

Light Valley Solar

Statement of Common Ground with Natural England

Document Reference: EN0110012/APP/LVS/08.31

October 2026

Planning Inspectorate Reference: EN0110012
APFP Regulation 5(2)(q)



**Light Valley
Solar**

Infrastructure Planning

Planning Act 2008

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

Light Valley Solar

Deadline 3 Submission

Statement of Common Ground with Natural England

Regulation Reference	APFP Regulation 5(2)(q)
Planning Inspectorate Case Reference	EN0110012
Application Document Reference	EN0110012/APP/LVS/08.31
Author	Light Valley Solar Limited

Version	Date
Draft 01	October 2026

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support the Examination of the Development Consent Order (DCO) application for Light Valley Solar (the Proposed Development).
- 1.1.2 This SOCG has been prepared jointly by Light Valley Solar Ltd. (the Applicant) and Natural England (NE) to clearly identify the current position of the respective parties on specific matters that are, or have been, under discussion. It seeks to confirm to the Examining Authority (ExA) where there are points of agreement between the parties and where agreement has not been reached to date. It therefore aids the ExA in identifying any specific issues that may need to be addressed during the Examination and provides a structure to any further discussions for the parties engaged in the SoCG.
- 1.1.3 This document has been prepared in response to a specific request from the ExA as per the Rule 6 Letter [PD-003] issued on [19.06.2026].

1.2 Terminology

- 1.2.1 Section 2 of this document sets out the relevant matters raised through discussion between the parties. It provides a summary of the position of each party and identifies the status of discussions on each matter:
 - 1) “Agreed” means that a matter has been resolved between the parties and is not anticipated to be subject to further discussion.
 - 2) “Under discussion” means that a matter remains in active dialogue between the parties and a final position has not been reached.
 - 3) “Not agreed” means that the parties have established a final position that they cannot resolve the matter and will remain a point of difference.
- 1.2.2 In accordance with the request from the ExA in the Rule 6 Letter [PD-003], a **Low**, **Medium** and **High** ‘traffic light’ system is applied to each matter to indicate the likelihood of their resolution during the Examination period.

1.3 Status of this document

- 1.3.1 This document is in draft.

2 Current Position

- 2.1.1 Table 1 below provides a summary of the final, signed position of the Applicant and EA.
- 2.1.2 Appendix 1 of this document provides a record of engagement undertaken between the parties in relation to the Proposed Development. This is limited to engagement which is materially relevant to the contents of this SoCG and does not seek to include every correspondence between the parties (e.g. that which was primarily administrative).

Table 1 Current position of matters relevant to the parties' discussions

Row ID	Topic	NE position	Applicant position	Status
Ecology and Biodiversity				
RR ¹ ref NE1	Loss of functionally linked land to the SPA and Ramsar sites	NE accept the current level of survey undertaken and associated mitigation design.	The Applicant notes this issue is agreed.	Agreed
RR ref NE2	Noise disturbance impacts to birds using land functionally linked to the Lower Derwent Valley SPA and Ramsar and Humber Estuary SPA and Ramsar	In its RR, NE raised that it did not consider that the use of LAeq alone provides sufficient information to fully understand the potential for disturbance, particularly in relation to peak noise events. We suggest LAmix and/or LApeak levels are assessed, in addition to LAeq. Having reviewed the information submitted by the Applicant, Natural England is content with how this matter has been dealt with by the Applicant.	A response has been issued to NE2 in 'The Applicant's Response to Relevant Representations Part 1' [PDA-014] which reflects discussions with Natural England on this point. The Shadow Habitat Regulations Assessment (sHRA) [APP-223] and Outline Construction Environmental Management Plan (oCEMP) [APP-192] have been updated and shared with Natural England to reflect that response. These were submitted at Deadline 2.	Agreed
RR ref NE3	Water pollution impacts to River and Sea Lamprey associated with the Humber Estuary SAC and Ramsar	In its RR, NE set out that it agreed in principle with the with the mitigation proposed, however have additional comments on how this should be secured. Otherwise, it should be suitably secured in the	The Applicant updated the Outline Construction Environmental Management Plan (oCEMP) [APP-192] to clarify the mitigation requirements and to ensure that NE are	Agreed

