



Planning  
Inspectorate

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

## **Proposed Keadby Next Generation Power Station Project**

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

Planning Inspectorate Reference: EN0110001

19 May 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 RIES QUESTIONS.....	2
1.4 HRA MATTERS CONSIDERED DURING THE EXAMINATION .....	2
<b>2 LIKELY SIGNIFICANT EFFECTS</b> .....	<b>4</b>
2.1 EUROPEAN SITES CONSIDERED .....	4
2.2 POTENTIAL IMPACT PATHWAYS.....	1
2.3 IN-COMBINATION EFFECTS .....	3
2.4 THE APPLICANT'S ASSESSMENT .....	4
2.5 EXAMINATION MATTERS.....	4
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 EXAMINATION MATTERS.....	11
3.4 SUMMARY OF EXAMINATION OUTCOMES IN RELATION TO ADVERSE EFFECTS ON INTEGRITY.....	15
<b>4 CONCLUDING REMARKS</b> .....	<b>16</b>
<b>ANNEX 1 EXA'S UNDERSTANDING OF POSITION AT POINT OF RIES PUBLICATION</b> .....	<b>17</b>

# 1 INTRODUCTION

## 1.1 Background

- 1.1.1 Keadby Next Generation Limited ('the applicant') has applied for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 (PA2008) for the proposed Keadby Next Generation Power Station Project ('the proposed development'). On behalf of the Secretary of State for Housing, Communities and Local Government, an Examining Authority (ExA) has been appointed to conduct an examination of the application. The ExA will report its findings and conclusions and make a recommendation to the relevant Secretary of State as to the decision to be made on the application.
- 1.1.2 For applications submitted under the PA2008 regime, the relevant Secretary of State 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 Secretary of State 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 (11 May). 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](#).
- 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.
- 1.1.5 For ease of reading, this RIES also collectively uses the term 'European site' for European sites as defined in The Habitats Regulations 2017. 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.
- 1.1.6 This RIES is issued to ensure that IPs including the Appropriate Nature Conservation Body (ANCB), which in this case is Natural England (NE), is consulted formally on Habitats Regulations matters. This process may be

relied on by the Secretary of State for the purposes of regulation 63(3) of The Habitats Regulations.

- 1.1.7 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 Secretary of State.
- 1.1.8 Following consultation, the responses will be considered by the ExA in making its recommendation and made available to the Secretary of State along with this report. The RIES will not be revised following consultation.

## 1.2 Documents used to inform this RIES

- 1.2.1 The applicant's Habitats Regulations Assessment (HRA) Report ('the HRA Report') comprised the following document:
  - Habitats Regulations Assessment Appropriate Assessment [APP-153], updated at DL1 [REP1-007], DL3 [REP3-007] and DL4 [REP4-009]
- 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, risk and issues logs, Principle Areas of Disagreement Statements (PADS), and other examination documents as relevant. All documents can be found in the Examination Library. When referring to matters raised by NE, this report follows the referencing in NE's risk and issues logs and PADS ("NE1" and "PADS2"), followed by the document unique reference number in the Examination Library.

## 1.3 RIES questions

- 1.3.1 This RIES contains questions predominantly targeted at the applicant and NE, which are drafted in **teal, bold text**.
- 1.3.2 The responses to the questions posed within the RIES and comments received on it will be of great value to the ExA in understanding IPs' positions on Habitats Regulations matters. It is stressed that responses to other matters discussed in the RIES are equally welcomed. In responding to the questions, please refer to the ID number.
- 1.3.3 Comments on the RIES are timetabled for DL5 (9 June 2026).

## 1.4 HRA Matters Considered During the Examination

- 1.4.1 The examination to date has focussed on the following matters:
  - Consideration of additional impact pathways (such as emissions from waterborne abnormal loads, and impacts of drain infilling).
  - The scope of the in-combination assessment (particularly in relation to air quality).

## Report on the Implications for European Sites for Keadby Next Generation Power Station Project

- Modelling and conclusions in relation to adverse effects to the Humber Estuary SPA and Ramsar site from noise disturbance to birds.
- Modelling and conclusions in relation to likely significant and adverse effects to European sites from atmospheric pollution.
- The adequacy of the mitigation proposed for water pollution effects.

