

Date: 06 October 2026
Our ref: 559759



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Dear Sir/Madam,

NSIP Reference Name / Code: East Pye Solar Farm / [REDACTED]

Title: Natural England's Written Representations

Examining Authority's submission deadline: 06 October 2026

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

These Written Representations are submitted in pursuance of rule 10(1) of the Infrastructure Planning (Examination Procedure) Rules 2010 ('ExPR') in relation to an application under the Planning Act 2008 for a Development Consent Order ('DCO') for the construction, operation, maintenance and decommissioning of a solar photovoltaic (PV) electricity generating station and associated development, including a Battery Energy Storage System (BESS), ancillary infrastructure, customer substations and Grid Connection Infrastructure (including a new National Grid Substation). Submitted by East Pye Solar Limited to the Secretary of State.

Natural England's full detailed comments on this application can be found in our Relevant Representations (our ref 547242, dated 10 June 2026), which were 'front-loaded' to ease engagement through examination. As a result, the contents of this letter are intended to summarise updates to our advice, without repetition of the advice already provided. Where no update is provided, our previous advice should be relied upon in our Relevant Representations.

Ongoing engagement between Natural England & the Applicant:

The Applicant has engaged with Natural England since submission of our Relevant Representations on the Applicant's draft Statement of Common Ground (SoCG) which is expected to be submitted at Deadline 1. This SoCG should clearly set out both where Natural England and the Applicant have agreed matters, and where matters remain under discussion. Natural England will continue to work with the Applicant to update the SoCG throughout the Examination.

Summary of Updated Advice:

In our Relevant Representations, Natural England did not raise any 'Red' fundamental concerns but did identify outstanding 'Amber' items. The following provides a summary of progress in relation to these items:

I. Protected species licenses

Natural England acknowledges the Applicant's current position that they don't consider there to be a requirement for protected species licences. Natural England have advised that should the project design change or should any pre-commencement works change the ecological baseline, we advise engaging with the Natural England licencing team at the earliest opportunity to prevent delay. We have referred the Applicant to Natural England's guidance Wildlife licences: when you need to apply (Natural England and Defra, 25 October 2023¹). The applicant can use our Discretionary Advice Service (DAS) to apply for a draft license if required.

II. Soils

Natural England consider there to be a number of outstanding matters relating to soils, that remain under discussion with the Applicant.

Natural England's position remains that an Agricultural Land Classification (ALC) survey needs to be undertaken for the entirety of the Draft Order Limits prior to determination. Natural England advise that detailed ALC surveys should be undertaken across all areas that may be affected by the Scheme, including the Cable Route Corridor (CRC), in order that potential effects on the agricultural land resource can be appropriately assessed and considered prior to determination of the application.

Natural England agrees that, in principle, trenchless installation is the preferred approach where peat soils are present. Natural England's position is that any final design should demonstrate that the crossing would not adversely affect groundwater connectivity, hydrological function or the condition of the peat resource. Subject to appropriate evidence and detailed design demonstrating these outcomes, Natural England has no in-principle, objection to the proposed approach.

The assessment methodology within the Soils and Agricultural Land chapter does not fully reflect the principles set out within current ISEP "A New Perspective on Land and Soil in EIA" (2022) guidance, particularly in relation to the assessment of effects on Best and Most Versatile agricultural land. Table 3 of the 2022 ISEP guidance continues to use the established 5ha and 20ha BMV land loss significance cut-offs as previously published in the 2019 Design Manual for Roads and Bridges LA109 and ICE EIA Handbook, 2019. Natural England notes that the assessment methodology presented within the Soils and Agricultural Land chapter adopts bespoke sensitivity and magnitude criteria.

Natural England also notes that temporary and reversible impacts are generally categorised as low magnitude, irrespective of scale or duration. Natural England therefore considers that further justification should be provided to demonstrate that the assessment methodology appropriately reflects the sensitivity of affected agricultural land and soil resources and magnitude of impact and does not understate the significance of effects.

