

The Drovers Solar Farm

Shadow Habitats Regulations Assessment

Prepared by: Aspect Ecology

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1 Introduction

1.1 Background and Proposals

- 1.1.1 This Shadow Habitats Regulation Assessment (sHRA) has been prepared on behalf of The Drovers Solar Farm Limited ('the Applicant') in relation to the Development Consent Order (DCO) Application for the construction, operation, maintenance, and decommissioning of The Drovers Solar Farm (hereafter referred to as the 'Scheme').
- 1.1.2 The extent of the Order limits are shown in **Location Plan [APP/2.1]** and the Scheme is described in full in **Environmental Statement (ES) Chapter 5: The Scheme [APP/6.1]** and shown spatially on the **Works Plan [APP/2.3]**.
- 1.1.3 The Scheme comprises the construction, operation, maintenance, and decommissioning of a solar photovoltaic (PV) electricity generating station and Associated Development comprising Battery Energy Storage System (BESS), a Customer Substation, and Grid Connection Infrastructure, including a new National Grid Substation. The Scheme would allow for the generation and export of over 50MW Alternating Current (AC) of renewable energy, connecting into the National Electricity Transmission System (NETS) overhead line that passes through the Site.
- 1.1.4 A number of European designations are located within the vicinity of the Site, whilst consultation comments received from Natural England (including comments dated 3 December 2024 and 8 July 2025) highlight the need for consideration in relation to a number of such designations. As such, the requirement has been identified for a Habitats Regulations Assessment (HRA) under the Conservation of Habitats and Species Regulations 2017 (the 'Regulations') to be undertaken by the competent authority (being the Secretary of State (SoS)) in consenting any DCO in respect of the Scheme.
- 1.1.5 The purpose of this report is therefore to set out relevant information, along with a sHRA in order to inform the DCO Application, which would therefore be suitable for adoption by the competent authority (SoS) in order to address the associated requirements under the Regulations in this regard.

1.2 Legislation

- 1.2.1 All areas in England classified as Special Areas of Conservation (SACs) or Special Protection Areas (SPAs), collectively known as European sites receive statutory protection under the Regulations. The Regulations transpose into UK legislation the 'Habitats Directive' 1992 (92/43/EEC) and the 'Birds Directive' 2009 (2009/147/EC). National planning policy in the form of the National Planning Policy Framework (NPPF) explicitly sets out that listed Ramsar sites should be considered in the same way, as if they had been classified or designated as SACs or SPAs.



1.2.2 The Regulations impose a duty on determining authorities (competent authorities) to carefully consider whether any proposals may have a significant effect on a European designation, either alone or in combination with other plans or projects. In most circumstances, permission may only be granted for a plan or project to proceed if it has been ascertained that it will not have an adverse effect on the integrity of any such designation.

1.2.3 The process for assessment is set out at Regulation 63(1):

“A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which:

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications of the plan or project for that site in view of that site’s conservation objectives”.

1.2.4 In undertaking the assessment, Regulation 63(3) states that:

“The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.”

1.2.5 Following this assessment, Regulation 63(5) states that:

“In the light of the conclusions of the assessment, and subject to regulation 64, the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).”

1.2.6 Regulation 64 states:

“If the competent authority is satisfied that, there being no alternative solutions, the plan or project must be carried out for imperative reasons of overriding public interest (which... may be of a social or economic nature), it may agree to the plan or project notwithstanding a negative assessment of the implications for the European site.”

1.3 Assessment Methodology

1.3.1 Guidance on the process and procedures for HRA are contained in a number of documents, principally:

- Habitats Regulations Assessments: Protecting a European site (gov.uk) [Ref. 1] – government standing advice on HRA



- National Planning Policy Framework (NPPF) [Ref. 2] and the accompanying Office of the Deputy Prime Minister (ODPM)/Department for Environment, Food and Rural Affairs (DEFRA) Circular (ODPM 06/2005, DEFRA 01/2005) [Ref. 3]
- Managing Natura 2000 sites 'The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. European Commission. Nov 2018 [Ref. 4]
- Assessment of plans and projects significantly affecting Natura 2000 sites. European Commission November 2001 [Ref. 5]; and
- Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments (Planning Inspectorate) [Ref. 6].

1.3.2 As set out within government standing advice and as laid out within the flow chart (Figure 1, see **Appendix 1**) within ODPM circular 06/2005, the procedure for assessment is an ordered process following three key stages as discussed below.