## 2 LIKELY SIGNIFICANT EFFECTS

### 2.1 European sites considered

#### Introduction

- 2.1.1 The proposed development is not connected with or necessary to the management for nature conservation of any European site.
- 2.1.2 The HRA Report (paragraph 5.2.1 [REP4-009]) explains that a radius of 15km from the order limits was applied initially to identify sites for inclusion in the assessment, and that owing to the nature and location of the proposed development there are no likely impact pathways on European Sites located at a distance greater than 15km from the proposed development.

#### Sites within the UK National Site Network

- 2.1.3 The applicant's HRA Report [REP4-009] identified six European sites within the UK National Site Network (NSN) for inclusion within the assessment. These are listed in section 5.2 of the HRA Report and are as detailed in table 2.1 below.

**Table 2.1: European sites in the UK NSN identified in the applicant's HRA Report [REP4-009]**

Name of European site	Distance from proposed development
Humber Estuary SAC	1.3km
Humber Estuary Ramsar site	1.3km
Humber Estuary SPA	9.8km
Thorne Moor SAC	5.5km from proposed construction activities (use of the access road off the A18) and 6.3km from the main site
Hatfield Moor SAC	8.2km from the closest proposed construction activities (replacement of Mabey Bridge) and 10.4km from the main site
Thorne and Hatfield Moors SAC	5.5km from the closest proposed construction activities (use of the access road off the A18) and 6.3km from the main site

- 2.1.4 The locations of these sites relative to the proposed development are depicted on Figure 2 of the HRA Report [REP4-009].
- 2.1.5 The HRA Report (paragraph 5.2.6) [REP4-009] states that the European sites of relevance were agreed with Natural England (NE) via the Scoping Opinion (ES Appendix 1B [APP-059]). 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 Section 4 of the HRA Report [REP4-009] details the potential impacts from the proposed development, along with the potential geographical extent of effects. Tables 1 and 2 of the HRA Report list the sites, qualifying features, and the impact pathways which could affect them.

**Table 2.2 Pathways for likely significant effects (LSE) assessed by the applicant**

European site	Feature or feature group	LSE pathway
Humber Estuary SPA and Ramsar site	Bird features	<ul style="list-style-type: none"> <li>Noise and visual disturbance</li> <li>Temporary or permanent impacts on foraging resources for qualifying species features</li> <li>Atmospheric pollution to supporting habitats</li> <li>Water pollution</li> </ul>
Humber Estuary SAC and Ramsar site	Lamprey	<ul style="list-style-type: none"> <li>Temporary or permanent impacts on foraging resources for qualifying species features</li> <li>Atmospheric pollution</li> <li>Water pollution</li> <li>Fish mortality, entrapment and barriers to movement</li> </ul>
Humber Estuary SAC and Ramsar site	Habitats	<ul style="list-style-type: none"> <li>Atmospheric pollution</li> <li>Water pollution</li> </ul>
Thorne Moor SAC and Hatfield Moor SAC	Degraded raised bogs	<ul style="list-style-type: none"> <li>Atmospheric pollution (operation)</li> </ul>
Thorne and Hatfield Moor SPA	European nightjar (breeding)	<ul style="list-style-type: none"> <li>Atmospheric pollution (operation) to supporting habitats</li> </ul>

2.2.2 The HRA Report assesses the potential impacts during construction, operation and maintenance, and decommissioning. The applicant considered that all potential impacts during the decommissioning phase would be similar to, and potentially less than, those outlined in the construction phase [REP4-009].

