

The Drovers Solar Farm

Statement of Common Ground (SoCG) with Natural England (Tracked)

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1 Introduction

1.1 Overview

- 1.1.0 This Statement of Common Ground (SoCG) has been prepared as part of the application for a Development Consent Order (DCO) (the DCO Application) for The Drovers Solar Farm (the Scheme) made by The Drovers Solar Farm Limited (the Applicant) to the Secretary of State for Energy Security and Net Zero (SoS) pursuant to the Planning Act 2008.
- 1.1.1 SoCGs are an established means in the DCO consenting process, of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.
- 1.1.2 This SoCG has been produced to confirm to the Examining Authority (the ExA) where agreement has been reached between the parties, and where agreement has not yet been reached.

1.2 Parties to this Statement of Common Ground

- 1.2.0 This SoCG has been prepared by the Applicant and Natural England.
- 1.2.1 Collectively, the Applicant and Natural England are referred to as ‘the parties.’

1.3 Purpose of this Document

- 1.3.0 This SoCG is a ‘live’ document and will be amended as the examination progresses, including as more information becomes available and as a result of ongoing discussions between the Applicant and Natural England, in order to enable a final version to be submitted to the ExA.
- 1.3.1 The SoCG is intended to provide information for the examination process, facilitate a smooth and efficient examination, and manage the amount of material that needs to be submitted.

1.4 Terminology

- 1.4.0 This SoCG summarises the main topics covered and the status of the matter. The colour coding system used within the table in Section 4 has been outlined below.



Cell	Status
	Agreed – indicates where an issue has been resolved.
	Under Discussion – indicates where points continue to be the subject of ongoing discussions wherever possible to resolve, or refine, the extent of disagreement between the parties.
	Not Agreed – indicates a position where both parties have reached a final position that a matter cannot be agreed between them.



2 The Scheme

2.1 Scheme Description

- 2.1.0 The Scheme is a Nationally Significant Infrastructure Project (NSIP) for the construction, operation and maintenance, and decommissioning of a solar photovoltaic (PV) electricity generating station and associated development comprising a 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 50 megawatts (MW) Alternating Current (AC) of renewable energy, connecting into the National Electricity Transmission System (NETS) overhead line that passes through the Site.
- 2.1.1 The **Location Plan** [[APP-007](#)] shows the Order limits for the Scheme, which is approximately 840 hectares (ha) of land within Norfolk (the 'Order limits').



3 Record of Engagement

3.1 Summary of Engagement

- 3.1.0 The parties have been engaged in consultation since December 2024.
- 3.1.1 A non-statutory consultation took place between 17 September and 1 October 2024. The statutory consultation process took place between 21 May and 9 July 2025.
- 3.1.2 The Applicant and Natural England have engaged throughout the pre-application and Environmental Impact Assessment stages of the Scheme. The key engagement has included Natural England's Scoping Opinion, consultation comments, and Relevant Representation.
- 3.1.3 Table 3.1 shows a summary of key engagement that has taken place between the Applicant and Natural England in relation to the Application.

Table 3.1 – Record of Engagement

Date	Form of Correspondence	Key topics discussed and key outcomes
December 2024	Natural England Environmental Impact Assessment Scoping Opinion	• Soils • Designated Sites – comments welcomed and addressed within DCO application
July 2025	Natural England consultation comments	• ALC Survey – addressed within DCO application • Soil Management Plan – addressed within DCO application



			• Siting of Permanent Infrastructure • Air Quality impacts on Designated Sites – addressed within DCO application • Water Quality impacts on Designated Sites – addressed within DCO application • Protected Species Assessment – addressed within DCO application • Tree Survey Required – addressed within DCO application • Biodiversity Net Gain (BNG) Advised – addressed within DCO application • Management Plans Required – addressed within DCO application
26 February 2026	Natural England's Representation	Relevant	• International Designated Sites – addressed within DCO application • National Designated Sites – addressed within DCO application • Protected Species – licensing queried and further information provided • Biodiversity Net Gain (BNG) – ditches and inclusion of the published LNRS queried and further information provided • Ancient woodland and ancient/veteran trees – addressed within DCO application • Outline Landscape and Ecological Management Plan (oLEMP) – updates in regard to published LNRS, inclusion of measurable success criteria, species-rich grassland establishment details, hedgerow removal details, curlew mitigation details, details of lighting in respect of bats, recreational pressure, and habitat performance indicators requested. The Applicant confirms it has updated the oLEMP at Deadline 1 to reflect these matters.