Stage 1: Screening

- 1.3.3 Box 1 of the flow chart in **Appendix 1** is not of relevance to development proposals and hence the first stage is to identify whether the proposals will result in any 'likely significant effect' on the internationally important features of the European sites, either alone or in combination with other plans or projects (box 2 of the flow chart in **Appendix 1**).
- 1.3.4 In line with the Court of Justice of the European Union (CJEU) ruling (People over Wind, Peter Sweetman v Coillte Teoranta, Case C-323/17, dated 12 April 2018), mitigation measures intended to avoid or reduce the harmful effects of a plan or project on a European site should not be taken into account at this screening stage, and instead these must be considered as part of an Appropriate Assessment (Stage 2).
- 1.3.5 Where it is considered that a plan or project will result in no such 'likely significant effects', no further assessment is necessary, and permission should not be refused under the assessment.
- 1.3.6 If any 'likely significant effects' are identified or where it remains unclear whether effects will be significant, the assessment procedure should follow on to Stage 2 (box 3 of the flow chart in **Appendix 1**).
- 1.3.7 In reaching this decision, the plan or project should be considered 'likely' to have an effect if the competent authority is unable on the basis of objective information to exclude the possibility that it could have significant effects on any European designation, either alone or in combination with other plans or projects. The test of significance is therefore set at a relatively low bar, with significant effects considered as any negative effects, i.e. effects that are neither negligible nor inconsequential, but which are capable of having an adverse effect [Ref. 7].
- 1.3.8 If the proposal can be screened out for effects from it alone, it should then be screened for any potential for it to combine with any other proposals planned or underway. If, in



combination the proposal could have a significant effect on a European designation, it is necessary to progress to Stage 2.

Stage 2: Appropriate Assessment

- 1.3.9 Should it be determined that a plan or project could result in 'likely significant effects' on a European site, as set out on the flow chart in **Appendix 1**, the Competent Authority should proceed to the next stage within flow chart boxes 3 and 4 onwards. This requires an 'Appropriate Assessment' of the likely effects of the plan or project to be undertaken by the Competent Authority.
- 1.3.10 Under Appropriate Assessment, it is necessary to determine whether the proposals, either alone or in combination with other projects or plans, will result in any adverse effects on the integrity of the European designation as defined by the conservation objectives and status of the relevant SAC/SPA. The precautionary principle should be applied, and the focus should be on objectively demonstrating, with supporting evidence, that there will be no adverse effects on the integrity of the European site. Where this is not the case, adverse effects must be assumed.
- 1.3.11 It is the policy of the government that Ramsar sites should be treated in the same way as European designations.
- 1.3.12 In carrying out the Appropriate Assessment, under Regulation 63(3) it is necessary for the Competent Authority to consult with the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies. In England this body is Natural England.
- 1.3.13 If it is considered that the proposal will not adversely affect the integrity of the designation, either alone or in combination with other projects, permission can be granted. If this cannot be ascertained, or there is uncertainty, the assessment procedure should follow on to Stage 3.

Stage 3: Derogations: allowed exceptions

- 1.3.14 Should a proposal fail the integrity test, in certain circumstances, a project may still be able to proceed under a derogation.
- 1.3.15 Under Stage 3, it is necessary to assess if there are alternative solutions and whether there are imperative reasons of overriding public interest. If these tests are passed, authorisation may be granted subject to compensation measures being secured.
- 1.3.16 Further details on the above process can be found in Government Guidance on Habitats Regulations Assessments **[Ref. 1]**.



1.4 Consultation

- 1.4.1 The appropriate nature conservation body, Natural England, has been consulted, with their responses set out below:

Table 1.1 Natural England Consultation Response

| Date of Comment | Comment |
|--|---|
| Natural England Environmental Impact Assessment Scoping Opinion, December 2024 | Consideration of Impacts of the proposed development on: Breckland Special Protection Area (SPA), River Nar Site of Special Scientific Interest (SSSI), and Breckland Forest SSSI. |
| Natural England Environmental Impact Assessment Scoping Opinion, December 2024 | Consideration of Impacts of air pollution from construction traffic on designated sites. |
| Natural England Response to PIER, July 2025 | Air quality impacts from construction traffic on Norfolk Valley Fens SAC, River Nar SSSI, and Potter & Scarning Fens, East Dereham SSSI. Based on the information presented in the PEIR, Natural England concur that air quality impacts from construction traffic are unlikely to be significant alone. However, further consideration is required to determine if a likely significant effect in combination with other plans or projects can be ruled out. |



2 Description of the Scheme and other Plans or Projects

2.1 Site Location and Description

- 2.1.1 The Order limits are situated to the north of Swaffham, to the south east of King's Lynn, and to the south of the settlements of Castle Acre, South Acre, and West Acre, in the county of Norfolk.
- 2.1.2 The land within the Order limits is predominantly in agricultural use, being utilised in part for pig farming, chickens, sheep and other livestock, and in part for arable crop production across agricultural fields. Fields within the Site are bounded by grassland margins, hedgerows, tree belts and agricultural tracks. Single trees, copses and Marl Pits (former pits for clay extraction) are located within the Order limits. Several woodlands are present, but these are excluded from the Order limits (and therefore remain off Site).

2.2 The Scheme

- 2.2.1 The Scheme comprises the construction, operation, maintenance, and decommissioning of a solar photovoltaic (PV) electricity generating station and Associated Development comprising Battery Energy Storage System (BESS), a Customer Substation, and Grid Connection Infrastructure, including a new National Grid Substation. The Scheme would allow for the generation and export of over 50MW Alternating Current (AC) of renewable energy, connecting into the National Electricity Transmission System (NETS) overhead line that passes through the Site.
- 2.2.2 As the Scheme would have a generating capacity in excess of 50MW, it is considered to be a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008.
- 2.2.3 Both **ES Figure 5.1: Concept Masterplan [APP/6.3]** and **ES Figure 5.2: Construction Masterplan [APP/6.3]** indicatively show the development proposals.