2.2.3 During the examination, NE queried whether additional impact pathways should be assessed:

- It initially argued that impacts of emissions from waterborne abnormal loads along the River Trent should be estimated (NE15 [RR-013]). The applicant [REP1-028] explained that the number of ship movements would be significantly below the thresholds for assessment set out in guidance (LAQM TG(22)) and NE confirmed [REP3-034] this satisfied its concerns.
- NE also queried (NE18 [RR-013]) whether the proposed development would emit amines and the applicant confirmed [REP1-028] it would not.
- NE (NE4 [RR-013]) argued that the applicant had not considered the impact of discharged water and sediment movement on forage resource for birds and lamprey in the River Trent which could affect the Humber Estuary SAC (lamprey), Ramsar (lamprey and birds) and SPA (birds). The applicant updated the HRA Report at DL1 (paragraph 6.3.60 [REP1-007]) to clarify that the proposed development would not alter sediments loads or transportation relative to the baseline within the turbid estuary. Following this update, NE considered the matter resolved [REP2-010] [REP3-033].
- The applicant anticipates that several drains will be fully or partially infilled. NE (NE24 [RR-013]) advised that the potential impacts of drain infilling on the Humber Estuary SAC and Ramsar site should be assessed in the HRA. The applicant clarified that there would be no plausible impact on the Humber Estuary sites due to a lack of connectivity / highly convoluted link [REP1-028]. Following this update, NE considered this matter resolved [REP3-033].
- NE (NE5 [RR-013]) advised that visual disturbance from lighting could adversely impact lamprey migration along the River Trent. The applicant amended the HRA Report at DL1 to consider the pathway and concluded that visual disturbance should be screened in (paragraph 6.2.20 [REP1-007]). Following this update, NE considered this matter resolved (and confirmed it agreed with the conclusion of no adverse effects on integrity (AEOI)) [REP2-010] [REP3-033].

2.2.4 In summary, given the resolution of these matters, the only additional impact pathway identified for consideration in the HRA was visual disturbance from lighting on lamprey species (features of the Humber Estuary SAC and Ramsar site).

## 2.3 In-combination effects

- 2.3.1 Section 8 of the HRA Report [REP4-009] details the applicant's approach to assessing in-combination effects. In specific relation to construction and decommissioning traffic air quality impact assessment, the methodology already intrinsically considers potential in-combination effects with other plans and projects. The wider construction, operational and decommissioning air quality impact assessments accounted for the operational Keadby 2 Power Station and other relevant consented operational schemes within the baseline. More broadly, the other plans and projects of potential relevance to the in-combination assessment are detailed in Appendix F [REP4-009]. However, the applicant concludes these are of insufficient scale and/or located at too great a distance from the relevant European sites to be likely to interact with the proposed development cumulatively. Based on the information given in Appendix F, the applicant concludes that there are no likely in-combination effects associated with the proposed development, and this can be screened out of Appropriate Assessment (paragraph 8.1.8 [REP4-009]).
- 2.3.2 NE (NE11, NE15, NE35 [RR-013]) accepted that the traffic numbers informing the construction traffic modelling were intrinsically in-combination but queried whether other non-traffic sources of emissions had been considered in the construction emissions modelling, seeking a full list of projects considered. Similarly, NE (NE11 [RR-013]) required confirmation that all relevant emissions sources had been considered in the in-combination operational air quality assessment (including traffic and waste emissions for example, not just combustion gases). NE advised that further information was required to justify scoping out of projects for in-combination effects, especially relating to air quality (NE35 [RR-013]).
- 2.3.3 The applicant explained the criteria it used to identify developments for the in-combination longlist, which was based on spatial radius and included any type of development (not limited to traffic emissions) [REP1-028]. It clarified that operational traffic emissions are scoped out due to the low numbers of operational vehicles. The applicant also updated the HRA to clarify which elements of the assessment are intrinsically in-combination from the outset (paragraphs 6.2.32, 7.4.2, 8.1.3 [REP1-008]).
- 2.3.4 NE requested that the HRA assessment be updated to include: confirmation of the applicant's search criteria used in identifying the relevant in-combination projects for assessment; a standalone in-combination air quality schedule, including which projects were considered in the construction phase and at the operational phase (NE11 [REP3-033]).
- 2.3.5 The applicant updated the HRA Report at DL3 [REP3-007] to signpost to Annex 8B3 of ES Appendix 8B Air Quality Operational Assessment [REP3-017], which aims to address NE's comments.
- 2.3.6 In response to ExAQ1.0.4 [PD-008], NE confirmed [REP3-034] that this matter had now been addressed in the revised HRA.
- 2.3.7 To summarise, no additional plans or projects have been identified for consideration in the examination to date.

## 2.4 The applicant's assessment

- 2.4.1 The applicant's conclusions in respect of screening are presented in section 6 of the HRA Report [REP4-009].

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

- 2.4.2 The applicant concluded that the proposed development would not be likely to give rise to significant effects, either alone or in-combination with other projects or plans, on all qualifying features of the Thorne Moor SAC, Hatfield Moor SAC, and Thorne and Hatfield Moors SPA.
- 2.4.3 The applicant's conclusions of no LSE with respect to the sites above were questioned by NE during the examination, although these were considered resolved by DL4 (see Table 2.3 below for further details).

