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# FENWICK SOLAR FARM

**Preliminary Environmental Information Report**

**Volume III Appendix 8-1: Legislation, Policy and Guidance  
(Ecology)**

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# 1. Introduction

## 1.1 Purpose of this Appendix

- 1.1.1 This appendix of the Preliminary Environmental Information Report (PEIR) identifies and describes the legislation, policy and supporting guidance considered relevant to the assessment of the likely significant effects of the Fenwick Solar Farm (hereafter referred to as the 'Scheme') on ecology and biodiversity in particular.
- 1.1.2 Legislation and policy are considered at international, national and local levels.
- 1.1.3 The purpose of considering legislation and policy in the Environmental Impact Assessment (EIA) is to identify legislation, policy and guidance that could influence:
  - a. The determination of important ecological and biodiversity features, the significance of effects and any requirements for mitigation; and
  - b. The method for the EIA, for example, a policy may require the assessment of an impact or the use of a specific method.
- 1.1.4 The following sections identify and describe the legislation, policy and supporting guidance considered specifically relevant to the ecological assessment, which has been taken into account in preparing the PEIR.

## 2. International Legislation

- 2.1.1 The following international legislation is relevant to the assessment of the impacts of the Scheme on ecology and biodiversity in particular.
- 2.1.2 European Union (EU) and global biodiversity targets are partly delivered through a range of legislative measures, which place obligations on Member States to protect biodiversity and the natural environment. Whilst the United Kingdom (UK) left the EU on 31 January 2020, the ecological protection established by certain EU Directives continues to be implemented through the UK legislation, as set out in Section 3.2 of this appendix. In relation to biodiversity, three key directives relevant to the Scheme have been considered, namely:
- a. Directive 2009/147/EC on the conservation of wild birds (Ref. 1) Birds Directive);
  - b. Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) (Ref. 2); and
  - c. Regulation (EU) 1143/2014 on the prevention and management of the introduction and spread of invasive alien species (IAS) (Ref. 3).
- 2.1.3 These Directives provide for the protection of animal and plant species of European importance and the habitats which support them, particularly through the establishment of a network of protected sites, called European sites (previously the 'Natura 2000 network'), seek to prevent the spread and to manage invasive non-native plants and animals.
- 2.1.4 Further legislation includes Directive 2000/60EC (Water Framework Directive) (Ref. 4), under which Member States are required to protect and improve their inland and coastal waters.

### 2.2 Ramsar Convention 1971

- 2.2.1 The Ramsar Convention 1971 (Ref. 5) is an international treaty which includes the designation of wetlands of international importance. Government policy extends the same level of protection to Ramsar wetlands as that afforded to sites that are designated under the Birds Directive (Ref. 1) and Habitats Directive (Ref. 2).
- 2.2.2 Consideration has been given in the assessment of the Scheme to the presence of any Ramsar wetlands.

### 3. National Legislation, Policy and Guidance

- 3.1.1 Regulation 5(2)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Ref. 6) requires that an EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the likely significant direct and indirect effects of the Scheme on biodiversity, with particular attention to species and habitats protected under the Habitats Directive (Ref. 2) and the Birds Directive (Ref. 1).
- 3.1.2 The main relevant legislative instruments relating to biodiversity in England are summarised below.

#### 3.2 National Legislation

- 3.2.1 The Conservation of Habitats and Species Regulations 2017 (as amended) (Ref. 7) (the Habitats Regulations) transposed the requirements of the Habitats Directive (Ref. 2) and the Birds Directive (Ref. 1) into UK law and provide for the designation and protection of European Sites (and adapt planning and other controls for the protection of these sites). This includes Annex I (habitats) and Annex II (species) for which such European sites can be designated.
- 3.2.2 The Habitats Regulations (Ref. 7) also provide protection for certain European Protected Species (EPS) that are listed in Schedule 2 (animals) or Schedule 5 (plants). Provision is made for the granting of licenses that permit certain acts as lawful, providing the appropriate authority is satisfied that:
- The permitted activities will be carried out for specified reasons or purposes;
  - There is no satisfactory alternative; and
  - The activities will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.
- 3.2.3 Following the UK's exit from the EU, the latest 2019 amendment to the Habitats Regulations (Ref. 8) means that Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network. The 2019 amendment (Ref. 8) instead created a national site network on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes:
- Existing SACs and SPAs; and
  - New SACs and SPAs designated under these Regulations.
- 3.2.4 The presence of European Sites (referred to in **PEIR Volume I Chapter 8: Ecology** as designated sites of international importance) and their relationship to the Scheme will be considered in a Habitats Regulations Assessment (HRA) screening report submitted as part of the DCO application for the Scheme.

## Wildlife and Countryside Act 1981

- 3.2.5 The Wildlife and Countryside Act (WCA) (Ref. 9) is a primary piece of UK wildlife legislation, protecting birds, other animals and plants (including vascular plants, mosses and liverworts, lichens and fungi), providing for the designation of protected areas including Sites of Special Scientific Interest (SSSIs) and promoting protections for such designated areas. The WCA (Ref. 9) also schedules certain invasive non-native species, making it illegal to release or allow to escape into the wild any listed invasive non-native animals; or to cause to grow in the wild any listed invasive non-native plants.
- 3.2.6 Those designated sites, protected flora and fauna and invasive non-native species covered by the WCA (Ref. 9) that will or may be affected by the Scheme have been considered in the assessment.

## Countryside and Rights of Way Act 2000

- 3.2.7 The Countryside and Rights of Way Act 2000 (CRoW Act) (Ref. 10) extends powers relating to the protection and management of SSSIs which include:
- Powers for entering into management agreements;
  - Placing a duty on public bodies to further the conservation and enhancement of SSSIs;
  - Increasing penalties for conviction;
  - Appeal processes for the notification, management and protection of SSSIs; and
  - An introduction of the offence of 'reckless' disturbance of threatened species.
- 3.2.8 The legislative provisions of the CRoW Act (Ref. 10) relating to designated sites and flora and fauna affected by the Scheme have been considered in the assessment.

## The Environment Act 2021

- 3.2.9 The Environment Act 2021 (Ref. 11) provides a post-Brexit legal framework for environmental governance and makes provision for improvements to the natural environment.
- 3.2.10 The Environment Act 2021 requires the Secretary of State to set long-term targets (15-year minimum) for achieving improvements in biodiversity.
- 3.2.11 From 12 February 2024 in England, it became mandatory for all relevant developments to achieve a minimum of 10 % net gain in biodiversity units, relative to a site's baseline biodiversity value, under Schedule 7A of the Town and Country Planning Act (Ref. 12). Although Schedule 15 of the Environment Act 2021 makes provision for Biodiversity Net Gain (BNG) in relation to development consent for Nationally Significant Infrastructure Projects (NSIPs), the requirement for a minimum 10 % gain in biodiversity for NSIPs, such as the Scheme, will not become mandatory until 2025 under the Environment Act 2021. Regardless, the Scheme will aspire to achieve at least this level of net gain in biodiversity (as set out in the legislation) to comply with national policy (see Table 1 and Section 3.2). A BNG

Assessment, using Defra's statutory biodiversity metric will be undertaken and included as part of the DCO application.

3.2.12 Other biodiversity provisions of the Act (Ref. 11) include:

- a. Strengthened biodiversity duty on public authorities;
- b. Local Nature Recovery Strategies to support a Nature Recovery Network;
- c. Duty upon Local Highway Authorities to consult on street tree felling;
- d. Strengthened woodland protection enforcement measures;
- e. Conservation Covenants;
- f. Protected Site Strategies and Species Conservation Strategies to support the design and delivery of strategic approaches to deliver better outcomes for nature;
- g. Prohibition on large UK businesses using commodities or products derived from commodities associated with wide-scale deforestation in UK commercial activities unless relevant local laws on that commodity were complied with; and
- h. A requirement on large UK businesses to establish a system of due diligence for each regulated commodity used in their supply chain.