2.3 In-combination Effects

- 2.3.1 As part of the assessment, consideration has been given to the potential for cumulative effects arising in-combination with other plans or projects. In the first instance, a 'long-list' of developments within the surrounding areas has been reviewed, including with reference to the likely implementation timescales associated with each project as part of the Environmental Impact Assessment (EIA) process relating to the Scheme (**ES Chapter 17: In-Combination Effects [APP/6.2]**). Following review, including in relation to consultation comments received from relevant stakeholders, including Natural England, the 'long-list' has been refined to form a 'short-list' of developments with potential to result in cumulative effects on ecological receptors in combination with the Scheme. Accordingly, potential for



the Scheme to result in significant effects in combination with other proposals has been undertaken with particular reference to the ‘short-list’, which includes the High Grove Solar Farm proposal, terrestrial elements of the Norfolk Boreas Offshore Wind Farm, and terrestrial elements of the Norfolk Vanguard Offshore Wind Farm as identified by Natural England within their response to a request for EIA Scoping Opinion (dated 3 December 2024) (**ES Appendix 2.2: Scoping Opinion Response [APP/6.4]**).



3 European Sites

3.1 European Designations within the search area around the Site

- 3.1.1 A search area of 25km around the Order limits has been used in order to identify relevant European Designations that may be of relevance to the Scheme. In addition, consultation comments received in relation to the EIA Scoping Opinion Request (see **Table 1.1** above) and consultation in accordance with Section 42 of the Planning Act 2008 (including from Natural England, also in **Table 1.1** above) were also reviewed in order to highlight any potential further relevant designations.
- 3.1.2 Identified European designations, their location relative to the site and the potential nature of impacts arising from the Scheme are set out in **Table 3.1** below, together with a summary of the relevant qualifying features/reasons for notification.

Table 3.1 Identified European Designations

| European designation | Distance from the Scheme | Qualifying Feature / Reasons for Notification |
|-------------------------|--------------------------|--|
| Breckland SPA | 2.6km south west | Regularly supporting qualifying breeding populations of bird species (Stone Curlew <i>Burhinus oedicnemus</i> , Nightjar <i>Caprimulgus europaeus</i> , and Woodlark <i>Lullula arborea</i>). |
| Norfolk Valley Fens SAC | 3.6km north west | Presence of qualifying Annex I habitats (primarily Alkaline fens) and qualifying populations of Annex II invertebrate species (Narrow-mouthed Whorl Snail <i>Vertigo angustior</i> and Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i>). |
| Breckland SAC | 8km south | Presence of qualifying Annex I habitats (primarily Inland dunes with open <i>Corynephorus</i> and <i>Agrostis</i> grasslands; Natural eutrophic lakes with <i>Magnopotamion</i> or <i>Hydrocharition</i> – type vegetation; European dry heaths; and Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (*important orchid sites) and qualifying populations of Annex II species (Great Crested Newt <i>Triturus cristatus</i>). |
| River Wensum SAC | 12.6km north east | Presence of qualifying Annex I habitats (primarily Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> |



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| | | | vegetation) and qualifying populations of Annex II species (White-clawed Crayfish <i>Austropotamobius pallipes</i>). |
| Roydon Common RAMSAR | 12.7km west | north | Presence of extensive valley mire-heathland habitat, along with important acidophilic invertebrate species outside their normal geographic range. |
| Roydon Common & Dersingham Bog SAC | 12.7km west | north | Presence of qualifying Annex I habitats (primarily Northern Atlantic wet heaths with <i>Erica tetralix</i> ; and Depressions on peat substrates of the Rhynchosporion). |
| Dersingham Bog RAMSAR | 18.5km west | north | Presence of an important invertebrate assemblage. |
| The Wash RAMSAR | 21.0km west | north | Presence of extensive estuarine habitats; internationally important waterfowl assemblages; and presence of qualifying populations of qualifying wildfowl species. |
| The Wash SPA | 21.0km west | north | Presence of Internationally important waterfowl assemblages; and presence of qualifying populations of non-breeding wildfowl species. |
| The Wash and North Norfolk Coast SAC | 21.0km west | north | Presence of qualifying Annex I habitats (primarily Sandbanks which are slightly covered by sea water all the time; Mudflats and sandflats not covered by seawater at low tide; Large shallow inlets and bays; Reefs; Salicornia and other annuals colonising mud and sand; Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>); and Mediterranean and thermos-Atlantic halophilous scrub (<i>Sarcocornetea fruticosi</i>) and qualifying populations of Annex II species (Harbour Seal <i>Phoca vitulina</i>). |
| Ouse Washes SAC | 22.0km west | south | Presence of qualifying Annex II fish species Spined Loach <i>Cobitis taenia</i> . |
| Ouse Washes RAMSAR | 22.0km west | south | Presence of extensive seasonally-flooding washland habitat; presence of several nationally scarce plants and invertebrates; internationally important waterfowl assemblages; and presence of qualifying populations of non-breeding wildfowl species. |