¹ RR – Relevant Representation

Row ID	Topic	NE position	Applicant position	Status
		documents that agreement of this plan should be in consultation with Natural England. Having reviewed the updated Outline CEMP, Natural England is content that the commitments in respect of this matter are appropriately secured.	consulted on the detailed methodology. This was shared with Natural England and submitted at Deadline 2.	
RR ref NE4	Noise and vibration impacts to River and Sea Lamprey associated with the Humber Estuary SAC and Ramsar	Whilst NE are satisfied with the mitigation measures proposed, they would recommend the association of the Lamprey with the Humber Estuary SAC and Ramsar is acknowledged in the CEMP. NE are content that this issue is now resolved.	The Applicant's position is set out in row NE4 in 'The Applicant's Response to Relevant Representations Part 1' [PDA-014] – the Applicant considers that the Outline CEMP sets out the relevant protections for lamprey, but that the document does not seek to list out all of the sensitive receptors that may be affected by the Proposed Development.	Agreed
RR ref NE5	River and Sea Lamprey associated with the Humber Estuary SAC and Ramsar.	NE welcome the approach to mitigating the impacts of Electromagnetic Frequencies (EMF) on river and sea Lamprey, however they request further information on how this has been secured. Having reviewed the updated Outline CEMP, Natural England is content that the commitments in respect of this matter are appropriately secured. However, it is Natural England's opinion that we should be included as a consultee for this document in the dDCO as our input will	The Applicant updated the Outline Construction Environmental Management Plan (oCEMP) [APP-192] to clarify the mitigation requirements and to ensure that NE are consulted on the detailed methodology. This was shared with Natural England and submitted at Deadline 2. The Applicant acknowledges NE's preference to be a requirement consultee and will consider this request further.	Agreed

Row ID	Topic	NE position	Applicant position	Status
		be required for the final CEMP on this topic.		
RR ref NE6	Air and water pollution impacts on Skipwith Common SAC	NE agree with dust and water pollution impacts being scoped out given distance and no hydrological connection.	The Applicant notes this issue is agreed.	Agreed
RR ref NE7	Air pollution effects on all international designated sites.	Any overall conclusion regarding impacts on statutory protected sites must take into account the standard advice for air pollution.	The Applicant notes that NE no longer provides comment on air quality aspects but also notes that its sHRA concludes that no adverse effects on integrity relating to air quality impacts arise to any National Network Sites, from the Proposed Development.	No further discussion between the Parties required – for ExA to consider.
RR ref NE8	Loss of habitat at Burr Closes Selby SSSI ²	NE have no further comments related to direct SSSI habitat loss.	The Applicant notes this issue is agreed	Agreed
RR ref NE9	Impacts from construction dust on Burr Closes SSSI	NE are broadly satisfied that dust mitigation measures are secured in the requirements of the DCO under Requirement 12, Schedule 2. Although Natural England would prefer sensitive receptors to be identified in the CEMP, we agree it will not make a material difference to this application if the dust control measures are applied to the full order limits.	The Applicant's position for this matter is as for NE4.	Agreed
RR ref NE10	Air pollution impact on all nationally designated sites	Any overall conclusion regarding impacts on statutory protected sites must take into account the standard advice for air pollution.	The applicant notes that NE no longer provides comment on air quality aspects but also notes that the ES concludes that no likely significant effects relating to air quality impacts arise to	No further discussion between the Parties required – for ExA to consider.

² Site of Special Scientific Interest

Row ID	Topic	NE position	Applicant position	Status
			any nationally designated sites, from the Proposed Development.	
RR ref NE12	Biodiversity net gain	NE welcome the commitment to delivering BNG on this project.	The Applicant notes that this issue is agreed.	Agreed
Agricultural Land				
RR ref NE13	Soils and Best and Most Versatile Agricultural Land	Revisions are required to the assessment of permanent loss of Best and Most Versatile (BMV) land. Further to the discussions with the Applicant, NE is content that the impacts to best and most versatile land have been assessed appropriately.	This issue was resolved in a meeting with NE on 29.05.2026. The Applicant noted that aside from one erroneous sentence stated impacts as temporary, the assessment of impacts on agricultural land and soils does consider sealed areas as permanently lost and the assessment of impacts remains correct. This is explained further in the Applicant's Response to Relevant Representations Part 1 [PDA-014].	Agreed
RR ref NE13	Soils and Best and Most Versatile Agricultural Land	Following the clarifications Natural England do not have any further advice to give on the topic of BMV soil assessment. The amendments to ES Volume 1 Chapter 5 - Agricultural Land and Soils now identify permanent and temporary impacts as discussed.	This issue was discussed and resolved in a meeting with NE on 01.06.2026.	Agreed
RR ref NE14	Outline Soil Resource Management Plan	Having reviewed the updated Outline Soil Resource Management Plan	This issue was discussed and resolved in a meeting with NE on 29.05.2026. It was agreed that some	Agreed