		• Soils and best and most versatile agricultural land • Soils and Agriculture • Soil Management Plan
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- 3.1.4 It is agreed that this is an accurate record of the key meetings and consultation undertaken between the Applicant and Natural England in relation to the issues addressed in this SoCG.

4 Matters of Discussion

4.1 Overview

- 4.1.0 The following tables detail, by topic, the matters agreed, under discussion, or not agreed between the Applicant and Natural England at the point of this document being published.
- 4.1.1 Where discussions are ongoing, the parties will include an indication of the likelihood that disagreement will remain by the end of the examination in accordance with the **Rule 6 letter** [\[PD-006\]](#).



Table 4.1 – Land Use and Agriculture

Reference	Topic	Consultee's Position	Applicant's Position	Status
1-1	Soil	Natural England agrees with the principle of securing a detailed Soil Management Plan (SMP) through the DCO. However, the outline SMP is currently high level and does not provide sufficient detail to demonstrate that soils, particularly Best and Most Versatile (BMV) land, can be adequately protected, reinstated and monitored. Natural England considers that the current methodology for determining the scale of effect to BMV land may not adequately capture the combined and cumulative impacts of permanent and long-term soil loss across the Scheme, which could lead to an underestimation of their overall significance. Additional concerns relate to reliance on provisional data at the site selection stage, incomplete survey coverage across the Scheme, including in relation to grid connection infrastructure, and the potential for temporary construction activities to result in permanent soil degradation if not appropriately managed. Further evidence is therefore required to	The Applicant agrees that inappropriate working has the potential to result in long-term soil damage or possibly permanent land quality change. The ES Chapter 11 Soils and Agriculture [AS-018] considers the potential and concludes that the potential for such effects is limited to the areas set out in Table 11-7. Most of these areas are capable of restoration on decommissioning, subject to good practice. The outline Soil Management Plan (SMP) [APP/7.13.1] sets out the principles. The SMP will be secured as a pre-commencement condition under the DCO (Draft DCO, Schedule 2 Requirements, requirement 17) [APP/3.1.1], and will incorporate all of the matters suggested for inclusion by NE. The temporary and permanent effects have been considered in Chapter 11. <u>Response 1-1 raises four matters:</u> <u>(iv) whether there is sufficient evidence to show that BMV land and soils can be protected, or whether this can be dealt with in a detailed Soil Management Plan to be secured by DCO Requirement;</u>	Under Discussion Low – providing Natural England advice is followed