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

- 2.4.4 The applicant concluded that the proposed development has the potential to give rise to likely significant effects, either alone or in-combination with other projects or plans, on one or more of the qualifying features of the Humber Estuary SAC, SPA and Ramsar site.
- 2.4.5 The qualifying features and LSE pathways screened in by the applicant are detailed in section 6 of the HRA Report [REP4-009] and set out in annex 1 table A1 of this RIES.
- 2.4.6 The applicant's decision to exclude certain LSE impact pathways were disputed by NE and questioned by the ExA during examination (see Table 2.3 below). However, as set out below, all HRA matters were considered resolved between the two parties by DL4.

## 2.5 Examination matters

- 2.5.1 Matters raised to date in relation to LSEs screened out by the applicant are summarised in table 2.3 below.

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

ID	Potential impact pathway	Details of issue	ExA observation / question
<b>Humber Estuary SAC, Ramsar site, and SPA</b>			
2.3.1	Atmospheric pollution (construction and operation)	<p>NE (NE9, NE10 and NE20 [RR-013]) questioned whether the habitats (upper marsh/reedbed communities) closest to the site were indicative of the 'Estuaries' and 'Mudflats and sandflats not covered by seawater at low tide' qualifying features of the Humber Estuary SAC and Ramsar site, and whether the appropriate critical levels and loads had been applied to the screening for ammonia and nitrogen deposition. NE (NE10 and NE20 [RR-013]) also argued that bryophyte communities could be integral to the Humber Estuary's European site designations and required justification for the applicant's application of critical levels.</p> <p>The applicant revised the HRA Report [REP1-007] to refer to 'upper marsh' to clarify that the habitat is dominated by grasses (common reed), and that lichens and bryophytes are not integral to the qualifying habitats present on the vegetation communities adjacent to the site. Appendix E of the HRA Report was amended to include nitrogen deposition critical loads for pioneer saltmarsh, upper fen and rich fen.</p> <p>In light of these updates, NE confirmed its agreement that appropriate thresholds have been used in the assessment of the European sites [REP2-010] [REP3-033].</p>	Matter resolved.
2.3.2	Atmospheric pollution (operation)	NE (NE20 [RR-013]) did not agree with the conclusion of no LSE from acid deposition to the Humber Estuary due to its concerns	Matter resolved.

		over the in-combination assessment (see section 2.3 above). The applicant confirmed [REP1-028] that in-combination impacts had been considered (as addressed in NE11), and the HRA Report was amended to clarify this point (paragraph 7.4.2 [REP1-007]). On this basis NE has accepted that there is no requirement for further assessment of acid deposition [REP3-033].	
<b>Humber Estuary SAC and Ramsar site</b>			
2.3.3	Atmospheric pollution (construction dust)	NE disagreed (NE14 [RR-013]) with the conclusion (paragraph 5.2.31 of the HRA Report [APP-153]) that there would be no LSE from construction dust on the Humber Estuary SAC and Ramsar site as the pollutant could reach the designated site and potentially smother qualifying vegetation. The applicant revised the HRA Report to screen this pathway in (paragraph 6.2.29 [REP1-007]). Consequently, NE considered this matter resolved at DL2 [REP2-010].	Matter resolved.
2.3.4	Atmospheric pollution (construction)	The HRA Report states (paragraph 5.2.40 [APP-153]) that as there would be no construction activities requiring plant and non-road mobile machinery (NRMM) within 200m of European sites, there is no requirement to consider emissions from such sources. NE (NE16 [RR-013]) questioned whether 200m was appropriate for all plant proposed, noting that for some plant (combustion processes) 500m or 2km is standard. The applicant confirmed that the closest construction activity to the European sites would be the canal water abstraction for the proposed development located 600m west of the River Trent, that low sulphur fuels will be used for plant equipment, and that the sizes of plant are likely to be <1 MWth and not operating continuously.	Matter resolved

