indicates, regarding North Lincs Green Energy Park that the HRA Report for this development “considered Keadby CCS which is comparable with the Proposed Development. In reaching a decision the SoS concluded that, alone or in-combination, an Adverse Effect on Integrity of the relevant European Sites can be excluded beyond all reasonable scientific doubt. Given this conclusion and the currentness of the decision, there is no reason to re-visit this in relation to the Proposed Development”. It is understood that should the proposed development go ahead, Keadby CCS would not – but this does not appear to be stated explicitly in the main body of the assessment, and if relevant, should be applied to the assessment of impacts at Risby Warren SSSI as well as the European sites.</p> <p>The AA indicates that “the AQ assessment was undertaken in-combination from the outset” (HRA 6.3.3) – however, as indicated above, it does not appear that relevant industrial in combination projects were scoped into the modelling, or that the search for possible projects included potentially relevant applications, such as agricultural developments in the area. This should be explored over the course of the examination.</p>		
NE14	Air Quality - Construction	The assessment process outlined in 8.3.14 is appropriate, and in accordance with IAQM guidance. It is noted that	We note that the DCO secures the Construction Environmental	Yellow

	dust assessment	<p>unmitigated impacts are considered, which is the requirement for HRA.</p> <p>NE agrees with the pre-mitigation high risk to the Humber Estuary and Crowle Borrow Pits SSSI (Section 8.6 in ES and App8A). The mitigation proposed is acceptable, but must include measures specifically to mitigate impacts at the two protected sites, and monitoring to ensure this is effective.</p> <p>NE disagrees with the assessment in the HRA (5.2.31 and Ch 11 para 11.7.8) that there would be no LSE to the Humber Estuary – as the pollutant could reach the designated site and potentially smother qualifying vegetation. However, the argument provided that any dust would add trivial amounts to the existing high sediment load already carried by the estuary and would be removed with tidal cycling is accepted, and with mitigation proposed in the CEMP (assuming the required monitoring is put in place) it is accepted that there would be no AEOI on the un-submerged reedbed/ marsh vegetation of the estuary.</p>	Management Plan within Requirement 17, Schedule 2 and welcome this.	
NE15	Air quality - Construction traffic assessment	<p>Ch 8, App8A and Ch 11 - (Comments on the in-combination assessment also apply to this assessment. It is unclear if the conclusions reached apply in-combination with all other relevant developments in the area).</p> <p>It is acknowledged that ammonia has been included as an emission from traffic, both in its own right and as a component of Ndep. Ch 8 indicates that the CREAM tool was used to calculate ammonia emissions. However, elsewhere (e.g. 8A.4.10 and Table 8.6) it is indicated that the National Highways tool is used – and Table 8.6 also</p>	N/A	Amber