		demonstrate that impacts to soil resources can be avoided or adequately mitigated. <u>Natural England notes the Applicant's position from the comments included in this version of the SoCG and APP/8.4, that: (i) detailed soil protection, handling, reinstatement and monitoring measures will be secured through a detailed Soil Management Plan under Requirement 17 of the draft DCO; (ii) the Environmental Statement methodology appropriately captures combined permanent and long-term soil losses; (iii) provisional Agricultural Land Classification (ALC) mapping represented the best available information at the site selection stage; and (iv) the areas not subject to detailed ALC survey are limited to the Grid Connection Infrastructure where works are limited to overhead line re-stringing activities.</u> <u>Natural England agrees that a detailed Soil Management Plan will need to be secured through Requirement 17 of the draft DCO, and approved prior to the commencement of any soil-disturbing works, including trafficking. Natural England also accepts that APP/6.2.1 identifies impacts affecting 20 hectares or more of Best and Most Versatile (BMV) agricultural land as a significant effect and is satisfied that the assessment methodology captures the combined</u>	<u>(iv) whether the current methodology in the ES adequately captures the combined and cumulative impacts of permanent and long-term soil loss;</u> <u>(iv) whether reliance upon provisional ALC map information at the site selection stage was the appropriate methodology;</u> <u>(iv) whether there is incomplete ALC coverage across the Scheme.</u> <u>Soil Management.</u> <u>The applicant and NE are in agreement that a detailed SMP will need to be provided pre-construction. This can be secured through a DCO Requirement. It is agreed that inappropriate working practices have the potential to result in long-term, or potentially permanent, effects. It is normal for a detailed SMP to be required by DCO Requirement. The Applicant considers that the information provided for this Scheme, which is of a similar or greater detail to many other DCO schemes of a similar nature, provides sufficient information to conclude that the majority of land across the Order limits will not be adversely affected by the Scheme. Soil disturbance, and potential effects on land quality, are limited to generally small areas, all of which have been identified and measured. Subject to a detailed SMP being followed, BMV land can be adequately protected, reinstated and monitored.</u> <u>The soils across the Order limits are described in ES Chapter 11 [AS-018] and in the ALC Report [APP-168]. Mostly the soils are sandy in nature as described in ES Chapter 11 at 11.6.16. to 11.6.22. Based on ISEP guidance, the majority of soils are described as high</u>	
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		<u>permanent and long-term impacts reported by the Applicant.</u> <u>In relation to site selection, Natural England notes the Applicant's explanation that provisional ALC mapping and BMV likelihood mapping represented the best available information at the time and acknowledges that the newer predictive ALC mapping was not available when the site selection exercise was undertaken. Natural England also notes the Applicant's clarification regarding the limited extent of land not subject to detailed ALC survey and understands that these areas are associated with Grid Connection Infrastructure works where no soil stripping or excavation is proposed. If any soil stripping is to occur, an ALC will need to be undertaken in these locations to inform restoration criteria and soil management; and described in the detailed SMP.</u> <u>However, Natural England maintains that we do not agree with the statement in paragraphs 11.5.23 and 11.5.24 of ES Chapter 11, as referenced within NE28 of APP/8.4, that temporary short-term impacts are inherently less significant than temporary long-term impacts, and temporary effects are less significant than permanent impacts. Natural England considers that temporary construction activities, including underground cable</u>	<u>resilience to structural damage (low sensitivity), with two areas mapped at Plate 11-39 as medium resilience (medium sensitivity). Given the resilience of the soils and the data provided, the Applicant considers there is adequate information to enable the conclusion that soils and land quality can be protected subject to a detailed SMP.</u> <u>Therefore, there is detailed information and analysis to conclude that BMV (and other) land can be protected and restored. A detailed SMP, to ensure that appropriate works are undertaken during construction, can be secured by DCO Requirement. It is the Applicant's position that item (i) can be agreed.</u> <u>Capturing Cumulative Impacts Across the Scheme.</u> The ES in Chapter 11 considers each and all of the components of the Scheme, as short term temporary, long term temporary or permanent, by ALC grade, as per Table 11-7, reproduced below.	
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installation, haul roads, access tracks and construction compounds, have the potential to result in permanent changes to soil structure, function and agricultural land quality if undertaken inappropriately. Because of this, Natural England maintains that item 1-1 is still an amber issue.

Natural England advises that the risk of temporary activities potentially causing permanent soil damage should be acknowledged within ES Chapter 11 and reflected within the detailed Soil Management Plan. However, subject to this being acknowledged, and the detailed Soil Management Plan secured through Requirement 17, providing appropriate measures for soil protection, handling, reinstatement and monitoring of temporary impacts, Natural England would not have any further concerns regarding this matter.

Table 11-7 Areas Disturbed by ALC Grade

Component	ALC Grade					
	1	2	3a	3b	4	Total
Short-term temporary						
Construction compounds (locations known)	0	1.0	0	1.0	0	2.0
Construction compounds (locations not known)	Worst case 9.1 BMV					9.1
Total	10.1ha BMV, 1.0ha non-BMV					
Long-term temporary						
Access tracks	0.3	1.9	1.6	0.8	0	4.6
Ground-mounted PV modules	<0.1	0.5	0.3	0.5	<0.1	1.4
Vehicle trafficking	0	0	0	0	0	0
Cabling	0	0	0	0	0	0
Customer Substation and BESS (Field 27)	0	9.2	5.2	2.8	0	17.2
BESS (Field 24)	0	0	0	10.5	0	10.5
Total	19.1ha BMV, 14.7ha non-BMV					
Permanent						
NG Substation	0	4.5	0	0	0	4.5
Mitigation planting	0	1.8	2.5	0	0	4.3
Total	8.8ha BMV					

From this, an assessment of likely and worst-case effects is made. It is concluded that there is the potential for a significant effect on disturbed BMV (para 11.8.51). This is considered by the Applicant to be a fair and accurate assessment which does not underestimate overall significance.