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|-----------------|-------------------|---|
| Ouse Washes SPA | 24.8km south west | Presence of nationally important breeding population of Ruff <i>Philomachus pugnax</i> ; internationally or nationally important wintering populations of Bewick's Swan <i>Cygnus cygnus</i> , Whooper Swan <i>Cygnus cygnus</i> and Hen Harrier <i>Circus cyaneus</i> ; nationally important breeding populations of qualifying migratory bird species; Internationally important waterfowl assemblages; and qualifying summer assemblage of breeding migratory waders of lowland wet grassland. |
|-----------------|-------------------|---|

- 3.1.3 All of the above designations listed in **Table 3.1** are sufficiently well removed from the Order limits, such that it is clear that the Scheme will not result in any direct effects, such as loss or direct disturbance to land contained within the designations, and such effects can therefore be scoped out of further consideration.
- 3.1.4 River Wensum SAC, Roydon Common RAMSAR, Roydon Common & Dersingham Bog SAC, Dersingham Bog RAMSAR, The Wash RAMSAR, The Wash SPA, The Wash and North Norfolk Coast SAC, Ouse Washes SAC, Ouse Washes RAMSAR and Ouse Washes SPA are all located over 12km from the Site at their closest points, such that no potential exists for likely significant indirect effects on the interest features of these designations, for instance through disturbance via lighting, noise, air quality and dust settlement or effects on functionality linked land. Accordingly, potential for likely significant effects on these designations can be scoped out and no further consideration in relation to these designations is required.
- 3.1.5 Of the remaining designations, Breckland SAC is located approximately 8.8km from the Order limits. The qualifying features of the designation are limited to habitats and Great Crested Newt, which are unlikely to be sensitive to distant disturbance events, whilst no potential route for any likely significant effects appears to be present. Accordingly, the Scheme would not result in any likely significant effects on the interest features of Breckland SAC, which can therefore similarly be scoped out of further consideration.
- 3.1.6 This is consistent with consultation comments received from Natural England (dated 8 July 2025), which confirm that:
- “1.1.1. The internationally designated sites relevant to this application are:*
- *Breckland Special Protection Area (SPA)*
 - *Norfolk Valley Fens Special Conservation Area (SAC)”*
- 3.1.7 No other internationally designated sites are raised by Natural England.
- 3.1.8 On this basis, further consideration in regard to Breckland SPA and Norfolk Valley Fens SAC is set out below, whilst other European Designations can be screened out of further consideration.



3.2 Breckland SPA

3.2.1 Relevant background information in relation to the Breckland SPA designation is set out within **Table 3.2** below:

Table 3.2 Information in relation to Breckland SPA

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| European site interest features | <p>On the basis of the European Site Conservation Objectives (dated 21 February 2019), the qualifying features for the Breckland SPA designation are stated to be:</p> <ul style="list-style-type: none">• Breeding Stone Curlew <i>Burhinus oedicneums</i>• Breeding European Nightjar <i>Caprimulgus europaeus</i>; and• Breeding Woodlark <i>Lullula arborea</i>. |
| Conservation objectives of the European site | <p>The conservation objectives for the SPA are to:</p> <p><i>“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</i></p> <ul style="list-style-type: none"><i>• The extent and distribution of the habitats of qualifying species;</i><i>• The structure and function of the habitats of qualifying species;</i><i>• The supporting processes on which the habitats of qualifying species rely;</i><i>• The population of each of the qualifying features; and</i><i>• The distribution of the qualifying features within the site.”</i> |
| Condition of European site | <p>The most recent condition assessments for the Sites of Special Scientific Interest (SSSIs) which underpin the European designation within proximity to the site state that for:</p> <ul style="list-style-type: none">• Breckland Forest SSSI (located closest to the Site) – all units are in |



| | |
|-----------------------|--|
| | <p><i>'unfavourable recovering'</i> or <i>'favourable'</i> condition, whilst in terms of interest features <i>'Aggregations of Nightjar'</i> are listed as <i>'Favourable'</i> and <i>'Aggregations of Woodlark'</i> are listed as <i>'unfavourable – recovering'</i> (This SSSI does not appear to provide suitable habitat for Stone Curlew);</p> <ul style="list-style-type: none"> • Breckland Farmland SSSI (located approximately 6km south of the Site at its closest point) all units are in <i>'unfavourable declining'</i> with the single interest feature (<i>'Aggregations of Stone Curlew'</i>) similarly listed as <i>'Unfavourable – declining'</i> due to clear decline in numbers (Nightjar and Woodlark do not appear to represent interest features within this SSSI); and • Gooderston Warren SSSI (located approximately 7.5km south of the Site) and Stanford Training Area SSSI (located approximately 13.5km south of the Site) – units are listed to range from <i>'favourable'</i> to <i>'unfavourable declining'</i>. In terms of interest features <i>'Aggregations of Stone Curlew'</i> are listed as <i>'Not recorded'</i>, whilst Nightjar and Woodlark do not appear to represent interest features within these SSSIs. |
| Pressures and Threats | <p>A Site Improvement Plan (SIP) has been produced by Natural England in relation to Breckland SAC and SPA (dated 21 January 2015). This identifies prioritised issues (pressures or threats) affecting the designation:</p> <ul style="list-style-type: none"> • Lack of Ground Disturbance • Undergrazing • Forestry and Woodland Management • Water Pollution • Changes in Species Distributions • Stone Curlew Monitoring and Conservation |