	<p>indicates CREAM is a NH tool. This should be clarified, as these are two separate tools.</p> <p>NE agrees that SO₂, CO, benzene, and 1,3-butadiene can be excluded from further assessment (Ch 8 – para 8.3.20) as critical levels would not be exceeded.</p> <p>The use of the IAQM AADT threshold for screening is acceptable, though consideration of any roads where traffic numbers could result in >1% of the relevant critical load (alone or in combination) would be more precautionary. Use of the more precautionary traffic numbers in the PEIR for AQ modelling are acknowledged, despite lower numbers being modelled for the ES traffic assessment. Use of the 2030 emission factor data for the 2036 construction/ opening year is also acknowledged as precautionary. NE accepts that most vehicle movements would be >200m from the protected sites so would not require assessment.</p> <p>The conclusions of the construction traffic assessment (App8A Table 8A.19-21 and ES Section 8.6) are that predicted NO_x, nitrogen deposition, ammonia and acid deposition would be less than 1% of the lower critical load for all receptors assessed (Humber Estuary, Hatfield Chase Ditches SSSI and Crowle Borrow pits SSSI) – or that critical loads and levels are not appropriate. As indicated previously, NE does not agree that Hatfield Ditches SSSI, adjacent to the construction traffic route, does not have relevant critical levels/ loads (e.g. the APIS backgrounds should be included in Table 8A.18). Therefore, at present NE cannot agree that LSE can be excluded, where the project alone would lead to <1% of the critical level/ load for the most sensitive qualifying feature. This would also affect</p>		
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		<p>the conclusion reached at HRA 5.2.66 that there would be no impact on foraging resources of the Humber estuary SPA birds, through atmospheric pollution affecting habitat structure and function to the detriment of fish and invertebrate prey species. However, assuming further evidence to demonstrate that the conclusion is based on a robust in-combination assessment is provided NE could agree that no further assessment of the protected sites assessed would be required and there would not be LSE/ harm to the protected sites.</p> <p>NE also agrees that the impact of waterborne abnormal loads along the River Trent (Section 8.6.8) is likely to be negligible as assessed due to the low numbers involved. However, these should be outlined and emissions estimated (e.g. fuel used by barges could have an adverse effect if it is highly sulphurous, or using ammonia as a fuel, potentially). It is assumed that road-delivered abnormal loads are included in the assessment of construction traffic so would not require additional assessment.</p>		
NE16	Air Quality – Construction plant/ NRMM assessment	<p>Ch 8, App8A and Ch 11 and HRA - The assessment was limited to receptors within 200m of the plant (ES chapter 8 - 8.3.18). Although this is likely to be appropriate for many items of plant (vehicles such as diggers, dozers etc which would be anticipated to impact over a short distance given the location of exhausts etc), others such as generators could be anticipated to have an impact over a greater distance. It should be confirmed whether such plant is proposed, and any evidence that 200m is an appropriate distance for such combustion equipment. NEs standard screening distance for general combustion</p>	N/A	Amber

		<p>processes is 500m, or 2km, depending on the nature of the source.</p> <p>The assessment of construction plant in the ES Section 8.6/ App8A does not refer to ecological receptors, but it is unclear whether this is because there were none in the relevant 200m, despite the red line boundary being adjacent to the Humber Estuary.</p> <p>The HRA (5.2.40) does confirm that there would be no construction activities requiring plant and NRMM within the 200m screening distance so there is no requirement to consider non-road machinery and plant. The closest construction activity to the European Sites is for the Proposed Canal Water Abstraction and this is located 600m west of the River Trent.</p>		
NE18	Air quality-Operational emissions	<p>Ch 8, App 8B, Ch 11 and HRA - The modelling used appears acceptable, though NE does not comment on modelling approach/ setup. Use of 5 years met data, and incorporation of buildings and topography in the model are acknowledged. The worst-case parameters are considered acceptable within the Rochdale envelope approach, and the sensitivity testing for stack height acknowledged.</p> <p>Confirmation should be sought that “improved dispersion” provided by a taller stack would not lead to potentially significant impacts at protected sites that are further from the development, where a shorter stack with lesser dispersion would result in lower pollutant levels (though the nature of dispersion over a wider area means this is an unlikely scenario).</p>	N/A	Amber

