

Date: 15 December 2022
Our ref: 402960
Your ref: EN010116



BY EMAIL ONLY

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Dear Sir/Madam

NSIP Reference Name / Code: EN010116 North Lincolnshire Green Energy Park.

Thank you for your consultation on the above dated 23 November 2022. Please see Natural England's response to the Examiners Questions (ExQ1) below.

Q1.0.20

Schedule 15 of the Environment Act 2021 makes provision about biodiversity net gain in relation to development consent for NSIPs. Natural England is generally satisfied with the applicant's approach to net gain within this development.

Q2.0.3

Natural England advises that the area of the development site which is not covered by the post 1988 ADAS survey data is the 20-30ha of agricultural land in the northern section of the site, to the north and east of Flixborough Stather. The ADAS survey layer can be found on [Magic Map](#), a copy of the map has been attached to this letter at Annex 1.

Q5.0.2

Natural England is satisfied with the applicant's approach to assessment of air quality effects on Hatfield Moor SAC and agree that impacts can be ruled out.

Q5.1.7

- Natural England advise that we are satisfied that alone there will not be an air quality impact on Humber Estuary SPA due to the ammonia and nitrogen deposition from the proposed development, our comments relate to the impacts which may arise in combination with Keadby 2 and 3.
- Natural England and the applicant are currently in discussion regarding whether the BAT abatement systems would constitute mitigation and will provide further clarification in a Statement of Common Ground. Currently the submitted documents describe the system as mitigation, however the applicant will provide clarification on whether the BAT abatement is part of the standard design of the ERF.
- Natural England welcomes the securing of parameters for the stacks for the main ERF, boiler and back-up generator, within Schedule 1, Part 3 of the dDCO.
- Natural England acknowledge that the BAT abatement systems will be secured through the environmental permit process. However, in order to be compliant with the Habitats

Regulations the installation of mitigation cannot be dependent on a delivery mechanism which has not yet been secured. Therefore, if it is not part of the standard design of the ERF, the installation of the BAT abatement should be stated within the DCO. This could be stated within Schedule 1, Part 3 along with other design parameters.

Q5.1.8

The five European sites presented in the Report to Inform HRA are all currently in unfavourable condition. These are namely; Humber Estuary SPA, Humber Estuary SAC, Humber Estuary Ramsar, Thorne Moor SAC and Thorne and Hatfield Moors SPA. Information on the condition of individual units of the underpinning SSSIs can be found on Natural England's [Designated Sites View](#).

Q5.1.9

Natural England advise there is potential for impacts from the piling activity which has been proposed as part of the construction process. The vibration and sound from piling may have a disturbance impact on river and sea lamprey associated with Humber Estuary, which use the river Trent as part of their migration route. Natural England are currently awaiting information from the applicant on the noise levels which will arise due to the bored piling at the river Trent, this will inform the potential for the bored piling to impact upon the lamprey.

Natural England has not undertaken research on the impacts of noise and vibration on lamprey. However, research on the impacts of anthropogenic noise on fish has shown there may be impacts to development, physiology, and behaviour ^[1]. This may include disruption to migration routes, with fish demonstrating behaviour avoidance reactions of wide distances from pilling activity ^[2].

As a fish with no swim bladder lamprey may be less sensitive to noise and vibration than bony fish, however in line with the precautionary principle, we would advise the potential for impacts needs to be considered within the HRA. As designated features of the Humber Estuary SAC and Ramsar, impacts to both river and sea lamprey need to be assessed.

Q7.1.65

Natural England advise there should be a commitment to delivering a minimum of 10% biodiversity net gain and this should be secured within the DCO. Natural England would not provide specific wording for the requirement, and we advise that if the wording clearly secures the commitment, this will be acceptable.

Q7.1.78

Natural England is currently in discussion with the applicant regarding whether the BAT abatement measures would constitute mitigation (see above question Q5.1.7) and further clarification will be provided in a SoCG. Natural England would not provide specific wording for the DCO, and we advise that if the wording clearly secures the commitment, this will be acceptable.

Q7.1.79

Natural England is satisfied with how the dust mitigation measures have been secured within the DCO. We would not provide specific wording for the DCO requirement.

Q7.1.80

Natural England would not provide specific wording for the DCO, and we advise that if the wording clearly secures the commitment, this will be acceptable.

We trust this answers your questions sufficiently. However, please contact me on the details below if I can be of any further assistance in these matters.

Yours faithfully

Lisa Sheldon
Yorkshire and Northern Lincolnshire Area Team
Natural England

Email: [REDACTED]

[1] Kunc H P., McLaughlin K E. and Schmidt R. (2016) Aquatic noise pollution: implications for individuals, populations, and ecosystems Proc. R. Soc. B.2832016083920160839

[2] Spiga, I., Cheesman, S., Hawkins, A., Perez-Dominguez, R., Roberts, L., Hughes, D., Elliott, M., Nedwell, J., Bentley, M. (2012). Understanding the Scale and Impacts of Anthropogenic Noise upon Fish and Invertebrates in the Marine Environment. SoundWaves Consortium Technical Review (ME5205).

Annex 1

Post 1988 ADAS surveys, map provided by Magic Map

