

From: [REDACTED]
To: [Cleve Hill Solar Park](#); [Jones, Hefin](#)
Cc: [REDACTED]
Subject: EN010085 - Cleve Hill Solar Park - The Applicant's Deadline 3 Submission (email 7 of 7)
Date: 01 August 2019 23:23:28
Attachments: [REDACTED]

Dear Hefin,

EN010085 - Cleve Hill Solar Park - The Applicant's Deadline 3 Submission (email 7 of 7)

Please find attached the Applicant's Deadline 3 submission.

Please do not hesitate to get in touch if you have any queries.

Kind regards,

Mike

Michael Bird

Tel: 01904 715470
[REDACTED]

Arcus
1C Swinegate Court East
3 Swinegate
York
YO1 8AJ

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CLEVE HILL SOLAR PARK

OTHER DEADLINE 3 SUBMISSIONS LETTERS OF NO IMPEDIMENT TO THE APPLICANT FROM NATURAL ENGLAND

August 2019
Revision A

Document Reference: 11.4.9
Submitted: Deadline 3
www.clevehillsolar.com



CLEVE HILL
SOLAR PARK

Date: 25 July 2019
Our ref: 2019- 41292 - EPS-AD1
(NATIONALLY SIGNIFICANT INFRASTRUCTURE
PROJECT)



Mike Bird, Arcus Consultancy Services Ltd
David Hope-Thomson, Arcus Consultancy Services Ltd
Hugh Brennan, Cleve Hill Solar Park Ltd

Sent by e-mail only

Dear Mr Bird,

DRAFT MITIGATION LICENCE APPLICATION STATUS: INITIAL DRAFT APPLICATION
LEGISLATION: THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017
(as amended)
NSIP: Cleve Hill Solar Park, Cleve Hill, Faversham, Kent, ME13 9EE
SPECIES: Great crested newt *Triturus cristatus*

Thank you for your draft GCN mitigation licence application in association with the above NSIP site, received in this office on the 24/06/2019. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

Assessment

Following our assessment of the resubmitted draft application documents, I can now confirm that, on the basis of the information and proposals provided, Natural England sees no impediment to a licence being issued, should the DCO be granted.

However, please note the following issues have been identified within the current draft of the method statement that will need to be addressed before the licence application is formally submitted. Our senior wildlife adviser, Cassandra Jackson, discussed this matter with David Hope-Thomson of Arcus consulting via e-mail correspondence received on 22/07/2019 and amended figures received on the 24/07/2019 where it was confirmed that the necessary amendments would be made. Please do ensure that the Method Statement is revised to include these changes prior to formal submission. For clarity these include:

Please see attached '**LICENSING CONSULTATION ON THE FAVOURABLE CONSERVATION STATUS (FCS) TEST AS PART OF THE PRE-SUBMISSION SCREENING SERVICE**'

Next Steps

NSIP LONI (03/12)

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted. Please note that there may be a charge for the formal licence application determination, should the DCO be granted, or the granting of any licence.

If other minor changes to the application are subsequently necessary, e.g. amendments to the work schedule/s then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England before a licence can be granted. If changes are made to proposals or timings which do not enable us to meet reach a 'satisfied' decision, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be granted.

Full details of Natural England's licensing process with regards to NSIP's can be found at the following link:

http://webarchive.nationalarchives.gov.uk/20140605090108/http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf

As stated in the above guidance note, I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

I hope the above has been helpful. However, should you have any queries then please do not hesitate to contact me.

Yours sincerely

Cassandra Jackson
Senior Adviser
Natural England
0208 225 6858
07827 356 489

Annex - Guidance for providing further information or formally submitting the licence application.

Important note: when submitting your formal application please mark all correspondence 'FOR THE ATTENTION OF Cassandra Jackson

Submitting Documents.

Documents must be sent to the Customer Services Wildlife Licensing (postal and email address at the top of this letter).

Changes to Documents –Reasoned Statement/Method Statement.

Changes must be identified using one or more of the following methods:

- underline new text/strikeout deleted text;
- use different font colour;
- block-coloured text, or all the above.

Method Statement

When submitting a revised Method Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively three paper copies. The method statement should be submitted in its entirety including all figures, appendices, supporting documents. Sections of this document form part of the licence; please do not send the amended sections in isolation.

Customer Feedback – EPS Mitigation Licensing

To help us improve our service please complete the following questionnaire and return to:

Customer Services, Natural England, First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6EB.

Fax: 0845 6013438 or email to wildlife@naturalengland.org.uk

<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx>



Natural England Reference Number (optional):	Please tick to	Consultant	<input type="checkbox"/>
	indicate your role:	Developer (Applicant/Licensee)	<input type="checkbox"/>

1. How easy was it to get in contact with the Wildlife Management & Licensing team of Natural England?

Difficult (1)

☐

OK (2)

☐

Easy (3)

☐

Very Easy (4)

☐

If 1 please specify who you initially contacted in relation to your issue/enquiry?

2. Please tell us how aware you were (BEFORE you contacted us) of wildlife legislation and what it does/does not permit in relation to your enquiry?