Natural England will be aware that from the Department for Environment, Food and Rural Affairs Predictive Agricultural Land Classification Map for England, published earlier this year, most of Norfolk is predicted to be of BMV quality.

The cumulative effects assessment has been updated at Deadline 3 to consider all of the



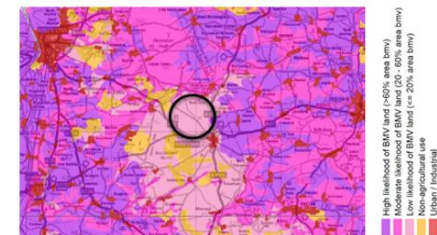
			<u>schemes identified in Appendix 2.4 of the ES [APP/6.4.1].</u> <u>Therefore, the Applicant considers that the ES does capture the combined and cumulative impacts of the different components of the Scheme, and considers that item (ii) can be agreed.</u> <u>Reliance Upon Provisional ALC Maps.</u> In <u>[RR-038] NE comment at NE8 that provisional ALC plans do not identify if land is of BMV quality or not. The limitations of the (then) published provisional ALC maps, and the Likelihood of BMV maps, is clearly recognised. Short of detailed ALC, it was, however, the best data available, and NE had digitised it so it was clearly intended to be used. The Site can be seen as the lowest quality available, Grades 3 and 4, and with a low likelihood of BMV, unlike much of Norfolk.</u>	
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Plate 11-23 Provisional ALC, Site circled approx.



Plate 11-24 Likelihood of BMV, Site circled approx.



Comment NE8 in [RR-038] goes on to set out the limitations of provisional ALC mapping, advising that the results of a detailed ALC survey would provide soils data. This comment is not disputed. It is believed that these comments in the Relevant Representations have fed into the concerns raised in the SoCG. Given that detailed ALC survey and soil survey was fully reported in the ES, the Applicant considers that item (iii) should be capable of being agreed.

Is ALC Coverage Incomplete? There is coverage of all of the Order Limits except for two areas, identified below.



			 <u>The Works Plans [APP-009] identify the works across most of these areas as Work No 5c, which is temporary work areas and realignment of the overhead line. For a small part of the eastern area Works No 5a, which could include a new pylon, applies.</u> <u>Therefore, due to the minor quantity of permanent land take in these areas, no potential significant adverse effects are likely, and as mostly the works are above ground, ALC of those areas was not, and still is not, considered necessary.</u> <u>The works in this area will be covered in the SMP, to be secured by DCO Requirement. The Applicant considers that item (iv) can be agreed.</u> <u>Conclusion</u> <u>All these matters should, therefore, be capable of agreement.</u>	
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1-2	ALC survey density	Natural England notes the Agricultural Land Classification (ALC) survey undertaken and associated methodology. We commend the survey density of one auger sample per hectare. However, concerns remain regarding the completeness of survey coverage and how the data has been applied within the assessment, rather than survey density alone. <u>If any soil stripping is to occur, an ALC survey will need to be undertaken in any unsurveyed locations to inform restoration criteria and soil management; and described in the detailed SMP.</u>	This is noted. The results are set out in Appendix 11.2: Agricultural Land Classification [APP-168]. <u>Response 1-2 raises two matters:</u> <u>(ii) coverage in the ALC;</u> <u>(ii) application of data within the assessment.</u> <u>Coverage of the ALC. The ALC is complete for all of the Order Limits except for two areas identified in 1-1, which are mostly included to allow for restringing of electric cables, which is an above-ground activity. A repositioned pylon may be included in Works Area 5A, but the effect will be negligible due to the small scale of any permanent land take.</u> <u>These works can and will be included in a detailed SMP, which can be provided pre-construction under a DCO Requirement.</u> <u>Application of Data Within the Assessment. Response NE10 in the RRs [RR-038] included the following comments, which may be those underpinning this -comment:</u> <u>“For a robust and transparent assessment it is recommended that: (i) the sensitivity of soils be clearly identified using ALC and soil function frameworks, (ii) temporary and permanent impacts be assessed separately, (iii) the spatial</u>	Under Discussion Agreed Low – providing Natural England advice is followed