| | |
|--|---|
| | <ul style="list-style-type: none">• Planning Permission General• Monitoring• Air Pollution• Public Access/Disturbance• Climate Change• Inappropriate Scrub Control• Inappropriate management practices• Habitat Fragmentation• Inappropriate Weed Control; and• Inappropriate Mowing/cutting. <p>(Those listed in bold relate to management of land/habitats within the SPA itself and can therefore be scoped out of further consideration in relation to the Scheme).</p> |
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3.3 Norfolk Valley Fens SAC

3.3.1 Relevant information in relation to the Norfolk Valley Fens SAC designation is set out within **Table 3.3** below:

Table 3.3 Information in relation to Norfolk Valley Fens SAC

| | |
|---------------------------------|---|
| European site interest features | <p>Norfolk Valley Fens SAC is designated on the basis of the Annex I habitat 'alkaline fens', and its populations of the Annex II species Narrow-mouthed Whorl Snail <i>Vertigo angustior</i> and Desmoulin's Whorl Snail.</p> <p>In addition, the following Annex I habitats are present as qualifying features, but are not a primary reason for site selection:</p> <ul style="list-style-type: none">• Northern Atlantic wet heaths with <i>Erica tetralix</i>• Dry heaths• Semi-natural dry grasslands and scrubland facies on calcareous substrates• Molinia meadows |
|---------------------------------|---|



| | |
|--|--|
| | <ul style="list-style-type: none"> • Calcareous fens; and • Alluvial forests. |
| Conservation objectives of the European site | <p>The conservation objectives for the SAC are to:</p> <p><i>“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</i></p> <ul style="list-style-type: none"> <i>• The extent and distribution of qualifying natural habitats and habitats of qualifying species;</i> <i>• The structure and function of the habitats (including typical species) of qualifying natural habitats;</i> <i>• The structure and function of the habitats of qualifying species;</i> <i>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;</i> <i>• The populations of qualifying species; and,</i> <i>• The distribution of qualifying species within the site.”</i> |
| Condition of European site | <p>The most recent condition assessments for the component SSSIs located closest to the Site (including in particular ‘Potter & Scarning Fens East Dereham SSSI’) are ‘unfavourable recovering’. The reasons for the unfavourable conditions in relation to Potter & Scarning Fens East Dereham SSSI are listed as uncertainty over water quality, sward height and bryophyte coverage.</p> |
| Pressures and Threats | <p>A Site Improvement Plan (SIP) has been produced by Natural England in relation to Norfolk Valley Fens SAC (dated 6 October 2014). This identifies prioritised issues (pressures or threats) affecting the designation:</p> |



| | |
|--|---|
| | <ul style="list-style-type: none">• Inappropriate water levels• Inappropriate Scrub Control• Hydrological Changes• Water pollution• Inappropriate cutting/mowing• Water abstraction• Undergrazing• Overgrazing• Invasive species• Change in land management• Changes in species distributions; and• Air pollution: impact of atmospheric nitrogen deposition. <p>(Those listed in bold relate to management of land/habitats within the SPA itself and can therefore be scoped out of further consideration in relation to the Scheme).</p> |
|--|---|



4 Consideration of Potential Effects

4.1 Stage 1 – Screening for Likely Significant Effects

- 4.1.1 This section assesses the potential for likely significant effects on the relevant European Designations from the Scheme in isolation, as well as in combination with other identified plans and projects. The assessment is based on the identified pressures and threats, as set out above.

4.2 Breckland SPA

Table 4.1 Screening of Breckland SPA

| Screening of Breckland SPA | Screening of Breckland SPA |
|---|--|
| Screening of Breckland SPA | Screening of Breckland SPA |
| Changes in Species Distribution (Stone Curlew, Woodlark and Nightjar) | <p>The Order limits extent is located approximately 2.4km from the Breckland SPA designation at its closest point (whilst the closest components relate to Breckland Forest SSSI, which is not understood to provide suitable habitat for Stone Curlew in particular). Further, the Order limits are located entirely outside of the 1.5km constraint zone identified by Natural England based on the Stone Curlew Planning Tool (SCPT) [Ref. 8]:</p> <p>None of the qualifying species were recorded during any of the specific breeding bird surveys conducted at the Site in 2024. Therefore, the Site does not represent functionally linked land used by qualifying species.</p> <p>As such, no likely significant effects on the species distribution of any of the qualifying bird species are anticipated as a result of the Scheme. This position is consistent with the EIA Scoping Opinion (dated 3 December 2024) (ES Appendix 2.2: Scoping Opinion Response [APP/6.4]) and the response to Consultation in accordance with Section 42 of the Planning Act 2008, dated 8 July 2025 received from Natural England in relation to the Scheme.</p> |
| Air Pollution | <p>Air quality effects arising from activities during the construction phase will be temporary in nature and associated with the vehicle movements from the transit of materials and general on Site construction activities. The Air Pollution Information System database suggests that</p> |