Unaware (1)

☐

Very Limited Awareness (2)

☐

Partially Aware (3)

☐

Fully Aware (4)

☐

3. How would you rate the service provided by Natural England?

	Poor 1	Fair 2	Good 3	Excellent 4	Not applicable
Ease of completion of application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advice provided by telephone (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Our web site (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarity and usefulness of published guidance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Helpfulness and politeness of staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advice and clarity of explanations provided during Method Statement assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advice and clarity of explanations provided during Reasoned Statement assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speed of process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Overall service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If 1 or 2 to any of the above please specify why:

4. Was your issue/enquiry resolved by the activity authorised under licence or advice provided by us?

Fully

☐

Partially

☐

Unresolved

☐

If not fully resolved please state what you think could have been done instead (note legislation affects which actions can be licensed):

5. Was there a public reaction to any action taken under the licence or as a result of our advice?

Positive support

☐

No reaction

☐

Negative reaction

☐

6. Would you use a fully online licensing service if it could be made available in the future?

Definitely

☐

Possibly

☐

Unlikely

☐

No

☐

7. Do you have any further comments to make or suggestions for improving our service, if yes please specify (continue comments on an additional sheet if necessary). If you are happy to be contacted at a later date to explore possible improvement options, please tick this box ☐ and ensure your Natural England reference number is at the top of this page.

Date: 25 July 2019
Our ref: PSS 2019-41292-EPS-AD1
(NATIONALLY SIGNIFICANT INFRASTRUCTURE
PROJECT)



Mike Bird, Arcus Consultancy Services Ltd
David Hope-Thomson, Arcus Consultancy Services Ltd
Hugh Brennan, Cleve Hill Solar Park Ltd

Sent by e-mail only

Dear Mr Bird,

DRAFT MITIGATION LICENCE APPLICATION STATUS: INITIAL DRAFT APPLICATION
LEGISLATION: THE WILDLIFE AND COUNTRYSIDE ACT 1981 (as amended)
NSIP: Cleve Hill Solar Park
SPECIES: Water vole *Arvicola amphibius*

Thank you for your initial draft water vole mitigation licence application in association with the above NSIP site, received in this office on 24/06/2019. As stated in our published guidance, once Natural England is content that the draft licence application is of the required standard, we will issue a 'letter of no impediment'. This is designed to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority sees no impediment to issuing a licence in future, based on information assessed to date in respect of these proposals.

Assessment

Following our assessment of the resubmitted draft application documents, I can now confirm that, on the basis of the information and proposals provided, Natural England sees no impediment to a licence being issued, should the DCO be granted.

However, please note the following issues have been identified within the current draft of the method statement that will need to be addressed before the licence application is formally submitted. Our Senior Wildlife Adviser, Cassandra Jackson discussed this matter via email with David Hope-Thomson on the 22/07/2019 where it was confirmed that the necessary amendments would be made. Please do ensure that the Method Statement is revised to include these changes prior to formal submission. For clarity these include:

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- The current survey data is sufficient for this LONI application, however the formal application should include updated surveys to inform on licensing requirements and mitigation techniques. Particular attention should be paid to the stretch of ditch proposed to be trapped out as part of the current mitigation proposals. It is understood that 2019 surveys have already started.
- N.B. Updated surveys prior to the formal submission of the licence application should follow the timing as described in the Water Vole Mitigation Handbook (Dean et al., 2016). Any deviation from these, such as poor weather conditions, should be justified within the method statement.

- Population densities for water voles are known to fluctuate, compensation measures may need to be amended accordingly – the compensation proposed on site should be sufficient to maintain the carrying capacity of the water voles to be relocated with a net gain overall of available suitable habitat.
- Post development monitoring is welcome by Natural England, however the current proposed method is deemed overly invasive given the proposed impacts. In the formal licence application please review the Water Vole Mitigation Handbook (Dean et al., 2016) - specifically 'Box 4- Monitoring methods, frequency and duration'.
- Natural England would expect that the onsite receptor for the trapped out water voles to be ready prior to the formal licence submission. If the receptor site is not ready prior to the licence submission, it has been agreed that the licence will contain a condition stating that trapping of the water voles will not commence until the receptor area is sufficient to support the relocated water voles.
- Water voles that are to be housed temporarily on site are to be held in laboratory cages for a maximum time of 14 days. Larger purpose-built enclosures should be used for holding water voles for longer periods.
- Natural England would only consider issuing a licence that would include the water voles being held in captivity for an extended period of time and being bred from as a last resort. Any application proposing this should be supported by a strong case for doing so. Therefore, this section of the method statement has not been assessed as part of the LONI as currently sufficient time is available to prepare the onsite receptor.

Next Steps

Should the DCO be granted then the mitigation licence application must be formally submitted to Natural England. At this stage any modifications to the timings of the proposed works, e.g. due to ecological requirements of the species concerned, must be made and agreed with Natural England before a licence is granted. Please note that there may be a charge for the formal licence application determination, should the DCO be granted, or the granting of any licence.

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Yours sincerely
Cassandra Jackson

Senior Adviser
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