			<u>extent of impacts be reviewed to ensure all affected areas are included, and (iv) mitigation and monitoring measures are fully specified within the final Soil Management Plan to support a defensible evaluation of significance”.</u> <u>These are all covered in ES Chapter 11 [AS-018] which sets out:</u> <u>(ii) the sensitivity of soils, using the ISEP Guide and based on detailed ALC and soil survey results;</u> <u>(ii) a detailed assessment over many pages of each and every construction work, identifying temporary and permanent effects separately;</u> <u>(ii) the assessment considers the extent of the areas affected by ALC grade. These are all set out in Table 11-7, reproduced for ease below</u>	
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Table 11-7 Areas Disturbed by ALC Grade

Component	ALC Grade					
	1	2	3a	3b	4	Total
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Construction compounds (locations known)	0	1.0	0	1.0	0	2.0
Construction compounds (locations not known)	Worst case 9.1 BMV					9.1
Total	10.1ha BMV, 1.0ha non-BMV					
Long-term temporary						
Access tracks	0.3	1.9	1.6	0.8	0	4.6
Ground-mounted PV modules	<0.1	0.5	0.3	0.5	<0.1	1.4
Vehicle trafficking	0	0	0	0	0	0
Cabling	0	0	0	0	0	0
Customer Substation and BESS (Field 27)	0	9.2	5.2	2.8	0	17.2
BESS (Field 24)	0	0	0	10.5	0	10.5
Total	19.1ha BMV, 14.7ha non-BMV					
Permanent						
NG Substation	0	4.5	0	0	0	4.5
Mitigation planting	0	1.8	2.5	0	0	4.3
Total	8.8ha BMV					

(iv) mitigation and monitoring measures are set out in the ES Chapter 11, not the SMP, to enable an assessment of significance.

The oSMP sets out the framework for a detailed SMP, which will provide the information to ensure that soils and land quality are not adversely affected, and which can be controlled by DCO Requirement. The final SMP will not, however, set out a defensible evaluation of significance, as this is a matter for the ES, not the SMP.



			<u>The Applicant considers that this matter can be agreed.</u>	
1-3	Siting of permanent infrastructure	<u>We note the Applicant's position is that operational and environmental considerations have been considered in their assessment of the siting of permanent infrastructure. However, Natural England maintains that impacts to BMV land should be avoided where possible and that siting and design should minimise permanent loss of BMV land. Currently permanent infrastructure is still to be sited on BMV land, therefore we still consider this to be an amber issue. Further justification is required to demonstrate how impacts have been avoided and minimised.</u>	The comment is noted. The use of BMV land, especially for items of fixed equipment or mitigation planting, was an important consideration in the design process and the determination of the overall layout. A description of micro-siting considerations is provided throughout ES Chapter 11 Soils and Agriculture [AS-018] . —In balancing operational and environmental considerations, and in recognition that for many of the construction works full restoration to comparable ALC grade will be achievable, the use of BMV could not be avoided. The environmental assessment considers the effects on a likely, and a worst-case, scenario in paragraph 11.8.49 through to 11.8.54.	Under Discussion Low – providing Natural England advice is followed

Table 4.2 – Ecology and Biodiversity

Reference	Topic	Consultee's Position	Applicant's Position	Status
2-1	International Designated Sites	Natural England concurs with the conclusion of the Shadow Habitats Regulations Assessment (SHRA) that likely significant effects on European sites can be ruled out, either alone or in	As set out within the Shadow Habitats Regulations Assessment [AS-057] , likely significant effects on European sites can be ruled out, either alone or in combination with other plans or projects, and that there is	Agreed (but Natural England's standard advice on air