### **Natural Environment and Rural Communities Act 2006**

3.2.13 Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) (NERC Act) (Ref. 13) places a duty on public authorities with functions exercisable in England to consider from time to time what action they can properly take, consistently with the exercise of their functions, to further the general biodiversity objective, which is the conservation and enhancement of biodiversity in England.

3.2.14 In England, section 41 of the NERC Act (Ref. 13) requires the Secretary of State for Environment to publish and maintain a list of habitats and species that are of 'principal importance' for the purpose of conserving biodiversity and are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework (Ref. 14).

3.2.15 The occurrence of Habitats and Species of Principal Importance (SPI) has been identified in the assessment through a desk study and field surveys, and the design of the Scheme includes measures for their conservation and enhancement.

### **Protection of Badgers Act 1992**

3.2.16 The Protection of Badgers Act 1992 (Ref. 15) provides specific legislation to protect Badger (*Meles meles*) and their setts from harm. The protection of Badgers and their sets, through best working practices, including the legal requirement for licences from Natural England (where required), has been considered as part of the assessment of the Scheme.



### **Hedgerows Regulations 1997**

- 3.2.17 The Hedgerows Regulations 1997 (Ref. 16) introduced protection for countryside hedgerows that are defined as 'important' because they meet specific wildlife or landscape criteria or are of particular significance due to the length of time they have existed. The assessment has evaluated hedgerows potentially affected by the Scheme by way of field survey, to determine whether any qualify as important under the ecological criteria.

### **Animal Welfare Act 2006**

- 3.2.18 The Animal Welfare Act 2006 (Ref. 20) protects vertebrate animals from harm. The provisions of this Act have been taken account of within the assessment by ensuring the welfare of any animals potentially affected by the Scheme is considered.

### **Invasive Alien Species (Enforcement and Permitting) Order 2019**

- 3.2.19 The Invasive Alien Species (Enforcement and Permitting) Order 2019 (Ref. 21) came into effect on 1 October 2019. This implemented the EU Invasive Alien Species Regulation 1143/2014 (Ref. 3) on the prevention and management of invasive alien plant and animal species in England and Wales, including the relevant licenses, permits and rules for keeping invasive alien species.
- 3.2.20 The provisions of this Order will be taken account within the assessment by ensuring invasive non-native species of special concern potentially affected by the Scheme are considered.
- 3.2.21 If it is not a species of special concern, then the WCA, as amended (section 14, Schedule 9) (Ref. 9) may apply.

### **Salmon and Freshwater Fisheries Act 1975**

- 3.2.22 The Salmon and Freshwater Fisheries Act 1975 (Ref. 17) relates to the protection of freshwater fish, including Atlantic Salmon (*Salmo salar*) and Trout (species of *Salmo*) and their habitats.
- 3.2.23 The assessment has considered the provisions of this Act in relation to the risk of mortality, migration barriers, pollution and the degradation of habitats potentially resulting from the Scheme.

### **Eels (England and Wales) Regulations 2009**

- 3.2.24 The Eels (England and Wales) Regulations 2009 (the Eel Regulations) (Ref. 18) came into force on 15 January 2010 to support the UK in implementing EC Council Regulation (1100/2007) (the EC Eel Regulation) (Ref. 19), which aimed to halt and reverse the decline in the European Eel (*Anguilla Anguilla*) stocks, aiming to meet mature adult European Eel biomass escapement targets to sea of 40 % relative to that expected in the absence of anthropogenic impacts.
- 3.2.25 The assessment has considered the provisions of the Eel Regulations in relation to safe an unobstructed passage for Eel, and consideration regarding channel alterations, river crossings and culverting.

## Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

- 3.2.26 The Water Framework Directive (WFD) (Ref. 4) is transposed into law in England by the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (Ref. 22). The WFD follows a holistic approach to the sustainable management of water by considering the interactions between surface water (including transitional and coastal waters, rivers, streams and lakes), groundwater and water-dependent ecosystems.
- 3.2.27 The assessment has considered the provisions of the WFD Regulations 2017 (Ref. 22) in relation to avoiding deterioration of a water body from its current status or potential and/or not preventing future attainment of good status or potential where not already achieved. The Water Framework Directive Assessment is presented in **PEIR Volume III Appendix 9-2: WFD Screening and Scoping Report**.

## 3.3 National Policy Statements

- 3.3.1 The type of energy generating technology incorporated by the Scheme, solar photovoltaic generation, is specifically referenced within the following National Policy Statements (NPS). Therefore, the EIA takes these NPSs into account:
- a. Overarching National Policy Statement for Energy (EN-1) (Ref. 23);
  - b. National Policy Statement for Renewable Energy Infrastructure (EN-3) (Ref. 24); and
  - c. National Policy Statement for Electricity Networks Infrastructure (EN-5) (Ref. 25).
- 3.3.2 The NPSs set out the Government's energy policy infrastructure for delivery of major energy infrastructure, along with the need for new infrastructure and guidance for determining applications for a DCO for a solar energy project. The NPSs provide specific guidance and criteria that applicants should cover when assessing the effects of their Scheme and set out how the Secretary of State should consider these impacts and any mitigation measures applied. The relevant NPS requirements for ecology and biodiversity are provided in Table 1, along with an indication of where in the ES this information can be sourced.