		NE considered this matter resolved at DL3 on the basis that limits on proximity, fuel use and plant size (<1MWth) are incorporated into the Construction Environmental Management Plan (CEMP) [REP3-033]. This addition was made to the CEMP at DL3 [REP3-021].	
2.3.5	Water pollution from water transport (construction)	NE (NE21 [RR-013]) advised that mitigation measures should be set out for potential water pollution from water transport (boat traffic and unloading of cargo). The applicant argued that boat traffic and unloading of cargo would not likely result in water pollution as this is regulated under the Environmental Damage (Prevention and Remediation) (England) Regulations 2015 and the Environmental Permitting (England and Wales) Regulations 2016. It updated the HRA Report (paragraph 6.2.61 [REP3-007]) to state that specific measures required in support of legal compliance would be considered when applying for the necessary licence from the navigation authority. NE does not contest this [REP3-033].	Noted by the ExA.
2.3.6	Water pollution from cofferdam seepage and spillages (construction)	NE (NE22 [RR-013]) requested details on mitigation measures for preventing pollutants being released into the canal. The applicant provided additional detail in the HRA Report on the installation and use of the cofferdam (paragraphs 6.2.62 to 6.2.63 [REP1-007]), noting that this is subject to an Environmental Permit, which requires standard pollution prevention measures. The applicant noted that these measures are secured through the Water Management Plan which forms part of the outline CEMP (Requirement 17, Schedule 2 of the DCO). Following these updates NE confirmed it was content [REP2-010] [REP3-033].	Matter resolved.

	Water pollution (operation)	NE (NE25 [RR-013]) advised the HRA Report be revised to clarify that Sustainable Drainage Systems (SuDS) would be used (to align with ES Chapter 12). The applicant updated the HRA Report (paragraph 6.3.54 [REP1-007]) to explain that SuDS would be used for low-risk runoff.  This resolved NE's concern [REP3-033].	Matter resolved.
<b>Thorne Moor SAC, Hatfield Moor SAC and Thorne and Hatfield Moor SPA</b>			
2.3.7	Atmospheric pollution (operation)	NE (NE18 [RR-013]) considered the worst-case parameters to be acceptable within the Rochdale envelope approach and acknowledged the sensitivity testing for stack height. Nevertheless, NE sought confirmation that "improved dispersion" provided by a taller stack would not lead to potentially significant impacts at protected sites further from the development.  The applicant does not agree that this scenario would occur. It confirmed that if a higher stack was required, the impact on protected sites would be checked [RR-013]. ES Appendix 8B (paragraph 8B.5.6 [REP3-017]) states that any change in the stack height that may result after further detailed design of the proposed development would be remodelled to ensure that the predicted impacts remain in accordance with the predicted impacts presented in this assessment at all receptors.  NE [REP3-033] considered this matter resolved at DL3 [REP3-033] stating "commitment in the DCO to further modelling should stack height be amended at detailed design stage to ensure no additional protected sites would be affected".	The ExA notes DCO Requirement 5(1)(c) on detailed design which states that the height of any stack must be at a level at which the environmental effects will be no worse than those identified in chapter 8 of the environmental statement.  <b>RIES Q1 (to NE): Is NE content with the wording of DCO Requirement 5(1)(c)? If not, why not, and what changes does it propose?</b>  <b>RIES Q2 (to the applicant): Provide further justification of how the maximum adverse effect has been assessed for the Thorne and Hatfield Moor European sites, with respect to stack</b>

			<p><b>heights and operational emissions to air.</b></p> <p><b>RIES Q3 (to the applicant):</b>  <b>Regarding DCO Requirement 5(1)(c), how does the applicant define ‘worse’ and who is responsible for enforcing this?</b></p>
2.3.8	Atmospheric pollution (operation)	<p>NE (NE19 and NE20 [RR-013]) argued that for the operational NO<sub>x</sub>, ammonia and nitrogen deposition assessments, an in-combination assessment and consideration of critical levels were required before excluding LSE to Thorne Moor SAC, Hatfield Moor SAC and Thorne and Hatfield Moor SPA.</p> <p>The applicant clarified that the in-combination assessment considered all relevant projects (as covered at NE11), confirmed the appropriate critical levels and loads had been applied (as per NE10), and confirmed that the percentages cited and assessments made are of the in-combination impact [REP1-028].</p> <p>NE confirmed it was satisfied that this matter has been addressed [REP3-034].</p>	Matter resolved

## 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 annex 1 table A1 of this RIES.
- Visual disturbance to lamprey features of the Humber Estuary SAC and Ramsar site
  - Construction dust effects on the habitat features of the Humber Estuary SAC and Ramsar site
- 2.6.2 As all matters outlined above which were raised by NE have been classed by NE as resolved, the ExA understand that NE is in full agreement with the applicant's HRA conclusions regarding likely significant effects.