		<p>Uncertainties in “final” emissions, and the need for further modelling of the final layout are acknowledged – but it is assumed that there will be requirement in the DCO that emissions will be no greater than assessed in the ES (regardless of the requirement also for an environmental permit).</p> <p>Key remaining questions around the assessment are:</p> <ul style="list-style-type: none"> • Whether amines will be emitted as part of the process, and if so if they have been considered in deposition calculations – it is assumed they are not emitted as there is no intention to capture CO₂ from the process (due to H₂ combustion being intended). • Whether the in-combination assessment is robust and includes all possible emission sources including e.g. local plan allocations and agricultural projects that could affect the same protected sites. • Whether the results presented in App8B cover the project alone or in combination – it is assumed they are alone (see note on in-combination assessment). <p>The assessment of significance level (impact descriptors in table 8.7) is acceptable for the ES, but it must be noted that consideration of harm or AEOI for SSSI and Habitats Sites respectively should be addressed separately. (Text at 8.3.48 refers to Table 8.8 and 8.3.56 to table 8.6, whereas the relevant table is 8.7. In this table, it is unclear what a % change of e.g. 1.5% would class as, as it is between the “very low” and “low” categories).</p> <p>It should be noted that NE does not consider 1% to be “insignificant” as stated in 8.3.55 – unless the total in-</p>		
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		<p>combination addition of pollution to a protected site is less than 1%. 1% is a trigger for further assessment to be undertaken because there is a noticeable amount of pollution, reflecting uncertainties in modelling/ rounding errors etc arising at much smaller percentage changes. A 1% addition could in fact be significant in some circumstances.</p>		
NE19	<p>Air quality - Operational emissions – NOx and ammonia results</p>	<p>Ch 8, App 8B, Ch 11 and HRA -</p> <p>NOx assessment (Table 8B.13):</p> <p>Project alone would result in PC of 2.7% at Humber Estuary but <1% for all other statutory receptors (including Thorne & Hatfield Moors SAC/SPA). In combination assessment therefore required for other receptors. All receptors are < NOx critical level, so likely to be able to exclude AEOI even if there is LSE.</p> <p>Ammonia assessment (Table 8B.14):</p> <p>Project alone would result in PC >1% at Humber Estuary and Risby Warren SSSI. It is <1% at other SSSIs (including Thorne & Hatfield Moors SAC/SPA) but that is based on a critical level of 3µg/m³ at Crowle Borrow Pits SSSI where bryophytes are likely to be integral (see separate section on critical levels) which could result in >1% alone. In combination assessment and consideration of critical levels required before discounting harm at other sites.</p> <p>The conclusion in Ch 8 that the addition of 1% of the ammonia critical level at Risby Warren SSSI is “not significant” is not justified in ecological terms – especially as Risby warren SSSI is exceeding its ammonia critical</p>	N/A	Amber

		<p>level. This is not considered in Chapter 11 either (only the Ndep assessment is considered for this protected site).</p> <p>Although the background on APIS for the Humber Estuary is below 70% of the 3µg/m³ critical level (approx. 2µg/m³ which is 66% of the higher critical level – so the PEC is 67% - per Table 8B.14), given the uncertainty around in combination impacts, it would be precautionary to give more consideration to this pollutant at Humber Estuary.</p>		
NE20	Air Quality - Operational emissions – Nitrogen deposition and acid deposition results	<p>Ch 8, App 8B, Ch 11 and HRA -</p> <p>N deposition assessment (Table 8B.15):</p> <p>Project alone would result in PC>1% at Humber Estuary, Crowle Borrow Pits SSSI and Risby Warren SSSI. In combination assessment required before discounting harm at other sites.</p> <p><i>Detailed assessment of Humber Estuary Ndep -</i> Consideration of the qualifying features at Humber Estuary is addressed in our response to earlier questions. We do not consider sufficient evidence is provided to exclude the qualifying habitat types from ever being present adjacent to the site or at Blacktoft sands (either upper saltmarsh or reedbed/ rich fen habitat types). This could affect the conclusions. For example, the Blacktoft Sands Receptor OE32 has a PC of 0.09kg N/ha/yr, which represents 0.9% of the ‘Atlantic upper-mid & mid-low salt marshes’ lower Critical Load (11.7.98). Consideration of in-combination impacts in that area is therefore likely to be key. Also, if the “rich fen” critical load is adopted, this could be 15kgN/ha/yr,</p>	N/A	Amber