**Table 1: Relevant NPS Paragraphs for Ecology and Biodiversity**

| Relevant NPS Paragraph Reference      | Requirement of the NPS  | Location of information provided in the PEIR to address this   |
|---------------------------------------|---|--|
| <b>National Policy Statement EN-1</b> |   |  |
| Paragraphs 4.6.1 to 4.6.2             | <p>Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only mitigate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements.</p> <p>Biodiversity net gain (BNG) is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain.</p> | <p>This assessment will not be undertaken for PEIR, but the project is committed to provide one at the time of the DCO application at which point the outcome of a BNG assessment will be presented.</p> |
| Paragraph 4.6.6                       | <p>Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, or the wider environment where possible.</p>   | <p>This assessment will not be undertaken for PEIR, but the project is committed to provide one at the time of the DCO application at which point the outcome of a BNG assessment will be presented.</p> |
| Paragraph 4.6.7                       | <p>In England, applicants for onshore elements of any development are encouraged to use the most current version of the Defra</p>   | <p>This assessment will not be undertaken for PEIR, but the project is committed to provide one at the time of the DCO application at</p>  |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this   |
|----------------------------------|---|--|
|                                  | <p>biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This (biodiversity metric) calculation of the data should be presented in full as part of their application.</p>  | <p>which point the outcome of a BNG assessment will be presented, using Defra's statutory biodiversity metric.</p>   |
| Paragraph 4.6.8                  | <p>Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority and Natural England for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.</p>   | <p>The BNG assessment calculations will be shared with Natural England, and the relevant Local Authorities.</p>  |
| Paragraph 4.6.10                 | <p>Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain.</p> | <p>This assessment will not be undertaken for PEIR, but the project is committed to provide one at the time of the DCO application at which point the outcome of a BNG assessment will be presented.</p> |
| Paragraph 4.6.11                 | <p>Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage that details of any off-site delivery of</p>   | <p>This assessment will not be undertaken for PEIR, but the project is committed to provide one at the time of the DCO application at</p>  |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
| Paragraph 4.6.12                 | biodiversity net gain should to be set out within the application for development consent.<br><br>When delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use. | which point the outcome of a BNG assessment will be presented.<br><br>This assessment will not be undertaken for PEIR, but the project is committed to provide one at the time of the DCO application at which point the outcome of a BNG assessment will be presented. |
| Paragraph 4.6.15                 | Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project.   | This will be provided within a Framework Landscape and Ecology Management Plan (LEMP) that is to be included as part of the DCO application.  |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
| Paragraph 4.6.16                 | Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee’s ‘How to Do it: natural capital workbook’, the government’s guidance on Enabling a Natural Capital Approach (ENCA) and other tools that aim to enable wider benefits for people and nature.  | Noted, this will be incorporated within a Framework Landscape and Ecology Management Plan (LEMP) that is to be included as part of the DCO application.   |
| Paragraph 4.6.17                 | Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.   | A consideration of alternative Scheme designs and options is presented within <b>PEIR Volume I Chapter 3: Alternatives and Design Evolution</b>   |
| Paragraph 4.6.1                  | Although achieving biodiversity net gain is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for Development Consent Order unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates. | This assessment will not be undertaken for PEIR, but the project is committed to provide one at the time of the DCO application at which point the outcome of a BNG assessment will be presented. The principles of BNG will be followed, including the mitigation hierarchy. |
| Paragraph 5.4.4 to 5.4.5         | The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats  | Table 8-6 of the <b>PEIR Volume I Chapter 8: Ecology</b> identifies sites relevant to the Scheme (i.e. Thorne Moor SAC, Thorne and  |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this   |
|----------------------------------|--|--|
|                                  | <p>Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas. As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required:</p> <p>potential Special Protection Areas and possible Special Areas of Conservation; listed or proposed Ramsar sites; and sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.</p> | <p>Hatfield Moors SPA and Hatfield Moor SAC). No potential SPA or SACs, Ramsar Sites or other relevant sites listed under a, b or c have been identified. Table 8-11 of <b>PEIR Volume I Chapter 8: Ecology</b> considers potential impacts and mitigation measures for adverse effects on relevant sites.</p> |
| Paragraph 5.4.8                  | <p>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.</p>   | <p>Table 8-11 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the potential effects on designated sites of ecological importance, including SSSIs. This concludes, that with careful Scheme design and embedded mitigation, there will be no adverse effects on SSSIs.</p>                             |
| Paragraph 5.4.12 to 5.4.13       | <p>Sites of regional and local biodiversity and geological interest, which include Regionally</p>  | <p>Table 8-11 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on</p>  |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this  |
|----------------------------------|--|---|
|                                  | <p>Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature’s recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution.</p> <p>National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.</p> | <p>designated sites of biodiversity importance, including sites of regional and local biodiversity interest.</p>  |
| Paragraph 5.4.15                 | <p>Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the government's policy for ancient and native trees and woodlands in England sets out the government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active. Ancient or veteran trees found outside ancient woodland are also particularly</p>      | <p>Section 8.12 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on ancient woodland, veteran trees and habitats of principal importance.</p> |



| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this  |
|----------------------------------|--|---|
|                                  | valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh scrub and lowland fen.  |   |
| Paragraph 5.4.17                 | Where the development is subject to EIA, the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. | Table 8-11 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on designated sites of ecological importance and Table 8-12 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on habitats and species of principal importance. |
| Paragraph 5.4.19                 | The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.   | <b>PEIR Volume I Chapter 8: Ecology</b> demonstrates that the Scheme has taken advantage of opportunities to conserve and enhance biodiversity.   |
| Paragraph 5.4.21                 | As set out in section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements   | Embedded design mitigation and additional mitigation and enhancement recommendations are detailed in Section 8.10 and Section 8.13 of the <b>PEIR Volume I Chapter 8: Ecology</b> . Habitat creation and  |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this  |
|----------------------------------|--|---|
|                                  | <p>beyond Biodiversity Net Gain, which result in wider environmental gains (see Section 4.6 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project.</p>  | <p>enhancements have been included within the Scheme design to increase the biodiversity of the Scheme. Whilst a number of these will minimise the landscape and visual impacts, these will also provide landscape-scale benefits for biodiversity through the increase in habitat availability and connectivity for a wide range of fauna. Further details will be provided in the Framework LEMP to be provided with the DCO application.</p> |
| <p>Paragraph 5.4.22</p>          | <p>The design of Energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.</p> | <p>Mitigation measures are embedded in the Scheme design with the aim to enable the continued movement of species, including birds, fish, aquatic and terrestrial mammals. This is detailed in Section 8.10 of the <b>PEIR Volume I Chapter 8: Ecology</b>.</p>   |
| <p>Paragraph 5.4.25</p>          | <p>The applicant should seek the advice of the appropriate Statutory Nature Conservation Bodies (SNCB) and provide the Secretary of State with such information as the Secretary of State may reasonably require, to</p>   | <p>Yes advice from the appropriate SNCB (i.e. Natural England) will be sought. HRA screening will be undertaken to determine whether an HRA AA is required prior to submission of the DCO application.</p>  |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
| Paragraph 5.4.26                 | <p>determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.</p> | <p>Information will be provided to inform an HRA should one be needed to determine if there will be any adverse effects on designated sites and is to be included as part of the DCO application.</p>                       |
| Paragraph 5.4.27                 | <p>If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before the close of the examination. This information must include assessment of alternative solutions, a case</p>   | <p>The need for compensation was considered as early as possible in the design process. This is detailed in Section 8.5 of the <b>PEIR Volume I Chapter 8: Ecology</b> and will be update prior to the DCO application.</p> |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this   |
|----------------------------------|---|--|
| Paragraph 5.4.28                 | for Imperative Reasons of Overriding Public Interest (IROPI) and appropriate environmental compensation.  | Information will be provided to inform an HRA should one be needed to determine if there will be any adverse effects on designated sites and would be included as part of the DCO application.                       |
| Paragraph 5.4.29                 | Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow the applicant the opportunity to provide such information following the examination. | The need for compensation was considered as early as possible in the design process. This is detailed in Section 8.5 of the <b>PEIR Volume I Chapter 8: Ecology</b> .  |
| Paragraph 5.4.30                 | It is vital that applicants consider the need for compensation as early as possible in the design process as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process.  | Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the                |
|                                  |   | The SNCB, i.e. Natural England and the Local Planning Authority will be consulted on the proposed embedded mitigation measures and any additional mitigation measures for protected sites that have the potential to |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
|                                  | <p>development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.</p>  | <p>have been adversely impacted by the Scheme. This is detailed in <b>PEIR Volume I Chapter 8: Ecology</b>.</p>   |
| <p>Paragraph 5.4.31</p>          | <p>Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority</p> | <p>The SNCB will be consulted prior to submission of the DCO application on this matter. Information will be within an HRA should one be needed and would be included as part of the DCO application.</p>   |
| <p>Paragraph 5.4.32</p>          | <p>Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase.</p>   | <p>Table 8-12 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on habitats including ancient woodland and veteran trees, concluding and concludes that with careful Scheme design and embedded mitigation, there will be no adverse effects on ancient woodland or veteran trees.</p> |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this   |
|----------------------------------|--|--|
| Paragraph 5.4.33                 | Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under section 4.6  | <p>Embedded mitigation measures (see Section 8.10 of the <b>PEIR Volume I Chapter 8: Ecology</b>) will be formalised in the Framework Construction Environmental Management Plan.</p> <p>For further details of ancient and veteran trees, see <b>PEIR Volume I Chapter 10: Landscape and Visual Amenity</b>.</p>  |
| Paragraph 5.4.34                 | Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through | This will be provided with a Framework LEMP and a BNG assessment. These assessments/reports will not be undertaken for PEIR, but the project is committed to provide them at the time of the DCO application at which point the Framework LEMP will provide information on these considerations for wider ecosystem services and natural capital benefits and the outcome of a BNG assessment will be presented. |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
| Paragraph 5.4.35                 | <p>the Environment Act 2021 and the Environmental Improvement Plan 2023.</p> <p>Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</p> <ol style="list-style-type: none"> <li>a. during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works</li> <li>b. the timing of construction has been planned to avoid or limit disturbance</li> <li>c. during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements</li> <li>d. habitats will, where practicable, be restored after construction works have finished</li> <li>e. opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the</li> </ol> | <p>Section 8.10 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out information on how the Scheme will minimise working areas during construction, follow good practice during construction and operation to avoid or minimise disturbance or damage to species or habitats, restore habitats following construction activities and enhance existing habitats and create new biodiverse habitats.</p> |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this  |
|----------------------------------|--|---|
|                                  | <p>location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised.</p> <p>f. mitigations required as a result of legal protection of habitats or species will be complied with.</p>                                |   |
| Paragraph 5.4.36                 | <p>Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.</p> | <p>The management of biodiversity including avoiding unnecessary adverse impacts throughout the life of the Scheme will be covered by the following documents, to be included within the DCO Application:</p> <ul style="list-style-type: none"> <li>a. Framework Construction Environmental Management Plan (CEMP);</li> <li>b. Framework Operation Environmental Management Plan (OEMP); and</li> <li>c. Framework Decommissioning Environmental Management Plan (DEMP).</li> </ul> <p>All of the above plans are secured via the DCO requirements.</p> |
| Paragraph 5.4.39                 | <p>The Government’s 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the Government’s Environmental Improvement</p>   | <p><b>PEIR Volume I Chapter 8: Ecology</b> has been produced with regard to the aims and goals of the 25 Year Environment Plan (Ref. 26).</p>   |



| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
| Paragraph 5.4.41                 | Plan 2023, and in Wales the objectives of the Nature Recovery Plan, and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.  | Mitigation strategies have been embedded within the Scheme which will produce a positive BNG therefore, providing benefits that outweigh the possible harm the Scheme may have on biodiversity and geological conservation interests. The mitigation strategies will be outlined within a Framework Landscape and Environmental Management Plan (LEMP) to be included within the DCO Application. |
| Paragraph 5.4.42                 | As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. | Table 8-11 and Table 8-12 within <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on designated sites of ecological importance, protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity including avoiding unnecessary adverse impacts.   |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
| Paragraph 5.4.43                 | If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.   | Section 8.10 of the <b>PEIR Volume I Chapter 8: Ecology</b> details measures that will be undertaken to avoid significant effects on protected and notable habitats, sites and species.   |
| Paragraph 5.4.44                 | The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer. | The management of biodiversity throughout the life of the Scheme will be covered by the following documents, included within the DCO Application:<br>a. Framework CEMP;<br>b. Framework OEMP; and<br>c. Framework DEMP.<br>All of the above plans are secured via the DCO requirements. |
| Paragraph 5.4.46                 | Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The Secretary of State should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.   | Section 8.13 of the <b>PEIR Volume I Chapter 8: Ecology</b> provides information on how the Scheme has taken advantage of opportunities to enhance biodiversity. A BNG assessment will be prepared as part of the DCO application.  |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this  |
|----------------------------------|--|---|
| Paragraph 5.4.49                 | The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (a habitat site), a protected marine site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. | The assessment within <b>PEIR Volume I Chapter 8: Ecology</b> considers SPA and SAC sites (listed or proposed) and sites identified, or required, as compensatory measures for adverse effects on other HRA sites, where relevant.                                    |
| Paragraph 5.4.50                 | The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.   | The assessment within <b>PEIR Volume I Chapter 8: Ecology</b> provides information on how the Scheme plans to mitigate for potential effects and has taken advantage of opportunities to enhance biodiversity.  |
| Paragraph 5.4.52                 | The Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.  | Section 8.12 of <b>PEIR Volume I Chapter 8: Ecology</b> sets out the potential effects on regional and local designated sites of ecological importance.   |
| Paragraph 5.4.53                 | The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional  | Table 8-12 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on habitats including ancient woodland and veteran trees, concluding and concludes that with careful Scheme design and embedded mitigation, there will be no adverse effects on |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this  |
|----------------------------------|--|---|
|                                  | reasons and a suitable compensation strategy exists.   | ancient woodland or veteran trees. No other irreplaceable habitats have been identified.<br><br>For further details of ancient and veteran trees, see <b>PEIR Volume I Chapter 10: Landscape and Visual Amenity</b> . |
| Paragraph 5.4.54                 | The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.  | Section 8.12 of <b>PEIR Volume I Chapter 8: Ecology</b> considers relevant species and habitats of importance and appropriate mitigation.   |
| Paragraph 5.4.55                 | The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development. | The Section 8.10 of the assessment within <b>PEIR Volume I Chapter 8: Ecology</b> sets out the residual effects of the Scheme on biodiversity.  |

**National Policy Statement EN-3**

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this  |
|----------------------------------|---|---|
| Paragraph 2.10.76 to 2.10.79     | The applicant's ecological assessments should identify any ecological risk from developing on the proposed site. Issues that need assessment may include habitats, ground nesting birds, wintering and migratory birds, bats, dormice, reptiles, great crested newts, water voles and badgers. The applicant should use an advising ecologist during the design process to ensure that adverse impacts are avoided, minimised or mitigated in line with the mitigation hierarchy, and biodiversity enhancements are maximised. The assessment may be informed by a 'desk study' of existing ecological records, an evaluation of the likely impacts of the solar farm upon ecological features and should specify mitigation to avoid or minimise these impacts, and any further surveys required | The assessment provided in <b>PEIR Volume I Chapter 8: Ecology</b> ensures that adverse impacts to protected species are avoided, minimised or mitigated in line with the mitigation hierarchy, and biodiversity enhancements are maximised.  |
| Paragraph 2.10.82                | Applicants should consider how security and lighting installations may impact on the local ecology. Where pole mounted CCTV facilities are proposed the location of these facilities should be carefully considered to minimise impact. If lighting is necessary, it should be minimised and directed away from areas of likely habitat.  | The assessment provided in <b>PEIR Volume I Chapter 8: Ecology</b> considers indirect effects on ecological receptors, throughout. Additionally, Section 8.10 of the <b>PEIR Volume I Chapter 8: Ecology</b> addresses embedded mitigation of lighting effects on ecological receptors. |

| Relevant NPS Paragraph Reference | Requirement of the NPS   | Location of information provided in the PEIR to address this  |
|----------------------------------|--|---|
| Paragraph 2.10.83                | Applicants should consider how site boundaries are managed. If any hedges/scrub are to be removed, further surveys may be necessary to account for impacts. Buffer strips between perimeter fencing and hedges may be proposed, and the construction and design of any fencing should account for enabling mammal, reptile and other fauna access into the site if required to do so in the ecological report. | The assessment provided in <b>PEIR Volume I Chapter 8: Ecology</b> considers the Site and work areas, with the majority of vegetation on work boundaries retained and buffered, as presented in Section 8.10. Furthermore, the fence design will include gaps at strategic locations to allow small mammals to pass through, which will maintain connectivity for such species.   |
| Paragraph 2.10.89                | Solar farms have the potential to increase the biodiversity value of a site, especially if the land was previously intensively managed. In some instances, this can result in significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains which is encouraged.   | As detailed in Section 8.13 of the <b>PEIR Volume I Chapter 8: Ecology</b> the Scheme design includes habitat creation and enhancements to increase the biodiversity of the Scheme. Whilst a number of these will minimise the landscape and visual impacts, these will also provide landscape-scale benefits for biodiversity through the increase in habitat availability and connectivity for a wide range of fauna. |
| Paragraph 2.10.90                | For projects in England, applicants should consider enhancement, management, and monitoring of biodiversity in line with the ambition set out in the Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.   | A BNG assessment will be prepared as part of the DCO application.<br>Furthermore, a Framework LEMP, will be prepared as part of the DCO application, which will detail how the Scheme will be managed and monitored, in line with relevant  |