## 3 ADVERSE EFFECTS ON INTEGRITY

### 3.1 Conservation Objectives

- 3.1.1 The conservation objectives for all of the European sites for which a LSE was identified (the Humber Estuary sites) by the applicant at the point of the DCO application were included in section 5.3 and Appendix C of the HRA Report [REP4-009].

**RIES Q4 (to the applicant): Confirm the conservation status of the qualifying features of the Humber Estuary sites (favourable or unfavourable condition).**

### 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 AEOI from the proposed development. The outcomes of the applicant's assessment of effects on integrity are summarised in section 7 of the HRA Report [REP4-009].

#### **Mitigation measures**

- 3.2.2 The applicant's HRA Report identified mitigation measures in section 7 [REP4-009]. These were taken into account in the applicant's assessment of effects on integrity.

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

- 3.2.3 The applicant concluded that the proposed development would not adversely affect the integrity of any of the European sites and features assessed, either alone or in-combination with other projects or plans.
- 3.2.4 The applicant's conclusions of no AEOI in respect of the Humber Estuary sites were disputed by IPs and questioned by the ExA during the course of the examination. See section 3.3 of this RIES for further details.

### 3.3 Examination matters

- 3.3.1 Matters raised in the examination to date in relation to AEOIs 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>Humber Estuary SPA and Ramsar site</b>			
3.1.1	Noise disturbance to birds (construction and operation)	<p>Contour maps of construction noise and operational noise modelling were provided at Figure 3 and Figure 4 of the HRA Report, based upon noise levels calculated using the LAeq (equivalent continuous sound levels) measure [APP-153]. NE (NE1 and NE2 [RR-013]) argued that using LAeq does not demonstrate potential impacts from loud bangs and requested noise contour maps which represent LMax (maximum sound levels).</p> <p>The applicant [REP1-028] argued it is not possible to include meaningful LMax figures for construction or operational activities due to the inherent variability and unpredictability of the noise. The applicant proposed the use of temporary construction noise barriers around piling plant as mitigation [REP1-028], although it maintains that this is not considered to be required as no significant effects are anticipated [REP3-024].</p> <p>Following clarification from the applicant, NE concluded [REP4-018] that the evidence provided in this instance demonstrates there will be no requirement for additional mitigation related to noise, and they concur with the conclusion of no AEOI during construction or operation.</p>	Matter resolved.

<b>Humber Estuary SPA, SAC and Ramsar site</b>			
3.1.2	Water pollution (construction and operation)	<p>NE (NE23 [RR-013]) requested information on the siting of bunded storage areas for hazardous materials, a measure proposed to protect against flooding (and resulting pollution effects on the water environment).</p> <p>The applicant revised the HRA Report (paragraph 7.5.5 [REP1-007]) to specify that during operation, bunded storage areas will be sited above any potential flood water level as part of the permanent surface water drainage strategy, secured by Requirement 11 of the Draft DCO. The details of bunded storage area locations will be specified in the means of pollution control within the final CEMP, secured in DCO Requirement 11, Schedule 2.</p> <p>In light of this, NE considered this matter resolved [REP2-010] [REP3-033].</p>	Matter resolved.
3.1.3	Water pollution (operation)	<p>NE (NE26 [RR-013]) advised that details regarding SuDS design will be needed to inform the HRA for the surface water discharge permit application to demonstrate no AEOI (while acknowledging this would not materially affect the HRA conclusions in this instance).</p> <p>The applicant revised the HRA Report (paragraph 7.5.4 [REP1-007]) to provide further details on the design (including attenuation ponds, oil water separators, retention ponds, etc).</p>	<b>RIES Q5 (to NE):</b> <b>Confirm whether the additional details provided satisfy your concerns regarding SuDS design. If not, why not?</b>
3.1.4	Water pollution (operation)	NE (NE27 [RR-013]) disagreed with the conclusion of no AEOI to the Humber Estuary SAC and Ramsar site as a result of water pollution during operation. NE requested further information to	Matter resolved.