	<p>meaning the PEC of 16.7kgN/ha/yr adjacent to the site (Table 8B.15) is exceeding the lower end of this range.</p> <p><i>Detailed assessment of Crowle Borrow Pits SSSI Ndep –</i> The assessment of the unfavourable condition of the site and existing high Ndep levels are not considered sufficient to be able to exclude impact. However, it is acknowledged that the site is floodplain wet woodland so input from sources other than atmospheric Ndep will likely dominate, and also there does appear to be a general trend in declining Ndep in the area. Although it is likely that there would not be harm arising from Ndep, some further assessment (for example, whether the proposed development would result in a <1year retardation of recovery) or mitigation to avoid impacts are recommended (especially having regard to in combination impacts).</p> <p><i>Assessment of Risby Warren SSSI Ndep –</i> The assessment of the impact at Risby Warren SSSI is not considered to justify that there will not be harm arising. Adding additional Ndep onto an already exceeding site will not allow recovery of the designated features (lichen heath/ acid grassland). (11.7.113 indicates that elements of the qualifying feature (lichen heath) of particular sensitivity to nitrogen deposition have already been lost due to the existing baseline load – indicating that adding more will take the site further from recovery). If harm cannot be excluded (including in-combination with other plans or projects), consideration of additional mitigation could be taken into account – such as ensuring emissions of N pollutants are kept below a set amount through decreased</p>		
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		<p>ELVs or reduced consented hours (as suggested at 8B.5.35).</p> <p>Acid deposition assessment – (table 8B.16):</p> <p><1% at all receptors. At present NE does not agree that LSE from acid deposition at the Humber Estuary can be excluded due to uncertainty of the in-combination impact. (HRA 5.3.20). However, assuming in-combination impacts are considered, it is accepted that there is no requirement for further assessment of acid deposition.</p>		
NE21	Water Quality - Boat Movements (C)	HRA 5.2.54. We advise that the measures taken to avoid or mitigate pollution of the water environment from boat traffic and unloading of cargo should be outlined and the effectiveness of those measures assessed in the HRA.	N/A	Yellow
NE22	Water Quality – Cofferdam, Construction (C)	HRA 5.2.55, Water Environment and Flood Risk 12.7.3. We note that it is outlined in the Water Environment and Flood Risk Assessment that while in use, any water entering the cofferdam area via seepage will be disposed of by pumping back into the waterbody. Details should be provided on how water contaminated by pollutants, such as via an oil spillage, will be contained and disposed of such that pollutants are not released into the surrounding canal.	Methods for preventing pollution from the cofferdam can be secured in the Construction Environmental Management Plan within Requirement 17, Schedule 2 of the DCO	Amber
NE23	Water Quality – Pollution Prevention (C&O)	HRA 5.2.61, 5.3.47 and OWMP C.4.6. Bunded storage areas for hazardous materials should be sited above any potential flood water level, including tidal storm surge type events which could result in overtopping or breach of defences, to minimise the risk of a spill entering the water environment.	Details of bunded storage area locations can be detailed in the means of pollution control within the Construction Environmental Management Plan is secured in DCO Requirement 11, Schedule 2.	Amber

NE24	Water Quality – Drain infilling (C)	Chapter 12 Water Environment and Flood Risk 12.6.25. It is stated in the Chapter 12 that it is anticipated that several drains will be fully or partially infilled and that "Measures are outlined in the Outline CEMP (Application Document Ref. 7.4) to mitigate potential impacts to the water bodies downstream of the drains (12.6.25)". The CEMP, however, does not contain any details of these measures. We advise that the potential impacts of drain infilling on the designated sites downstream should be assessed in the HRA and any mitigation measures needed should be outlined.	We note that the DCO secures the Construction Environmental Management Plan within Requirement 17, Schedule 2 and welcome this. The CEMP must include details of the impact of drain infilling.	Amber
NE25	Water Quality - Surface Water Drainage (O)	<p>HRA 5.3.46. We agree with the conclusion that the surface water pollution pathway has been screened in for appropriate assessment, due to lack of information currently available on the design.</p> <p>Section 5.3.48 implies that Sustainable Drainage Systems (SuDS) will not be used if the option to discharge surface water to Glew drain is chosen. Chapter 12 (12.6.43) however outlines that "The proposed surface water drainage system is to include the use of SuDS to provide treatment of runoff from areas where there is a low risk". We advise that SuDS should be used and that the HRA should clarify this.</p> <p>We note that details of the surface water monitoring program will be submitted at the permitting stage and that this information will inform the permit HRA.</p>	We note that requirement for details of both temporary and permanent surface water drainage systems is secured in DCO Requirement 11, Schedule 2 and welcome this.	Yellow
NE26	Water Quality - Surface Water Drainage (O)	<p>HRA 6.4 (Appropriate Assessment)</p> <p>6.4.6 When designing the SuDS you must provide adequate treatment trains for the level of risk associated</p>	We note that requirement for details of both temporary and permanent surface water drainage systems is secured in DCO Requirement 11,	Yellow