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| | <p>Woodlark, Nightjar and Stone Curlew are sensitive to nutrient impacts in the form of nitrogen deposition. Designated construction and material transit routes have been identified as part of the routing strategy for the Scheme and associated construction activities. In particular, access into the Site will be via the A1065, with vehicle movements directed along the A1065 and onwards via the A47 dual carriageway, therefore avoiding Breckland SPA.</p> <p>Construction phase Heavy Goods Vehicular (HGV) movements in particular shall be directed by a routing strategy, with an initial feasibility exercise indicating the following three key routes to the Site via local and strategic road networks:</p> <ul style="list-style-type: none"> • Route A: Access to/from the south from the A47, via the A1065 • Route B: Access to/from the north via A1065; and • Route C: Access to/from the A47, from the west via Narford Road, Low Road, South Acre Road and A1065. <p>None of these routes would result in additional traffic along roads within 200m of Breckland SPA. As such, no likely significant effects on Breckland SPA in relation to air quality arising from construction traffic are anticipated. Confirmation has been received that (subject to no changes in the proposed traffic routes) Natural England concur with this position, as set out within the response to Consultation in accordance with Section 42 of the Planning Act 2008, dated 8 July 2025.</p> |
| Public Access/Disturbance | <p>The Scheme is for development of a solar farm within private land (with a small area comprising Highways managed land). The Scheme includes the creation of permissive paths within the Order limits which (notwithstanding the nature of the Scheme which will not directly result in any increase in recreational activities) will potentially increase public access and connectivity therein, however these are well-removed from the SPA and therefore have no potential to increase public access or recreational pressures to the SPA.</p> <p>As such, no potential appears to exist for likely significant effects as a result of the Scheme in relation to public access/disturbance on the SPA.</p> |
| Additional potential effects | <p>No additional potential effects, beyond those set out above, have been identified as likely to arise as a result of the development proposals.</p> |



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| | This is in line with advice received from Natural England, including as set out within the EIA Scoping Opinion (dated 3 December 2024) (ES Appendix 2.2: Scoping Opinion Response [APP/6.4]) and response to Consultation in accordance with Section 42 of the Planning Act 2008, dated 8 July 2025. |
| Conclusion – could the Scheme result in a likely significant effect? | |
| Alone. | |
| No: No likely significant effects are identified in relation to water pollution, changes in species distribution, air pollution, public access/disturbance or other factors. | |
| In combination with other plans or projects. | |
| No: On the basis of the above consideration, no in-combination effects are anticipated in relation to water pollution, changes in species distribution, air pollution, public access/disturbance or other factors. | |
| Conclusion: In the absence of mitigation, do the proposals have the potential to result in any likely significant effect on the interest features of Breckland SPA, either alone or in combination with other plans or projects? | |
| No potential for likely significant effects is identified in relation to the interest features of Breckland SPA (either alone or in combination with other plans or projects) following consideration of the development proposals and associated information. | |
| As such, there is no requirement for any progression to Stage 2 (Appropriate Assessment in relation to adverse effects on the integrity of Breckland SPA). | |
| This is in line with advice received from Natural England, including as set out within the EIA Scoping Opinion (dated 3 December 2024) (ES Appendix 2.2: Scoping Opinion Response [APP/6.4]) and response to Consultation in accordance with Section 42 of the Planning Act 2008, dated 8 July 2025. | |

Table 4.2 Screening of Norfolk Fens SAC

| Potential Adverse Effect | Likelihood of effect and mechanism of effect/impact if known |
|--------------------------|---|
| Hydrological Changes | The SAC is located 3.6km from the Site at its closest point, whilst no hydrological connection is present between the SAC and the Site. As such, no potential exists for likely significant effects on the interest features of Norfolk Valley Fens SAC in relation to hydrological changes as a result of the development proposals. |