		combination with other plans or projects, and that there is therefore no need to progress to Stage 2 Appropriate Assessment. Standard advice applies with respect to air emissions	therefore no need to progress to Stage 2 Appropriate Assessment. As such, all matters are considered to be agreed in relation to International Designated Sites and HRA.	quality should be considered)
2-2	National Designated Sites	The Nationally Designated Sites of relevance are: Breckland Forest SSSI, River Nar SSSI, Potter & Scarning Fens, East Dereham SSSI <u>Breckland Forest SSSI</u> Chapter 7 of the ES identifies Breckland Forest SSSI 2.7km from the proposed development and based on the information presented in the ES, Natural England concurs with the conclusion that there will be no significant adverse effects on the site. <u>River Nar SSSI</u> With consideration of air emissions potentially impacting the River Nar SSSI, we refer you to Appendix 1 of this letter - <i>Standard Advice for Air Quality Impacts in National Significant Infrastructure Projects (NSIPs)</i>. Chapter 7 of the ES identifies a hydrological link to the River Nar SSSI	Consideration in regard to potential likely significant effects on National Designated Sites is set out within ES Chapter 7: Ecology and Biodiversity [APP/6.2.1]. Where appropriate, mitigation measures (in particular measures in relation to surface water run-off in relation to the River Nar SSSI are identified within the oCEMP [APP/7.6.1] and secured through Requirement 13 in Schedule 2 to the draft DCO [APP/3.1.1]. As such, it is concluded that there will be no significant adverse effects on National Designated sites and all matters are agreed in relation to such designations.	Agreed (but Natural England's standard advice on air quality should be considered)



		from the proposed development site, and there is the potential for chemical spills and contaminated surface water runoff to reach the River Nar SSSI via overland flows such as ditches, which has the potential to degrade the habitats with adverse effects to the associated faunal and botanical assemblages of the River Nar SSSI. However, on the basis that the embedded mitigation measures detailed within the CEMP are implemented and secured, Natural England concurs that there will be no significant adverse effects on the River Nar SSSI. <u>Potter & Scarning Fens, East Dereham SSSI</u> Please refer to our comments in NE1 i.e. it is identified there is no hydrological connectivity to the site, and for air emissions we refer you to Appendix 1 of this letter - <i>Standard Advice for Air Quality Impacts in National Significant Infrastructure Projects (NSIPs)</i>. No potential likely significant effects on other National Designated Sites have been identified.		
2-1	Protected Species	Natural England noted <u>previously</u> that Chapter 7 of the ES identifies that licences may still be required due to the known presence of protected species in the area. However, no indication hads	The potential need for Natural England licencing is discussed in paragraphs 7.9.2 and 7.9.3 of ES Chapter 7: Ecology and Biodiversity [APP/6.2.1] in regard to Badger.	<u>Under Discussion</u> <u>Agreed</u>