Natural England accepts that the Applicant has provided evidence demonstrating that agricultural land quality has contributed to site selection and design development and therefore agrees that avoidance and minimisation of BMV land has been considered throughout preparation of the Scheme. Nevertheless, Natural England remains concerned regarding the extent of permanent BMV land affected by fixed infrastructure and maintains that greater clarity should be provided regarding the balance that was applied between agricultural land quality and other site selection constraints, particularly in relation to those infrastructure elements proposed on Grade 2 agricultural land.

Natural England welcomes the commitment to prepare a detailed Soil Management Plan prior to commencement of works and notes that the Outline Soil Resource and Management Plan follows recognised soil management good practice. Further detail should be provided within the detailed Soil Management Plan regarding the results of the Cable Route Corridor soil and ALC surveys, restoration criteria, monitoring and verification requirements, stockpile management and any peat-specific management measures where relevant.

¹ <https://www.gov.uk/guidance/wildlife-licences>

III. Local Nature Recovery Strategy (LNRS)

Natural England have advised that the Applicant provides clarification on where the LNRS has been considered in supporting documents, in particular Chapter 8 Biodiversity and Ecology [APP-044] and in the Biodiversity Net Gain Report [APP-218].

We offer the following additional comments on nature recovery for consideration.

In addition to ensuring that adverse effects from the project proposals to the various ecological and landscape receptors are avoided, mitigated and/or compensated for in the short-medium term (i.e. throughout construction, operation and removal of temporary works), Natural England advises that a project of this scale should also commit to providing a positive long-term environmental legacy for Norfolk.

We note that the Applicant acknowledges within the consultation documents (Chapter 14, Socio Economics, March 2026) that there are social and economic benefits to the scheme through working with local businesses and creating employment.

Following a similar principle, we advise that the Applicant should commit to leaving a similarly positive environmental legacy which provides ecological and landscape benefits to people and wildlife in the long-term. This approach should complement and expand on the commitment for the project to provide 10 % Biodiversity Net Gain (BNG) when considered against the current baseline ecological value of the land within the red line boundaries of the project.

Projects of this scale can and should make a major contribution to local nature recovery in line with the Lawton principles of 'more, bigger, better and more joined up' habitats in the area. We advise that habitats and species measures within the Landscape and Ecology Management Plan should be aligned with the published Norfolk Local Nature Recovery Strategy².

IV. Biodiversity Net Gain

Natural England welcomes the demonstration of biodiversity net gain and notes that a minimum of 10% biodiversity net gain in habitat, watercourse and hedgerow units is proposed to be secured through the Development Consent Order.

V. Ancient Woodland and Veteran Trees

Natural England advise that our standing advice, Ancient woodland, ancient trees and veteran trees: advice for making planning decisions (Natural England and Forestry Commission, 14 January 2022)³, is adhered to in the OLEMP (APP-199), OCEMP (APP-196) and ODEMP (APP-198). Natural England acknowledge and welcome the implementation of a 30m buffer zone around veteran trees but for clarity and consistency of use, ask that it is referenced and secured in the LEMP DEMP and CEMP.

VI. Development Consent Order (DCO)

Natural England acknowledge the Applicant's response to the comments made in our Relevant Representations on the DCO. We will continue to work with the Applicant on the refinement of the relevant management plans that will be secured through the DCO.

Examiners First Written Questions

Natural England has provided comments in relation to the Examining Authority's First Written Questions

² <https://www.norfolk.gov.uk/article/73317/Norfolks-Local-Nature-Recovery-Strategy>

³ [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK](#)

in a separate document named, EN0110014-000638-Examining Authority Written Questions, *Natural England Comments* (our ref 560171), and refers the Examining Authority to that submission.

For any further advice on this consultation please contact consultations@naturalengland.org.uk.

Yours sincerely,



Norfolk and Suffolk Sustainable Development