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| Water Pollution | <p>The SAC is located 3.6km from the Site at its closest point, whilst no hydrological connection is present between the SAC and the Site. As such, no potential exists for likely significant effects on the interest features of Norfolk Valley Fens SAC in relation to water pollution as a result of the development proposals.</p> |
| Water Abstraction | <p>Specific consideration in regard to water resources is set out within ES Chapter 12: Water Resources [APP/6.2], which confirms that water used for the Scheme will not be sourced through new abstraction. On this basis, given no new abstraction is understood to be proposed, there would appear to be no potential for likely significant effects in relation to water abstraction as a result of the Scheme.</p> |
| Air pollution effects (Impact of atmospheric nitrogen deposition) | <p>Air quality effects arising from activities during the construction phase will be temporary in nature and associated with the vehicle movements from the transit of materials and general on Site construction activities.</p> <p>Designated construction and material transit routes have been identified as part of the routing strategy for the Scheme and associated construction activities. In particular, access into the Site will be via the A1065, with vehicle movements directed along the A1065 and onwards via the A47 dual carriageway, therefore avoiding Norfolk Valley Fens SAC.</p> <p>Construction phase HGV movements in particular shall be directed by a routing strategy, with an initial feasibility exercise indicating the following three key routes to the Site via local and strategic road networks:</p> <ul style="list-style-type: none">• Route A: Access to/from the south from the A47, via the A1065• Route B: Access to/from the north via A1065; and• Route C: Access to/from the A47, from the west via Narford Road, Low Road, South Acre Road and A1065. <p>The majority of components of Norfolk Valley Fens SAC are well-removed from the designated routes, such that no potential exists for likely significant effects on these components as a result of air quality. However, Potter & Scarning Fens East Dereham SSSI is located within 200m of the A47, approximately 15.5km east of the Site, such that further consideration is required in regard to potential for impacts to air quality on this component as a result of the Scheme (including in line with Natural England's response to Consultation in accordance with Section 42 of the Planning Act 2008, dated 8 July 2025).</p> |



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| | <p>ES Chapter 9: Transport and Access [APP/6.2] confirms that a reasonable worst-case for the peak construction vehicle movements for the Scheme would be 96 HGV movements per day, which (as set out within Natural England's response to Consultation in accordance with Section 42 of the Planning Act 2008, (dated 8 July 2025)) is below the threshold of 200 heavy duty vehicles (HDV) annual average daily traffic flow (AADT) identified by Natural England, such that the Scheme would not result in any likely significant effect in relation to air quality alone.</p> <p>Of the above stated figure for HGV movements, only a proportion would be anticipated to travel east along the A47 (and therefore within 200m of Potter & Scarning Fens SSSI).</p> <p>Notwithstanding this, following consideration in relation to other identified plans and projects (including as set out within ES Chapter 7: Ecology and Biodiversity [APP/6.2]), the proposed construction period identified for the Scheme (2031-2033) is not expected to overlap with the construction periods associated with other relevant schemes (in particular including the proposed High Grove Solar proposal), whilst other significant plans or projects are well-removed from the Site and situated in locations that are unlikely to result in increased traffic flows along the A47 at East Dereham and, as such, would not combine with the Scheme to result in any likely significant air quality effects as a result of increased traffic flows along the A47 in the vicinity of Potter and Scarning Fen SSSI.</p> <p>As such, no likely significant effects on Norfolk Valley Fens SAC in relation to air quality arising from construction traffic are anticipated as a result of the Scheme, either alone or in combination with any other plans or projects.</p> |
| Additional potential effects | <p>No additional potential effects, beyond those set out above, have been identified as likely to arise as a result of the development proposals.</p> <p>This is in line with advice received from Natural England, including as set out within the EIA Scoping Opinion (dated 3 December 2024) (ES Appendix 2.2: Scoping Opinion Response [APP/6.4]) and response to Consultation in accordance with Section 42 of the Planning Act 2008, dated 8 July 2025.</p> |
| Conclusion – could the Scheme result in a likely significant effect? | |
| Alone. | |



No: No likely significant effects are identified in relation to water pollution, changes in species distribution, air pollution, public access/disturbance or other factors.

In combination with other plans or projects.

No: On the basis of the above consideration, no in-combination effects are anticipated in relation to hydrological changes, water pollution, water abstraction, air pollution or other factors.

Conclusion: In the absence of mitigation, do the proposals generate a likely significant effect on a European Site?

No potential for likely significant effects is identified in relation to the interest features of Norfolk Valley Fens SAC (either alone or in combination with other plans or projects) following consideration of the Scheme and associated information.

As such, there would appear to be no requirement for any progression to Stage 2 (Appropriate Assessment in relation to adverse effects on the integrity of Norfolk Valley Fens SAC). This is in line with NE consultation comments which do not raise any concerns in regard to Norfolk Valley Fens SAC.



5 Conclusion

- 5.1.1 A number of European designations are located within the vicinity of the Site. Accordingly, this sHRA provides information to inform a Habitats Regulations Assessment (HRA) of the proposals under the Regulations, setting out an assessment of effects on nearby European designations.
- 5.1.2 In particular, consideration is set out in regard to potential for likely significant effects to arise as a result of changes in the distribution of qualifying species, hydrological changes and atmospheric pollution arising from construction traffic in relation to Breckland SPA, Norfolk Valley Fens SAC or any other identified international nature conservation designation.
- 5.1.3 Following the screening assessment (and consistent with the advice received in relation to the EIA Scoping Opinion (**ES Appendix 2.2: Scoping Opinion Response [APP/6.4]**) and Section 42 consultation), no potential likely significant effects have been identified on any such designations as a result of the Scheme, either alone or in combination with other identified plans or projects. Accordingly, no further assessment is required in relation to Regulation 63 of the Regulations.



