



OAKLANDS FARM SOLAR PARK

Applicant: Oaklands Farm Solar Ltd

Natural England Letter of No Impediment – Badger Licence

October 2024

Document Ref: EN010122/D5/13.10

Version: Deadline 5

Date: 21 October 2024
Our ref: 2024-69342-SPM-NSIP
Your ref: Oaklands Farm Solar Park (Badgers)



BY EMAIL ONLY

Natural England
Horizon House
Deanery Road
Bristol
BS1 5AH
Tel: 020 8026 1089

Dear Rebecca Turner.

DRAFT LICENCE APPLICATION STATUS: Initial Draft Application

LEGISLATION: THE PROTECTION OF BADGERS ACT 1992 (as amended)

NSIP: Oaklands Farm Solar Park

SPECIES: European badgers (*Meles meles*)

Thank you for your subsequent draft Badger licence application in association with the above NSIP site, received in this office on the 5 September 2024. 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 response letter is intended to act as **a letter of no impediment** to provide the relevant authorities 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 the proposed works.

The advice detailed in this response letter is based upon the information within the following documents:

- Draft Badger Licence Application: Supporting Evidence Dated 6 September 2024
- Oaklands Farm Solar Park A24 Application Form

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, the following points should be addressed fully as part of that formal licence application submission.

- Vegetation – Vegetation should not be uprooted within 20 meters of badger sett entrances without a licence.
- Gaps in fencing - Mammal gaps in the perimeter fencing should be no less than 30cm in width and height to accommodate for badgers.

- Disturbance only – At this stage, no setts are to be directly impacted other than via disturbance. The application should consider whether adequate foraging habitat is retained for the multiple badger social groups.
- Section 4.2 – This section indicates that should any setts require temporary closure; setts will be fitted with ‘two-way’ gates for a period of no less than 7 days. Two-way gates should **not** be installed in sett entrances as they pose blockage risks. One-way gates should be used as standard and may be locked in an ‘open’ position to allow for badgers to access and egress from the sett.

Next Steps

Should the DCO be granted then the 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.

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. For points of clarification, please contact Zoe MacMullen [REDACTED] [@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk).

The advice provided within this response letter is the professional advice of the Natural England adviser named below. It is the best advice that can be given based on the information provided so far. Its quality and detail is dependent upon the quality and depth of the information which has been provided. It does not constitute a statutory response or decision, which will be made by Natural England acting corporately in its role as statutory consultee to the competent authority after an application has been submitted. The advice given is therefore not binding in any way and is provided without prejudice to the consideration of any statutory consultation response or decision which may be made by Natural England in due course. The final judgement on any proposals by Natural England is reserved until an application is made and will be made on the information then available, including any modifications to the proposal made after receipt of discretionary advice. All pre-application advice is subject to review and revision in the light of changes in relevant considerations, including changes in relation to the facts, scientific knowledge/evidence, policy, guidance or law. Natural England will not accept any liability for the accuracy, adequacy or completeness of, nor will any express or implied warranty be given for, the advice. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of Natural England.

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

Yours sincerely,

Zoe MacMullen

Higher Officer
Natural England Wildlife Licencing Service (Species Team)

E-mail: [REDACTED]@naturalengland.org.uk

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 (Zoe MacMullen, NEWLS CASC Team).

Submitting Documents.

Documents must be sent to the Natural England Wildlife Licensing Service (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 – Wildlife Licensing

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

Wildlife Licensing Natural England, Horizon House, Deanery Road, Bristol, BS1 5AH.

or email to wildlife@naturalengland.org.uk

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



| | | | |
|---|------------------------------------|--------------------------------|--------------------------|
| Natural England Reference Number (optional): | Please tick to indicate your role: | Consultant | <input type="checkbox"/> |
| | | 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?

| | <i>Poor</i> | <i>Fair</i> | <i>Good</i> | <i>Excellent</i> | <i>Not applicable</i> |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | 1 | 2 | 3 | 4 | |
| 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.