

Date: 08 January 2024
Our ref: 461497
Your ref: EN010116



BY EMAIL ONLY

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Dear Sir/Madam

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

Please see Natural England's response to Secretary of State (SoS) Consultation 2 (email dated 08 December 2023) for North Lincolnshire Green Energy Park NSIP below.

12. Natural England is invited to advise on the suitability of the Risby Warren SSSI Mitigation and Enhancement Strategy, provided by the Applicant in Appendix 2 of its response2 to the Secretary of State's first request for further information. Specifically, Natural England is invited to advise whether the Strategy is sufficient to mitigate and offset any adverse impacts that may result from the Proposed Development.

Natural England has worked alongside the Applicant to produce the Risby Warren SSSI Mitigation and Enhancement Strategy document which was submitted to the SoS October 2023. Therefore we are satisfied that the strategy is sufficient to mitigate and offset any adverse impacts which may result from the Proposed Development.

13. North Lincolnshire Council and Natural England are invited to comment on the Applicant's proposal to utilise a Section 106 agreement under the Town and Country Planning Act 1990 to secure the abovementioned strategy.

Natural England welcomes the approach of securing the Risby Warren SSSI Mitigation and Enhancement Strategy via a S106 agreement.

14. The Applicant is requested to provide an update on the Section 106 agreement with the tenant farmer and relevant landowner to provide mitigation for adverse effects at Risby Warren and for the Applicant, Natural England and North Lincolnshire Council to provide their views on incorporating the agreement within the DCO in the following form:

Risby Warren SSSI 1. The undertaker and [X] ("the parties") must implement the measures set out in [the agreement], dated [date]. 2. The [agreement] referred to in paragraph (1) may be varied by joint agreement of the parties only with the consent of the Secretary of State, following consultation by the Secretary of State with Natural England.

Natural England would not advise on the exact wording to be included within the DCO. Provided the wording secures the agreement within the DCO we are satisfied that the matter has been sufficiently addressed.

16. Natural England is invited to comment on the requirements for a PS licence for badger and, if possible at this time, whether it sees any reason why a licence would not be able to be granted.

Natural England advise that the requirement for a protected species licence for badger should be determined by the Applicant. Natural England's understanding on this matter is that the developer will undertake up to date surveys prior to commencement of development work to determine the need for a licence. However, in principle, at this stage we do not foresee a reason why a licence would not be granted, subject to the provision of all required information.

17. Natural England is invited to comment on the requirements for a PS licence for GCN and, if possible at this time, whether it sees any reason why a licence would not be able to be granted.

Natural England's understanding is that the Applicant will utilise the GCN District Level Licencing Scheme to mitigate the potential impacts to GCN from the Proposed Development. In principle, at this stage we do not foresee a reason why the developer will be unable to utilise the scheme, subject to provision of all required information.

Yours faithfully

Lisa Sheldon
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Natural England

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