	been provided that a licence has been/will be applied for. Natural England therefore recommended this iwas undertaken at the earliest opportunity to prevent delay. We advise our comments at the PEIR stage remain outstanding,, including the need to consider licensing requirements in accordance with Natural England guidance. Applicants should refer to the relevant guidance (Wildlife licences: when you need to apply – GOV.UK) to determine whether mitigation licences are required. Natural England can, via its Discretionary Advice Service (DAS), review a draft licence application and, where appropriate, issue a Letter of No Impediment (LONI). <u>Subsequently, Natural England's licensing team has reviewed the submitted Badger survey information and confirmed that the survey had been undertaken to an appropriate standard. On the basis that the known Badger setts would be retained and protected through appropriate buffer zones, Natural England agree that no Badger licence is currently required and that there is no need for the Applicant to seek a Letter of No Impediment (LONI) at this stage. Natural England agrees that an updated pre-construction walkover survey should be undertaken prior to commencement of works and that, should new setts arise in</u>	A licence is not currently anticipated to be required needed in respect of Badger given the existing setts are fully retained and subject to appropriate buffers. Given Badger are dynamic animals and levels of Badger activity can rapidly change at a site, with new setts created at any time, an update survey has been recommended prior to works commencing, in order to confirm that no new setts have been created. Should any new setts be identified at that time (within the development area), depending on the up-to-date position at that time, it may be that further measures are required (including potentially licensing should new setts arise within/adjacent to areas requiring construction activity). Clearly it is not possible to predict the future changes in this regard and accordingly, as a matter of best practice the approach that would be taken (i.e. obtaining any relevant licensing should such changes occur) is provided to ensure such eventualities are addressed. No requirement for protected species licences in relation to other species has been identified. In particular, ES Chapter 7: Ecology and Biodiversity [APP/6.2.1] confirms that no bat roosts will be affected (such that licensing would not be required in regard to roosting bats), whilst given the distance from any ponds supporting Great Crested Newts, no licensing would be required in regard to this species.	Low – providing Natural England advice is followed <u>and should any new Badger sett or setts be created within relevant areas in the future, licensing is applied for at that stage if required</u>
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		<u>locations requiring licensable action, the Applicant should apply for a licence at that stage. On this basis, Natural England is satisfied that no badger licensing requirements have been identified at the current time.</u>	Accordingly, no licence applications are required at this time, and as such no Letter of No Impediment (LONI) would be appropriate or necessary based on the current position.	
2-2	Biodiversity Net Gain (BNG)	Natural England welcomes the demonstration of >10% net gains for biodiversity using the Defra Biodiversity Metric, <u>and would welcome the specific BNG uplift identified in [APP/7.4.1]-being secured in the DCO.</u> Natural England noted that the assessment states that there are no watercourses within the order limits, however, it <u>wais</u> Natural England's understanding that there are drainage ditches within the development boundary. We therefore recommended that these are considered within the BNG assessment and 10% uplift is also delivered for these habitats. Natural England advised that the Local Nature Recovery Strategies (LNRS), a new mandatory system of spatial strategies for nature established by the Environment Act 2021, could provide opportunities not only for enhancing biodiversity in the locality, but also to create and enhance	Specific consideration and assessment in relation to overall biodiversity value is set out within the Biodiversity Net Gain Assessment Report [APP/7.4.1], using the government metric and associated guidance. This demonstrates that the Scheme will deliver a BNG substantially in excess of 10% for Habitat Units and Hedgerow Units. The BNG Assessment and Report and oLEMP have been updated at Deadline 1 to take into account the published Norfolk LNRS and also address trading errors previously identified. Government BNG Guidance set out within The Statutory Biodiversity Metric User Guide (Department for Environment Food & Rural Affairs, First published February 2024 Last updated 3 July 2025) provides a clear definition of a Watercourse Ditch, which the ditches on site do not meet (as they are dry or do not hold water for sufficient periods, as	<u>Agreed Under Discussion</u> Low – providing Natural England advice is followed



	ecological connectivity in the area, contributing to the Nature Recovery Network and climate change resilience. We advisedd that habitats and species measures within the Landscape and Ecology Management Plan (LEMP) and BNG delivery, should be aligned with the published Norfolk LNRS. Natural England adviseds that, where ditches can be demonstrated to meet the definition set out in the Statutory Biodiversity Metric User Guide (i.e. less than 5 metres in width and retaining water for at least 4 months of the year), and sufficient evidence is provided to support this, there would be no objection in principle to their exclusion from the BNG assessment. In the absence of such evidence, Natural England maintains that these features should be appropriately considered within the BNG calculation. <u>Having reviewed the further information provided [APP-061] in relation to the drainage features present on site, Natural England agrees that these features do not meet the Biodiversity Metric definition of a ditch, as they are not considered likely to retain water for more than four months of the year, and can therefore be excluded from the BNG assessment.</u>	detailed within ES Chapter 12: Water Resources [APP-061]) and therefore watercourse units are not applicable for the Scheme. The BNG (including a minimum of 10% biodiversity net gain in habitat units and hedgerow units) will be secured through Requirement 9 in Schedule 2 to the Draft DCO [APP/3.1.1].	
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2-3	Ancient woodland and ancient/veteran trees	Natural England is in agreement with all matters relating to ancient woodland and ancient/veteran trees, save for the fact that we advise the Applicant to refer to the standing advice produced by Natural England and the Forestry Commission, and we would advise that this guidance is referenced specifically within the LEMP.	The buffers and mitigation measures are in accordance with the Standing Advice produced by Natural England and the Forestry Commission. These measures will be detailed further within the LEMP and CEMP, as requested, and secured as avia the corresponding requirements of the DCO. As such, all matters are considered to be agreed in relation to Ancient Woodland, ancient and veteran trees.	Agreed
2-4	Outline Landscape and Ecological Management Plan (oLEMP) – Norfolk LNRS (7.2.3.-7.2.19)	Natural England welcomes the outline Landscape and Ecological Management Plan (oLEMP). We previously advised that ; however, we consider that the document could be strengthened, and therefore identify this as an amber issue. Natural England has identified the need to - update the oLEMP to reflect the final Norfolk LNRS, - strengthen the delivery framework for Biodiversity Net Gain, habitat creation, and long-term monitoring. - Clarify the success criteria, remedial actions, hydrological features within BNG calculations, and responsibilities for ongoing management. - Ensure that potential increases in recreational access and associated	The oLEMP [APP/7.11.42] has been updated at Deadline 1 to reflect the published Norfolk LNRS, including in particular in relation to Priority habitat expansion zones within the Brecks and Nar Valley. Relevant criteria for successful achievement of the BNG outcome in relation to the BNG metric (as set out within the Biodiversity Net Gain Assessment Report [APP/7.4.1]) are provided by the criteria set out within The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology (Defra , 2025). <u>Clarification of success criteria, remedial actions and responsibilities for ongoing management are set out within the updated oLEMP [APP/7.11.2] at section 7.5.</u>	Under Discussion <u>Agreed</u> Low – providing Natural England advice is followed