		<p>with the site use. As the surface water will be discharged to a drain which flows into the Humber Estuary SAC/SSSI, a precautionary approach must be used to ensure that pollutants will not reach the designated site.</p> <p>The details of these measures will be needed to inform the HRA for the surface water discharge permit application to demonstrate no adverse effect on integrity of the designated sites.</p>	<p>Schedule 2. Details of SuDS design and pollution prevention can be provided here.</p>	
NE27	Water Quality - Effluent Discharge (O)	<p>HRA 6.4.11. The Appropriate Assessment concludes that "there will be no adverse effect on the integrity of the relevant European Sites as a result of water pollution impacts on qualifying habitats and species during operation of the Proposed Development". Natural England advises that the HRA currently contains insufficient information to support this conclusion. We do not agree that compliance with the parameters of the CCS Environmental Permit (EPR/YP3133LL/V013) is sufficient to demonstrate no adverse effect of integrity of the designated site. We therefore advise that further information is required to demonstrate no adverse effect on integrity of the site, including in the following areas:</p> <ul style="list-style-type: none"> • Pollutant levels in effluent discharge (including biocides) • Thermal plume modelling • Discharge water volume 	<p>We note that requirement for details of the foul water drainage system is secured in DCO Requirement 12, Schedule 2.</p>	Amber
NE28	Protected species -	<p>As a licence to displace water voles is considered likely (as stated in section 4.3. Protected Species Licences) Natural</p>		Green

	Licence for works impacting water vole	<p>England recommend that as per published guidance the applicant considers applying for Letters of No Impediment to assist the decision-maker.</p> <p>The use of the class licence CL31 should be considered where the conditions are applicable.</p>		
NE29	Protected species - Badger mitigation strategy	<p>Environmental Statement Volume II – Appendix 11D Badger Survey Report.</p> <p>As works to align an existing pipeline to be used for the Cooling Water Discharge will occur within the land parcel where Setts 9 and 10 are located, Natural England advise considering whether a licence will be required to complete these works.</p> <p>As detailed in Section 11D.5.8, Natural England recommend completing updated badger surveys before works begin to identify if any new badger setts have been created, or that if a badger licence is required, we will expect a site survey to have been completed within six months prior to a licence application being submitted.</p> <p>If further documents are to be submitted to Natural England for comment, we recommend providing maps/figures that show the development layout in relation to the locations of the identified badger setts to evidence that badgers will still have access to foraging habitat during and post-development. It would be helpful to include 10m, 20m and 30m buffer zones around each sett on these maps/figures to support the justification that the setts will not be impacted by the development works.</p>		Yellow

NE30	Protected species - Impacts to badgers	Plate 1 of the Outline Lighting Strategy shows that works will be completed in close proximity to Setts 9 and 10. If any lighting needs to be installed to undertake these works, the lighting design should be planned to avoid impacts to the setts and any mammal paths as much as possible.		Amber
NE31	Protected species – Impacts to bats	<p>It was noted that bat surveys were referenced from the year 2020 and that no surveys have been carried out in the last two years. Natural England’s standing advice states that surveys “[...] be carried out in the most recent, appropriate season – except if licensing policy 4 is used”</p> <p>We suggest the Applicant check to see if a mitigation licence is required using NE guidance on licencing NE wildlife licences. Applicants can also make use of Natural England’s (NE) charged service Pre Submission Screening Service for a review of a draft wildlife licence application. NE then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate National Infrastructure Planning for details of the LONI process.</p> <p>The ES should assess the impact of all phases of the proposal on protected species and consideration should be given to the wider context of the site, for example in terms</p>		Grey