Row ID	Topic	NE position	Applicant position	Status
		(SRMP) submitted to deadline 2, Natural England is content with the content of this plan for the purposes of an outline SRMP. We note that the revised document does not explicitly include information regarding the soil budget, including schedules of volumes for each soil type in situ; the volumes stored; and the volumes to be re-instated. However, we acknowledge that it is stated that each stockpile will be required to record volumes and type of soil materials. It would therefore be acceptable for further detail to be provided in the final SRMP submitted pre-construction. Natural England would request to be secured as a consultee on this document.	aspects of the level of detail requested by NE is not typically provided at this stage of the project, but that other updates could be made. Following this, the Applicant updated the Outline Soil Resources Management Plan. This was shared with Natural England and submitted at Deadline 2. The Applicant acknowledges NE's preference to be a requirement consultee and will consider this request further.	
N/A	Survey scope	In its RR, Natural England raised queries around the Agricultural Land Classification (ALC) survey work including: ▪ Sampling rates for areas of semi-permanent infrastructure. ▪ Approach to sampling for the Cable Route Corridor. Following discussions with the Applicant, NE is content with the Applicant's approach to soil sampling.	The Applicant has discussed this with Natural England and agreed that the Applicant's approach to sampling is proportionate and appropriate for the Proposed Development.	Agreed
Aboriculture				
RR ref NE15	Damage/ loss of ancient woodland and ancient veteran trees	NE note that it must be ensured that indirect impacts to the trees are avoided, based on the measures outlined in Natural England's standing advice. We have no	The Applicant notes that this issue is agreed. The Applicant's commitments in this regard are set out in the management plans	Agreed

Row ID	Topic	NE position	Applicant position	Status
		further comments to make on this topic.	submitted as part of the DCO Application.	

Appendix 1: Record of Engagement

Date	Method of engagement	Purpose / description
17/10/2024	Microsoft Teams Meeting	Biodiversity and ornithology #1 Introduction and Ecological discussions around non-breeding bird surveys, designated sites and agricultural land and soils
31/10/2024	Email	Update to Natural England regarding scoping and non-statutory consultation and team changes
19/02/2025	Microsoft Teams Meeting	Agricultural Land Discussion with NE #1: introduction to NE soils specialist, discussion of emerging survey results and survey approaches
24/02/2025	Email	Update to changes of personnel and to confirm DAS agreement is in place.
16/04/2025	Microsoft Teams Meeting	Biodiversity and ornithology #2 Agree scope and review scoping comments for ornithology and biodiversity
21/05/2025	Microsoft Teams Meeting	Agricultural Land Discussion with NE #2: updates on ALC survey progress and results; cable corridor sampling; effect of BMV on design; potential agro-energy proposals
18/06/2025	Design Workshop	Natural England attended the design workshop at Riccall
26/06/2025 – 07/08/2025	Statutory consultation	NE notified of statutory consultation
01/07/2025	Email	Correspondence from Natural England about survey scope for the cable corridor scope was confirmed and agreed
17/07/2025	Microsoft Teams Meeting	Agricultural Land Discussion with NE #3: to discuss the LVS PEIR and survey results.
06/08/2025	Email	Confirmation of approach to one year of bird surveys (with conditions)
28/08/2025	Email	To set-up meeting and confirmed " no records of whimbrel using the Light valley solar area."
11/09/2025	Microsoft Teams Meeting	Biodiversity and ornithology #3 Reviewed the whimbrel assessment and Bird Mitigation Area design, confirming that no whimbrel were recorded within the Order Limits, that survey data captured all relevant bird species across the site, and that the proposed mitigation area is suitable for both breeding and non-breeding birds, including supporting the corncrake breeding project.
16/09/2025	Email	Request for a follow up email regarding survey densities and soil removal and storage.
03/10/2025	Email	Confirmation that no further engagement is required regarding biodiversity.

Date	Method of engagement	Purpose / description
10/11/2025	Microsoft Teams Meeting	Agricultural Land Discussion with NE #4: Update on progress of agricultural land surveys, including discussion on methodology, extent of BMV land affected, sampling density, construction impacts on soils, and cable route corridor surveys.
19/12/2025	Email	Written response from NE
07/04/2026	Email	Agree use of Water Vole Displacement Class Licence (CL31) and therefore need for water vole mitigation strategy for LONI
15/04/2026	Email	Email to discuss queries and Relevant Representation
20/05/2026	Microsoft Teams Meeting	All disciplines review post submission. Discussion on points raises through Relevant Representations and outstanding issues from Issues tracker
01/06/2026	Microsoft Teams Meeting	Agricultural Land Discussion with NE #5: Discussion on points raises through Relevant Representations and outstanding issues from Issues tracker.
11/08/2026	Email	Updated oSRMP, sHRA & oCEMP updated at procedural Deadline B – but not accepted by PINS - provided to NE
12/08/2026	Email	Response from NE noting updated documents and referencing WR response
18/08/2026	Email	Correspondence from NE to Applicant on Great Crested Newt licencing requirements
27/08/2026	Email	Correspondence from NE re resolution of issues around noise impacts on birds using the bird mitigation area on Site 1; and EMF impacts on Lamprey.
30/09/2026	Email	Correspondence from NE confirming 'Agreed' position on all matters within the SOCG. NE noted they would want to be consulted on the final CEMP in relation to Lamprey and the final SRMP in relation to stockpiling.

Appendix 2: Signing Sheet

Signature	
Name	
Position	
On behalf of	Natural England
Date	

	
Name	Annette Lardeur
Position	Senior Development Manager
On behalf of	Light Valley Solar Limited
Date	06 October 2026



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