		pressure on sensitive habitats are appropriately considered and managed. <u>Having reviewed the further information provided [APP/7.11.1] (noting we are unable to locate document APP/7.11.2, which you have referred to), we are satisfied these revisions have been made.</u> Natural England welcomes the positive commitments within the oLEMP — including significant BNG uplift, grassland creation, woodland and hedgerow establishment, and species mitigation <u>and previously advised that—but advises that</u> additional detail is needed on seed provenance, nesting-season restrictions, Curlew and Skylark measures, bat-sensitive lighting (if proposed), and long-term monitoring to ensure outcomes can be reliably secured for the lifetime of the development. <u>We are satisfied that this information has now been provided.</u> <u>As per our advice 525376, dated 19 September 2025, we advised if you could clarify the exact species of curlew being referred to e.g. Numenius Arquata (Eurasian curlew), or Burhinus oedicnemus (stone-curlew). Natural England now understands the curlew species in question is –Eurasian curlew,</u>	<u>Hydrological features are discussed above at 2-2.</u> In line with Natural England's advice, further information in regard to measures and remedial triggers will be provided within the detailed LEMP, as secured through Requirements 7 and 9 in Schedule 2 to the Draft DCO [APP/3.1.1]. <u>Recreational pressure will be limited to existing and proposed Public Rights of Way (PRoWs). These areas do not comprise sensitive habitats being either already used as amenity areas or proposed for amenity areas. As such, increases in recreational pressure are not anticipated to have an impact on sensitive habitats within the Site.</u> <u>Grassland seed provenance is discussed at 7.4.102.42 within the oLEMP, whilst provenance of proposed tree and hedgerow species/specimens is covered at 7.3.16, 7.3.41 and 7.4.13 within the oLEMP.</u> <u>Nesting-season restrictions are provided within the oLEMP at 7.3.18, 7.3.49, 7.3.72., 7.4.21, 7.4.50, and Annex A.;</u> <u>Eurasian curlew and Skylark mitigation is detailed within the oLEMP at 7.3.103 - 7.3.112.</u>	
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		<u>and that this has been updated in existing submissions where possible, and Eurasian Curlew, or Stone Curlew will be referred to in any future submissions for clarity.</u>	<u>Reference to a bat-sensitive lighting scheme, which will included within the detailed CEMP, is included within the oLEMP at 7.3.129.</u> <u>We can confirm the species being referred to (in all cases where the more generic “Curlew” was previously used), to is Eurasian Curlew <i>Numenius Arquata</i>. Where possible, existing submissions have been updated to specify Eurasian Curlew for clarity, and future references throughout will refer to the term Eurasian Curlew (or Stone-curlew as appropriate), for clarity.</u>	
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