| Relevant NPS Paragraph Reference             | Requirement of the NPS   | Location of information provided in the PEIR to address this   |
|--|--|--|
| Paragraph 2.10.128 to 2.10.130               | <p>In England, proposed enhancements should take account of the above factors and as set out in section 5.4 of EN-1 aim to achieve environmental and biodiversity net gain in line with the ambition set out in the Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere. This might include maintaining or extending existing habitats and potentially creating new important habitats, for example by installing cultivated strips/plots for rare arable plants, rough grassland margins, bumble bee plant mixes, and wild bird seed mixes. Applicants are advised to develop an ecological monitoring programme to monitor impacts upon the flora of the site and upon any particular ecological receptors (such as bats and wintering birds). Results of the monitoring will then inform any changes needed to the land management of the site, including, if appropriate, any livestock grazing regime.</p> | <p>measures and targets set out under the Environment Act or elsewhere.</p> <p>The Framework LEMP, which will be prepared as part of the DCO application will detail habitat creation, proposed within the Site to increase biodiversity and how the Scheme will be managed and monitored.</p> |
| <p><b>National Policy Statement EN-5</b></p> |  |  |

| Relevant NPS Paragraph Reference | Requirement of the NPS  | Location of information provided in the PEIR to address this   |
|----------------------------------|---|--|
| Paragraph 2.5.1                  | <p>When planning and evaluating the proposed development's contribution to environmental and biodiversity net gain, it will be important – for both the applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (section 4.6) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to:</p> <ul style="list-style-type: none"><li>reconnect important habitats via green corridors, biodiversity stepping zones, and reestablishment of appropriate hedgerows; and/or</li><li>connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements.</li></ul> | <p>The Framework LEMP, which will be prepared as part of the DCO application will detail habitat creation, proposed within the Site to increase biodiversity and how the Scheme will achieve connectivity for biodiversity and for people.</p> |



## 3.4 National Planning Policy Framework

- 3.4.1 The National Planning Policy Framework (NPPF), (Ref. 27) sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 5 outlines that while the NPPF does not contain specific policies for NSIPs, the NPPF is still relevant when considering the determination of DCOs and the PEIR for the Scheme has taken the NPPF into account.
- 3.4.2 Paragraph 8 defines three overarching objectives within the NPPF, which are interdependent and need to be pursued in mutually supportive ways:
- a. An economic objective: to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b. A social objective: to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - c. An environmental objective: to contribute to protecting and enhancing the natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 3.4.3 The NPPF (Ref. 27) with particular reference to section 15 (Conserving and enhancing the natural environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity. The NPPF is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution. The NPPF also specifies the obligations that the Local Authorities and the UK Government have regarding sites statutorily designated for their biodiversity value and otherwise protected or notable habitats and protected species under UK and international legislation and how this is to be delivered in the planning system. Protected or notable habitats and species are of material consideration in planning decisions and may therefore make some sites unsuitable for particular types of development, or if development is permitted and significant harm to biodiversity cannot be avoided, then adequate mitigation measures (or as a last resort, compensation) may well be required to avoid or minimise impacts on certain habitats and species. The policies set out in the NPPF to a large extent mirror those that are explained in NPS EN-1. The relevant NPPF paragraphs, together with an indication of where in the ES the information is provided to address these requirements, are provided in Table 2.

**Table 2: Relevant NPPF Paragraphs for Ecology and Biodiversity**

| Relevant NPPF Paragraph Reference | Requirement of the NPPF  | Location of information provided in the PEIR to address this  |
|-----------------------------------|--|---|
| Paragraph 180                     | <p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>(a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</li> <li>(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</li> <li>(c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</li> <li>(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</li> <li>(e) preventing new and existing development from contributing to, being put at</li> </ul> | <p>Section 8.13 of <b>PEIR Volume I Chapter 8: Ecology</b> provides information on how the Scheme will protect sites of biodiversity value and take advantage of opportunities to enhance biodiversity.</p> <p>Contributions to enhance the natural and local environment will be provided with a Framework LEMP and a BNG assessment. These assessments/reports will not be undertaken for PEIR, but the project is committed to provide them at the time of the DCO application at which point the Framework LEMP will provide information on these considerations and the outcome of a BNG assessment will be presented.</p> |

| Relevant NPPF Paragraph Reference | Requirement of the NPPF  | Location of information provided in the PEIR to address this   |
|-----------------------------------|--|--|
| Paragraph 181                     | <p>unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</p> <p>(f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</p> | <p>Table 8-3 of the <b>PEIR Volume I Chapter 8: Ecology</b> distinguishes the sensitivity and hierarchy of ecological features according to geographic context. Section 8.13 of <b>PEIR Volume I Chapter 8: Ecology</b> provides information on how the Scheme will take advantage of opportunities to enhance biodiversity.</p> |
| Paragraph 186                     | <p>When determining planning applications, local planning authorities should apply the following principles:</p>   | <p>Table 8-10 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the potential effects on designated sites of ecological importance, including SSSIs. This concludes, that with</p>   |

| Relevant NPPF Paragraph Reference | Requirement of the NPPF   | Location of information provided in the PEIR to address this  |
|-----------------------------------|---|---|
|                                   | <ul style="list-style-type: none"><li>(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</li><li>(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</li><li>(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and</li><li>(d) development whose primary objective is to conserve or enhance biodiversity</li></ul> | <p>careful Scheme design and embedded mitigation, there will be no adverse effects on SSSIs.</p> <p>Section 8.13 of <b>PEIR Volume I Chapter 8: Ecology</b> provides information on how the Scheme will take advantage of opportunities to enhance biodiversity. A BNG assessment using Defra's statutory biodiversity metric is to be included as part of the DCO application.</p> |

| Relevant NPPF Paragraph Reference | Requirement of the NPPF   | Location of information provided in the PEIR to address this  |
|-----------------------------------|---|---|
| Paragraph 187                     | <p>should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.</p> <p>The following should be given the same protection as habitats sites:</p> <ul style="list-style-type: none"> <li>(a) potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>(b) listed or proposed Ramsar sites; and</li> <li>(c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</li> </ul> | <p>Table 8-6 of the <b>PEIR Volume I Chapter 8: Ecology</b> identifies sites identified relevant to the Scheme (i.e. Thorne Moor SAC, Thorne and Hatfield Moors SPA and Hatfield Moor SAC). No potential SPA or SACs, Ramsars or other relevant sites listed under a, b or c have been identified. Table 8-11 of the <b>PEIR Volume I Chapter 8: Ecology</b> considers potential impacts and mitigation measures for adverse effects on relevant sites.</p> |
| Paragraph 188                     | <p>The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.</p>  | <p>Section 8.11 of <b>PEIR Volume I Chapter 8: Ecology</b> details the assessment of likely impacts and effects and section 8.12 of <b>PEIR Volume I Chapter 8: Ecology</b> sets out embedded mitigation measures to avoid and protect any Priority habitats during the construction and operation and maintenance phases of the Scheme (where required).</p>   |

### Relevant NPPF Paragraph Reference

### Requirement of the NPPF

### Location of information provided in the PEIR to address this

Paragraph 191

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- d. mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- e. identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- f. limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Section and 8.8 of **PEIR Volume I Chapter 8: Ecology** details the embedded mitigation for noise and lighting.

Additionally, **PEIR Volume III Appendix 2-1: Framework CEMP**, details the measures required to mitigate any construction related effects on biodiversity, including those associated with dust deposition, air pollution, pollution incidents, water quality, light, noise and vibration.

## 3.5 National Guidance

- 3.5.1 Guidance relevant to the assessment of the impacts of the Scheme on biodiversity includes the following documents.