		<p>demonstrate no AEOI on: pollutant levels in effluent discharge; thermal plume modelling; and discharge water volume.</p> <p>The applicant updated the HRA Report (section 7.5 [REP1-007]) with information that was submitted with the Environmental Permit application for the proposed development (made in December 2025).</p> <p>In light of this additional evidence, NE confirmed it agreed with the conclusion of no AEOI of the relevant European sites as a result of water pollution impacts on qualifying habitats and species during operation [REP2-010] [REP3-033].</p>	
--	--	--	--

### 3.4 Summary of examination outcomes in relation to adverse effects on integrity

- 3.4.1 The ExA's understanding of the applicant's and NE's current positions in relation to AEOI is set out annex 1 table A1 of this RIES.
- 3.4.2 As all matters outlined above which were raised by NE have either been resolved or are not material to the conclusions ('yellow issues' in the risk and issues log), the ExA understands that NE is in full agreement with the applicant's HRA conclusions of no adverse effects on the Humber Estuary SAC, SPA and Ramsar site.

## 4 CONCLUDING REMARKS

- 4.0.1 This RIES is based on information submitted throughout the examination by the applicants and IPs, up to DL4 (11 May 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 Secretary of State. In particular, the ExA seeks:
- Responses to the questions identified in sections 1 to 5 of this RIES.
  - Confirmation whether the ExA's understanding of screening and adverse effects conclusions at point of RIES publication (table (A1) in annex 1) is correct.
- 4.0.3 Comments on the RIES must be submitted for DL5 (9 June 2026).

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

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

**Key to tables:**

C = Construction

O = Operation

D = Decommissioning

**Table A1. Applicant's conclusion on LSE and AEOI and position of the ANCB**

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	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
<b>Humber Estuary SAC</b>					
<ul style="list-style-type: none"> <li>- Coastal lagoons</li> <li>- Dunes with <i>Hippophae rhamnoides</i></li> <li>- Embryonic shifting dunes</li> <li>- Fixed dunes with herbaceous vegetation ('Grey dunes')</li> <li>- Mudflats and sandflats not covered by seawater at low tide</li> <li>- <i>Salicornia</i> and other annuals colonising mud and sand</li> <li>- Sandbanks which are slightly covered by sea water all the time</li> <li>- Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('White dunes')</li> </ul>	Habitat disturbance and modification (C, O & D)	No LSE	Yes	n/a	n/a
	Invasive Non-native Species (INNS) (C, O & D)	No LSE	Yes	n/a	n/a
	Atmospheric pollution - dust (C & D)	<b>LSE</b>	Yes	No AEOI	Yes
	Atmospheric pollution-traffic (C & D)	No LSE	Yes	n/a	n/a
	Atmospheric pollution – NOx, ammonia (O)	<b>LSE</b>	Yes	No AEOI	Yes
	Atmospheric pollution – nitrogen deposition, acid deposition (O)	No LSE	Yes	n/a	n/a
	Water pollution (C & D)	No LSE	Yes	n/a	n/a
	Water pollution (O)	<b>LSE</b>	Yes	No AEOI	Yes

Feature	Potential impact	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
- Atlantic salt meadows - Estuaries	Atmospheric pollution – NOx, ammonia, nitrogen deposition (O)	<b>LSE</b>	Yes	No AEOI	Yes
	Atmospheric pollution – acid deposition (O)	No LSE	Yes	n/a	n/a
	Habitat disturbance and modification (C, O & D)	No LSE	Yes	n/a	n/a
	Invasive Non-native Species (INNS) (C, O & D)	No LSE	Yes	n/a	n/a
	Atmospheric pollution - dust (C & D)	<b>LSE</b>	Yes	No AEOI	Yes
	Atmospheric pollution-traffic (C & D)	No LSE	Yes	n/a	n/a
	Water pollution (C & D)	No LSE	Yes	n/a	n/a
	Water pollution (O)	<b>LSE</b>	Yes	No AEOI	Yes

Feature	Potential impact	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
- Sea lamprey - River lamprey	Water pollution (O) Atmospheric pollution (O) Noise, vibration and lighting disturbance (C & D)	LSE	Yes	No AEOI	Yes
	Atmospheric pollution (C & D) Water pollution (C & D) Entrapment, entrainment and impingement (C, O & D). Noise, vibration and lighting disturbance (O) Temporary or permanent impacts on foraging resources (C, O & D)	No LSE	Yes	n/a	n/a
Grey seal	None				