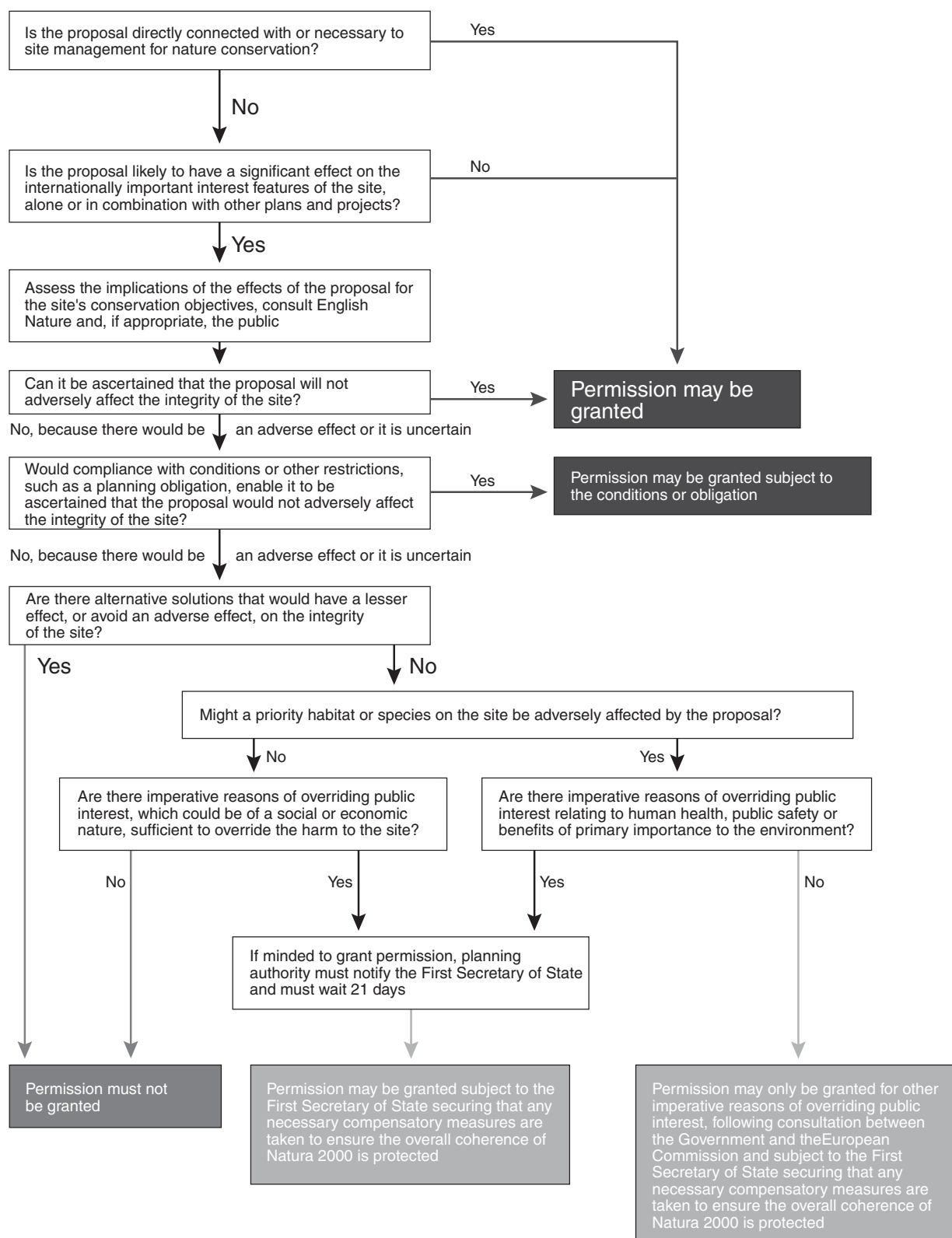
References

- Ref 1 Habitats Regulations Assessments: Protecting a European site. February 2021
<https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>
- Ref 2 Ministry of Housing, Communities and Local Government (December 2023) National Planning Policy Framework
- Ref 3 ODPM Circular 06/2005, DEFRA Circular 01/2005: Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System (16 August 2005). Referenced at footnote 65 of the NPPF.
- Ref 4 European Commission (April 2000) Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC
- Ref 5 European Commission (November 2001) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC
- Ref 6 Nationally Significant Infrastructure Projects: Advice on Habitats Regulations Assessments (Planning Inspectorate) (March 2025)
- Ref 7 Case C-258/11: Judgment of the Court (Third Chamber) of 11 April 2013 and Opinion of the Advocate General dated 22nd November 2012. Peter Sweetman and Others v An Bord Pleanála. Reference for a preliminary ruling: Supreme Court – Ireland
- Ref 8 Brecks Special Protection Area (June 2025). Breckland Council.
www.breckland.gov.uk/article/20784/Brecks-Special-Protection-Area



Appendix 1: Figure 1 within ODPM circular 06/2025

Figure 1: Consideration of development proposals affecting Internationally Designated Nature Conservation Sites





THE DROVES
SOLAR FARM