### **The Environmental Improvement Plan (2023)**

- 3.5.2 In 2023, the Government published its Environmental Improvement Plan 2023 (Ref. 28), the first revision of the 25 Year Environment Plan (Ref. 26) to set out how the Government will work with landowners, communities and businesses to deliver each of its goals for the natural environment. An Environmental Improvement Plan is required to be prepared and updated and reported on under the Environment Act 2021 (Ref. 11). This document continues to use the ten goals set out within the 25 Year Environment Plan with the apex goal being to achieve ‘thriving plants and wildlife’ and sets interim targets pursuant to the long-term targets set under the Environment Act 2021. The Environmental Improvement Plan recognises the wider value of the environment and its contribution, such as food, clean water and air, wildlife, energy, wood, recreation and protection from hazards.

### **Biodiversity 2020**

- 3.5.3 Biodiversity 2020 (Ref. 29) was published in August 2011, building on the Natural Environment White Paper and setting out the strategic direction for biodiversity policy to 2020 on land (including rivers and lakes) and at sea in England. In the 25 Year Environment Plan (Ref. 26) the Government committed to publish a new strategy for nature building upon Biodiversity 2020, and to evaluate the current Strategy to learn lessons that can strengthen the future strategy.
- 3.5.4 Biodiversity 2020 established a new global vision for biodiversity, including a set of strategic goals and targets to drive action. It outlines the Government's vision for the natural environment, shifting the emphasis from piecemeal conservation action towards a more integrated landscape-scale approach.

### **Natural England and Department of Environment, Food and Rural Affairs (Defra) Standing Advice (protected species) (2014)**

- 3.5.5 Standing advice from Natural England and Defra (Ref. 30) provides guidance on protected and notable species and includes reference to the good practice approaches for survey, mitigation and compensation. Guidance is also provided on the procedure for obtaining protected species licences.
- 3.5.6 This advice has informed the planning of surveys and the approach to mitigating impacts upon protected species, including where necessary the requirement to submit an application for Natural England mitigation licences.

### **UK Post 2010 Biodiversity Framework**

- 3.5.7 The UK Biodiversity Action Plan (UK BAP) (Ref. 31) was launched in 1994 and established a framework and criteria for identifying species and habitat types of conservation concern and remains an important reference material.

The UK BAP was subsequently succeeded by the UK Post-2010 Biodiversity Framework (July 2012) (Ref. 14). The UK list of priority species and habitats (of which there are 943 priority species and 56 priority habitats in England) remains an important reference source and has been used to help draw up statutory lists of priority habitats and species in England, Scotland, Wales and Northern Ireland. For the purpose of this assessment, the UK BAP is used as one of the criteria to assist in assigning national value to an ecological receptor.

- 3.5.8 The UK Post-2010 Biodiversity Framework is relevant within England in the context of section 40 of the NERC Act 2006 (Ref. 13), meaning that Priority Species and Habitats are material considerations in planning. These habitats and species are identified as those of conservation concern due to their rarity or a declining population trend.
- 3.5.9 The objectives of the UK Post-2010 Biodiversity Framework (Ref. 14) have been included in the assessment of habitats and Species of Principal Importance.

### **Biodiversity Guidance for Solar Developments (2014)**

- 3.5.10 The document Biodiversity Guidance for Solar Developments (Ref. 32) produced by BRE, provides guidance to planners and the solar industry on how biodiversity can be supported on solar farms. The guidance has informed the development of ecological design measures embedded within the Scheme.

### **Solar Energy UK (Various Monitoring Reports from UK Solar Farms)**

- 3.5.11 Monitoring reports, such as the 'Evidence review of the impact solar farms on birds, bats and general ecology (NEER012)' (Ref. 33) provide insight on the potential ecological effects of solar farms.

### **Mitigating Biodiversity Impacts Associated with Solar and Wind Energy Development: Guidelines for Project Developers (2021)**

- 3.5.12 The document, produced by the Biodiversity Consultancy on behalf of the International Union for Conservation of Nature (IUCN), Mitigating Biodiversity Impacts Associated with Solar and Wind Energy Development: Guidelines for Project Developers (Ref. 34), aims to provide practical support for solar and wind energy developments by effectively managing risks and improving overall outcomes related to biodiversity and includes guidance and reference for the approach to impacts on biodiversity and mitigation.

### **Birds of Conservation Concern (BoCC)**

- 3.5.13 The Birds of Conservation Concern (BoCC) (Ref. 35) is an assessment of the conservation status of all regularly occurring British birds. The lists (Red, Amber and Green), that indicate the level of conservation importance for each species, are derived from quantitative assessments from standardised criteria. The assessments are based on the most up-to-date evidence available, and criteria include conservation status at global and European



levels and, within the UK: historical decline, trends in population and range, rarity, localised distribution and international importance. The lists are drawn together by the UKs leading bird conservation organisations, including the Royal Society for the Protection of Birds (RSPB) and British Trust for Ornithology (BTO).

- 3.5.14 The lists of BoCC Red and Amber bird species have been used to inform the approach to mitigating impacts upon notable bird species and those of highest conservation concern.

### **The International Union for Conservation of Nature Red List of Threatened Species**

Established in 1964, the International Union for Conservation of Nature's (IUCN) Red List of Threatened Species (Ref. 36) is a source of information on the global extinction risk status of animal, fungus and plant species that is reviewed and updated. The IUCN Red List Categories and Criteria are intended to be an easily and widely understood system for classifying species at high risk of global extinction. It divides species into nine categories: Not Evaluated, Data Deficient, Least Concern, Near Threatened, Vulnerable, Endangered, Critically Endangered, Extinct in the Wild and Extinct.

## 4. Local Policy and Guidance

### 4.1 Local Policy

#### Doncaster Local Plan 2015-2035 (adopted September 2021)

- 4.1.1 The Doncaster Local Plan (Ref. 37) was adopted in September 2021 and replaces the Doncaster Unitary Development Plan (1998) and the Doncaster Core Strategy (2012). After an independent examination by a Planning Inspector, the Local Plan was adopted following a resolution of Full Council on 23 September 2021.
- 4.1.2 The Local Plan sets out planning policies and allocations for the growth and development of the Doncaster Borough from 2015 to 2035. The Local Plan was created to collate the previous strategies mentioned above, and to ensure local policy is current and consistent with latest national guidelines and local circumstances.
- 4.1.3 Policies from the Local Plan that are relevant to ecology and biodiversity are considered within Table 3.

**Table 3: Policies from the Doncaster Local Plan 2015-2035 relevant to Ecology and Biodiversity**

| Relevant Policy                                   | Policy Explanation  | Location of information provided in the PEIR to address this   |
|---|---|--|
| Policy 29: Ecological Networks (Strategic Policy) | Proposals will only be supported which deliver a net gain for biodiversity and protect, create, maintain and enhance the Borough's ecological networks by: <ul style="list-style-type: none"> <li>a. being of an appropriate size, scale and type in relation to their location within and impact on the ecological network;</li> <li>b. maintaining, strengthening and bridging gaps in existing habitat networks;</li> <li>c. planting native species and creating new, or restoring existing, national and local priority habitats and/or species; and</li> <li>d. working with strategic partnerships to deliver conservation projects at a landscape scale where appropriate.</li> </ul> | Contributions to ecological networks will be provided with a Framework LEMP and a BNG assessment. These assessments/reports will not be undertaken for PEIR, but the project is committed to provide them at the time of the DCO application at which point the Framework LEMP will provide information on these considerations and the outcome of a BNG assessment will be presented. |