Feature	Potential impact	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
<b>Humber Estuary Ramsar site</b>					
- Breeding colony of grey seals at Donna Nook - Natterjack toad	None				
The site is representative example of a near-natural estuary with the following component habitats: - dune systems and humid dune slacks - estuarine waters - intertidal mud and sand flats - saltmarshes - coastal brackish/saline lagoons	Habitat disturbance and modification (C, O & D)	No LSE	Yes	n/a	n/a
	INNS (C, O & D)	No LSE	Yes	n/a	n/a
	Atmospheric pollution - dust (C & D)	<b>LSE</b>	Yes	No AEOI	Yes
	Atmospheric pollution-traffic (C & D)	No LSE	Yes	n/a	n/a
	Atmospheric pollution – NOx, ammonia, nitrogen deposition (O)	<b>LSE</b>	Yes	No AEOI	Yes
	Atmospheric pollution – acid deposition (O)	No LSE	Yes	n/a	n/a
	Water pollution (C & D)	No LSE	Yes	n/a	n/a
	Water pollution (O)	<b>LSE</b>	Yes	No AEOI	Yes

Feature	Potential impact	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
- Sea lamprey - River lamprey	Water pollution (O) Atmospheric pollution (O) Noise, vibration and lighting disturbance (C & D)	LSE	Yes	No AEOI	Yes
	Atmospheric pollution (C & D) Water pollution (C & D) Entrapment, entrainment and impingement (C, O & D). Noise, vibration and lighting disturbance (O) Temporary or permanent impacts on foraging resources (C, O & D)	No LSE	Yes	n/a	n/a

Feature	Potential impact	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
<ul style="list-style-type: none"> <li>- Common shelduck (breeding and wintering)</li> <li>- Eurasian golden plover (wintering);</li> <li>- Red knot (wintering);</li> <li>- Dunlin (wintering);</li> <li>- Black-tailed godwit (wintering)</li> <li>- Common redshank (wintering)</li> <li>- Non-breeding waterfowl assemblage</li> </ul>	Noise disturbance (C, O & D) Temporary or permanent impacts on foraging resources (C, O & D) Atmospheric pollution (to supporting habitats) – NOx, ammonia, nitrogen deposition (O) Water pollution (O)	<b>LSE</b>	Yes	No AEOI	Yes
	INNS (C, O & D) Atmospheric pollution (dust and traffic) (C & D) Water pollution (C & D) Atmospheric pollution (to supporting habitats) – acid deposition (O)	No LSE	Yes	No AEOI	Yes

Feature	Potential impact	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
<b>Humber Estuary SPA</b>					
Great bittern (breeding and non-breeding); Eurasian marsh harrier (breeding); Hen harrier (non-breeding); Pied avocet (breeding and non-breeding); Little tern (breeding);	None				
Common shelduck (non-breeding); European golden plover (non-breeding); Red knot (non-breeding); Dunlin (non-breeding); Ruff (non-breeding); Black-tailed godwit (non-breeding); Bar-tailed godwit (non-breeding); Common redshank (non-breeding); Non-breeding waterbird assemblage	Noise disturbance (C, O & D) Temporary or permanent impacts on foraging resources (C, O & D) Atmospheric pollution (to supporting habitats) – NOx, ammonia, nitrogen deposition (O) Water pollution (O)	<b>LSE</b>	Yes	No AEOI	Yes

Report on the Implications for European Sites for  
Keadby Next Generation Power Station Project

Feature	Potential impact	LSE?		AEOI?	
		Applicant's conclusion (alone or in combination)	Agreement with NE?	Applicant's conclusion (alone or in combination)	Agreement with NE?
	INNS (C, O & D) Atmospheric pollution (dust and traffic) (C & D) Water pollution (C & D) Atmospheric pollution (to supporting habitats) – acid deposition (O)	No LSE	Yes	No AEOI	Yes
<b>Thorne Moor SAC</b>					
- Degraded raised bogs still capable of natural regeneration	Atmospheric pollution (O)	<b>No LSE</b>	Yes	<b>N/A</b>	<b>N/A</b>
<b>Hatfield Moor SAC</b>					
- Degraded raised bogs still capable of natural regeneration	Atmospheric pollution (O)	<b>No LSE</b>	Yes	<b>N/A</b>	<b>N/A</b>
<b>Thorne and Hatfield Moors SPA</b>					
- European nightjar (breeding)	Atmospheric pollution of supporting habitats (O)	<b>No LSE</b>	Yes	<b>N/A</b>	<b>N/A</b>