		<p>of habitat linkages and protected species populations in the wider area.</p> <p>The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.</p> <p>Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.</p>		
NE32	Biodiversity net gain	<p>We welcome the commitment to delivering BNG on this project. We recommend that the target increase in BNG of 10% across all biodiversity unit types is secured by a suitably worded requirement in the DCO.</p> <p>By reviewing the project's biodiversity gain plan at this early stage, it gives us an opportunity to help maximise outcomes and reduce risks.</p> <p>In particular the commitment to delivery of 30.16% in hedgerow units is welcome. We also note and welcome the connectivity of newly delivered habitats with the LWS.</p> <p>An improvement that could be considered is the current proposal to maintain the habitats for a minimum period of</p>	<p>We note that the commitment to incorporation of BNG is secured within Requirement 6, Schedule 2 of the DCO and welcome this. Recommendations for the wording are included in Part III of this letter.</p>	Grey

		25 years. We recommend 30 years is committed to, in line with best practice.		
NE34	Ancient woodland and ancient/veteran trees	<p>Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 186 of the National Planning Policy Framework (NPPF) sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.</p> <p>Please refer to Overarching National Policy Statement for Energy (EN-1), paragraph 5.4.53, which states “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 veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists”</p> <p>In our Relevant Representation we noted that the ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement. Chapter 11 Biodiversity and Nature Conservation (dated 22 September 2025) identified the presence of veteran or ancient trees within the application boundary, and we previously referred to the policy in the Overarching National Policy Statement for Energy (EN-1) for irreplaceable habitats. However the Applicant has since provided an updated version of</p>		Yellow

		Chapter 11 to Natural England, which states in Table 11.2 that North Lincolnshire Council have visited the site and have confirmed T145 and T149 are not veteran trees and T152 and T154 are not ancient trees. Updates have also been provided to the outline LBMEP to reflect this clarification. Therefore, provided these updated documents are uploaded as part of the examination, we consider this matter to be addressed.		
NE35	In-Combination Impact Assessment	While there is some level of justification on the scoping out of projects for cumulative impacts, further information is required from the Applicant for a number of thematic areas, especially relating to air quality. We note that there is reference to the Outline CEMP (Doc. Ref. 7.4.) but as it currently stands this does not provide a level of detail to demonstrate cumulative impacts will be negligible. Without this information NE do not yet fully understand the impacts of Keadby Next Generation Power Station on the designated site. We advise that the in-combination assessment is updated to fully consider thematic impacts and the lack of information provided by the Outline CEMP.		Amber
NE36	Climate change	Natural England is committed to helping deliver more renewable and low carbon energy in a sustainable manner which avoids adverse impacts on the natural environment. As the government's adviser on the natural environment, climate change is central to NE's work. Climate change is a profound threat to nature and people. The natural environment is experiencing the impacts of climate change and needs to recover, adapt to change and build resilience. Sustainable development can and should contribute to net zero through supporting nature recovery and climate		Grey

		<p>change mitigation and adaptation, helping both nature and people adapt, through Nature-based Solutions.</p> <p>National Policy Statement (NPS) EN-1 sets out strong support for the use of Nature-based Solutions and nature inclusive design, including nature-based solutions being used alongside conventional techniques (4.10.5) and that Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning (5.3.6).</p> <p>NE advises that schemes should deliver 'high nature, low carbon', recognising that the climate and nature crises are inextricably linked, and both emergencies must be tackled together. Renewable and low carbon energy development should not be delivered at the expense of the natural environment.</p>		
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