| Relevant Policy  | Policy Explanation   | Location of information provided in the PEIR to address this   |
|--|--|--|
| <p>Policy 30: Valuing Biodiversity and Geodiversity (Strategic Policy)</p> | <p>The Borough has a range of internationally, nationally, and locally important habitats, sites and species that will be protected through the following principles:</p> <ol style="list-style-type: none"> <li>a. All proposals shall be considered in light of the mitigation hierarchy in accordance with National Policy.</li> <li>b. Proposals which may harm designated Local Wildlife Sites, Local Geological Sites, Priority Habitats, Priority Species, protected species or non-designated sites or features of biodiversity interest, will only be supported where: <ol style="list-style-type: none"> <li>i. they use the DEFRA biodiversity metric to demonstrate that a proposal will deliver a minimum 10% net gain for biodiversity;</li> <li>ii. they protect, restore, enhance and provide appropriate buffers around wildlife and geological features and bridge gaps to link these to the wider ecological network;</li> <li>iii. they produce and deliver appropriate long term management plans for local wildlife and geological sites as well as newly created or restored habitats;</li> <li>iv. they can demonstrate that the need for a proposal outweighs the value of any features to be lost; and</li> <li>v. if the permanent loss of a geological site is unavoidable, then provision will be made for the site to first be recorded by a suitably qualified expert.</li> </ol> </li> </ol> | <p>A BNG Assessment will be included in the DCO Application.</p> <p>The principles of BNG will be followed, including the mitigation hierarchy.</p> <p>Table 8-11 of <b>PEIR Volume I Chapter 8: Ecology</b> details the determination of potential impacts and effects on designated sites.</p> |

| Relevant Policy  | Policy Explanation  | Location of information provided in the PEIR to address this  |
|--|---|---|
|  | <p>c. Proposals which may impact Special Areas of Conservation, Special Protection Areas or RAMSAR Sites will only be supported where it can be demonstrated that there will be no likely significant effects and no adverse effects on the integrity of European sites, unless there are no alternative solutions and it is justified by an “imperative reasons of overriding public interest” (IROPI) assessment under the Habitats Directives.</p> <p>d. Proposals that may either directly or indirectly negatively impact Sites of Special Scientific Interest will not normally be supported. Proposals should seek to protect and enhance Sites of Special Scientific Interest and maintain, strengthen, and bridge gaps to link them to the wider ecological network wherever possible.</p> <p>e. In order to ensure development does not negatively impact on nightjar populations, proposals located within 3 km of Thorne and Hatfield Moors Special Protection Area, that impact habitats that nightjars may use for feeding on, will only be supported where they deliver a net gain in nightjar foraging habitat.</p> |   |
| <p>Policy 31:<br/> Local Wildlife and Geological Sites</p> | <p>Local Wildlife and Geological Sites will be identified and designated by the Council and are shown on the Policies Map. Other sites, including those awaiting designation, which can be demonstrated to meet the selection guidelines for Local Sites</p>  | <p>Section 8.8 of <b>PEIR Volume I Chapter 8: Ecology</b> details the designated sites of ecological importance, including sites of regional and local biodiversity</p> |

| Relevant Policy                           | Policy Explanation   | Location of information provided in the PEIR to address this   |
|---|--|--|
|   | will be afforded the same level of protection.   | interest that are relevant to the Scheme.  |
| Policy 32: Woodlands, Trees and Hedgerows | <p>Proposals will be supported where it can be demonstrated that woodlands, trees and hedgerows have been adequately considered during the design process, so that a significant adverse impact upon public amenity or ecological interest has been avoided. There will be presumption against development that results in the loss or deterioration of ancient woodland and/or veteran trees. Proposals will need to include:</p> <ol style="list-style-type: none"> <li>a. the submission of survey information of woodland, trees and hedgerows, as appropriate, to a recognised professional and fit for purpose standard which is able to demonstrate evaluation of these features for realistic long-term retention, and how this has positively informed the design process;</li> <li>b. demonstration of how retained features are to be protected during development;</li> <li>c. an adequate landscape buffer (which excludes built development and residential gardens) adjacent to existing woodlands, wildlife sites and at settlement edges;</li> <li>d. sufficient provision of appropriate replacement planting where it is intended to remove trees and hedgerows; and</li> <li>e. avoidance of the loss or deterioration of woodland.</li> </ol> | <p>Table 8-12 of the <b>PEIR Volume I Chapter 8: Ecology</b> sets out the likely effects on habitats including ancient woodland and veteran trees, concluding, that with careful Scheme design and embedded mitigation, there will be no adverse effects on ancient woodland or veteran trees.</p> <p>Embedded mitigation measures (see Section 8.10 of the <b>PEIR Volume I Chapter 8: Ecology</b>) will be formalised in the Framework CEMP included within <b>PEIR Volume III Appendix 2-1: Framework CEMP</b>.</p> <p>For further details of ancient and veteran trees, see <b>PEIR Volume I Chapter 10: Landscape and Visual Amenity</b>.</p> |

## 4.2 Local Guidance

### Local Biodiversity Action Plan

- 4.2.1 Formerly, the Doncaster Local Biodiversity Action Plan (Doncaster BAP) (Ref. 38) provided context to inform identification of threatened or uncommon species of local relevance, alongside priorities for conservation and enhancement targeted at a local level. However, under the Environment Act 2021 (Ref. 11), local biodiversity action plans are being replaced by Local Nature Recovery Strategies (LNRSs), which are a system of spatial strategies for nature which will support delivery of BNG and provide more focussed action for nature recovery. Whilst this is still being developed for South Yorkshire and with no specific habitat or species plans currently in place, this report references those species included in the Doncaster BAP (Ref. 38).
- 4.2.2 The occurrence of habitats and species of relevance at a local level, identified through the Doncaster BAP has been identified in the assessment through a desk study and field surveys, and the design of the Scheme includes measures for their conservation and enhancement.

### The Doncaster Green Infrastructure Strategy 2014-2028 (adopted April 2014)

- 4.2.3 The Doncaster Green Infrastructure Strategy (Ref. 39) sets out the overall approach for delivering green infrastructure within the borough, which details five themes. The themes relevant to this Scheme are Theme 1: Biodiversity and Geodiversity and Theme 2: Trees and Woodlands. The strategy recognises neighbouring communities to the Scheme and Fenwick and Moss are described as deficient in all types of green space.
- 4.2.4 The themes, issues, opportunities and priorities highlighted within the strategy are considered within the assessment where they relate to ecology and biodiversity.

### Internal Drainage Board (IDB) Policies

- 4.2.5 The Scheme falls within the internal drainage board of the Danvm Drainage Commissioners and is covered by the Yorkshire and Humber Drainage Boards Biodiversity Action Plan (2023) (Ref. 40). The Biodiversity Action Plan provides context of priorities for conservation and enhancement including action plans for priority and non-priority species and habitats, targeted at the Internal Drainage Districts of the Yorkshire and Humber Drainage Board. The Yorkshire and Humber Drainage Boards Biodiversity Action Plan currently refers to the relevant local biodiversity action plans until they are replaced by the relevant LNRS, under the Environment Act 2021 (Ref. 11).
- 4.2.6 The occurrence of habitats and species of relevance at a local level, identified through the Yorkshire and Humber Drainage Boards Biodiversity Action Plan, has been identified in the assessment through a desk study and field surveys, and the design of the Scheme includes measures for their conservation and enhancement.

## 5. References

- Ref. 1 European Parliament and the Council of the European Union (2009) Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version). Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009L0147> [Accessed 1 February 2024].
- Ref. 2 European Council (1992) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31992L0043> [Accessed 1 February 2024].
- Ref. 3 European Parliament and the Council of the European Union (2014) Regulation (EU) 1143/2014 on the prevention and management of the introduction and spread of invasive alien species (the IAS Regulation). Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R1143> [Accessed 1 February 2024].
- Ref. 4 European Parliament and the Council of the European Union (2000) Directive 2000/60/EC of the European parliament and of the council of 23 October 2000 establishing a framework for Community action in the field of water policy. Available at: <https://eur-lex.europa.eu/eli/dir/2000/60/oj> [Accessed 1 February 2024].
- Ref. 5 United Nations Educational, Scientific and Cultural Organization (1994) Wetlands of International Importance especially as Waterfowl Habitat. Available at: [https://www.ramsar.org/sites/default/files/documents/library/scan\\_certified\\_e.pdf](https://www.ramsar.org/sites/default/files/documents/library/scan_certified_e.pdf) [Accessed 1 February 2024].
- Ref. 6 His Majesty's Stationery Office (HMSO) (2017). The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended by The Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018). Available at: <https://www.legislation.gov.uk/uksi/2017/572/contents/made> and <https://www.legislation.gov.uk/uksi/2018/695/contents/made> [Accessed 1 February 2024].
- Ref. 7 HMSO (2017) The Conservation of Habitats and Species Regulations 2017 (as amended). Available at: <http://www.legislation.gov.uk/uksi/2017/1012/contents/made> [Accessed 1 February 2024].
- Ref. 8 HMSO (2019) The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Available at: <https://www.legislation.gov.uk/ukdsi/2019/9780111176573> [Accessed 1 February 2024].
- Ref. 9 HMSO (1981) The Wildlife and Countryside Act 1981. Available at: <https://www.legislation.gov.uk/ukpga/1981/69> [Accessed 1 February 2024].

- Ref. 10 HMSO (2000) The Countryside and Rights of Way Act 2000. Available at: <https://www.legislation.gov.uk/ukpga/2000/37/contents> [Accessed 1 February 2024].
- Ref. 11 HMSO (2021) The Environment Act 2021. Available at: <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted> [Accessed 1 February 2024].
- Ref. 12 HMSO (1990) The Town and Country Planning Act 1990. Available at: <https://www.legislation.gov.uk/ukpga/1990/8/contents> [Accessed 1 February 2024].
- Ref. 13 HMSO (2006) The Natural Environment and Rural Communities Act 2006. Available at: <https://www.legislation.gov.uk/ukpga/2006/16/contents> [Accessed 1 February 2024].
- Ref. 14 JNCC and Defra (2012) UK Post-2010 Biodiversity Framework 2012. Available at <https://jncc.gov.uk/our-work/uk-post-2010-biodiversity-framework/> [Accessed 1 February 2024].
- Ref. 15 HMSO (1992) The Protection of Badgers Act 1992. Available at: <https://www.legislation.gov.uk/ukpga/1992/51/contents> [Accessed 1 February 2024].
- Ref. 16 HMSO (1997) The Hedgerows Regulations 1997. Available at: <https://www.legislation.gov.uk/uksi/1997/1160/schedule/1/made> [Accessed 1 February 2024].
- Ref. 17 HMSO (1975) The Salmon and Freshwater Fisheries Act 1975. Available at: <https://www.legislation.gov.uk/ukpga/1975/51> [Accessed 1 February 2024].
- Ref. 18 HMSO (2009) The Eels (England and Wales) Regulations 2009 (SI 2009/3344). Available at: <https://www.legislation.gov.uk/uksi/2009/3344/contents/made> [Accessed 1 February 2024].
- Ref. 19 European Council (2007) Council Regulation (EC) No 1100/2007 of 18 September 2007 establishing measures for the recovery of the stock of European eel. Official Journal of the European Union. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32007R1100> [Accessed 1 February 2024].
- Ref. 20 HMSO (2006) The Animal Welfare Act 2006. Available at: <https://www.legislation.gov.uk/ukpga/2006/45/contents> [Accessed 1 February 2024].
- Ref. 21 HMSO (2019) The Invasive Alien Species (Enforcement and Permitting) Order 2019. Available at: <https://www.legislation.gov.uk/uksi/2019/527/contents/made> [Accessed 1 February 2024].
- Ref. 22 HMSO (2017) Water Environment (WFD) (England and Wales) Regulations 2017 (SI 2017/407). Available at: <https://www.legislation.gov.uk/uksi/2017/407/contents/made> [Accessed 1 February 2024].
- Ref. 23 Department for Energy Security and Net Zero (November 2023) Overarching National Policy Statement for Energy (EN-1). Available at:



- <https://assets.publishing.service.gov.uk/media/65a7864e96a5ec0013731a93/overarching-nps-for-energy-en1.pdf> [Accessed 1 February 2024].
- Ref. 24 Department for Energy Security and Net Zero (November 2023) National Policy Statement for Renewable Energy Infrastructure (EN-3). Available at:  
<https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf> [Accessed 1 February 2024].
- Ref. 25 Department for Energy Security and Net Zero (November 2023) National Policy Statement for Electricity Networks Infrastructure (EN-5). Available at:  
<https://assets.publishing.service.gov.uk/media/65a78a5496a5ec000d731abb/nps-electricity-networks-infrastructure-en5.pdf> [Accessed 1 February 2024].
- Ref. 26 HM Government (2018) A Green Future: Our 25 Year Plan to Improve the Environment. Available at:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/693158/25-year-environment-plan.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf) [Accessed 1 February 2024].
- Ref. 27 Department for Levelling Up, Housing and Communities (December 2023). National Planning Policy Framework. Available at:  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2> [Accessed 1 February 2024].
- Ref. 28 HM Government (2023) The Environmental Improvement Plan 2023. Available at:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1133967/environmental-improvement-plan-2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1133967/environmental-improvement-plan-2023.pdf) [Accessed 1 February 2024].
- Ref. 29 Defra (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem services.  
<https://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services> [Accessed 1 February 2024].
- Ref. 30 Natural England and Defra (2023) Protected species and development: advice for local planning authorities. Available at:  
<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications> [Accessed 1 February 2024].
- Ref. 31 HMSO (1994) The UK Biodiversity Action Plan 1994. Available at:  
<https://www.gov.uk/government/publications/biodiversity-the-uk-action-plan> [Accessed 1 February 2024].
- Ref. 32 BRE (2014) Biodiversity Guidance for Solar Developments. Available at:  
<https://files.bregroup.com/bre-co-uk-file-library-copy/filelibrary/pdf/Brochures/NSC-Biodiversity-Guidance.pdf> [Accessed 1 February 2024].
- Ref. 33 Harrison, C., Lloyd, H. and Field, C. (2017). Evidence review of the impact of solar farms on birds, bats and general ecology. Manchester Metropolitan University: Natural England.

- Ref. 34 Bennun, L., van Bochove, J., Ng, C., Fletcher, C., Wilson, D., Phair, N., Carbone, G. (2021). Mitigating biodiversity impacts associated with solar and wind energy development. Guidelines for project developers. Gland: IUCN and Cambridge: The Biodiversity Consultancy.
- Ref. 35 Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. (2021). The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. *British Birds* 114, pp. 723-747.
- Ref. 36 IUCN (2022) The IUCN Red List of Threatened Species Version 2022-2. Available at: <https://www.iucnredlist.org> [Accessed 1 February 2024].
- Ref. 37 City of Doncaster Council (2021) Doncaster Local Plan 2015-2035. Available at: <https://dmbcwebstolive01.blob.core.windows.net/media/Default/Planning/Documents/Local%20Plan/Submission/Doncaster%20Local%20Plan%20Adopted%202023%20Sept%202021.pdf> [Accessed 1 February 2024].
- Ref. 38 City of Doncaster Council (2007) Doncaster Local Biodiversity Action Plan 2007. Available at: <https://www.doncaster.gov.uk/services/environmental/doncaster-biodiversity-action-plan> [Accessed 1 February 2024].
- Ref. 39 Doncaster Council (2014) The Doncaster Green Infrastructure Strategy (2014 – 2028). Available at: <https://dmbcwebstolive01.blob.core.windows.net/media/Default/Planning/Documents/Natural%20Environment/Env%20Strategies/Doncaster%20Green%20Infrastructure%20Strategy.pdf> [Accessed 1 February 2024].
- Ref. 40 Yorkshire and Humber Drainage Boards (2023) Biodiversity Action Plan 2023. Available at: <https://yorkshirehumberdrainage.gov.uk/yhdb-wp/wp-content/uploads/2023/08/Biodiversity-Action-Plan-2023.pdf> [Accessed 1 February 2024].



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