

Date: 16 May 2024
Our ref: 472687
Your ref: 24/00384/FUL



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BY EMAIL ONLY

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Dear Sir / Madam

Planning consultation: Installation and Operation of a Solar Farm and Battery Energy Storage System

Location: Land Adjacent To A614 Workshop Nottinghamshire

Thank you for your consultation on the above, which was received by Natural England.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on Clumber Park Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Impacts from construction to the designated site and its features
- Impacts from operation to the designated site and its features
- Information on species choices within Landscaping Planting Plan
- A Landscape Management Plan

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Clumber Park SSSI

One of the largest areas of mixed habitat in Nottinghamshire, Clumber Park supports extensive areas of lowland acid grassland, heath and mature deciduous woodland characteristic of the English North Midlands. An exceptionally rich beetle fauna is associated with mature timber and dead wood habitats and the park is notable for its breeding bird communities. The proposed development lies partially within the water catchment of the SSSI and <200m from the SSSI.

Additional Information required

Impacts from construction to the designated site and its features

This should assess impact pathways from construction. Specifically, noise, dust, water quality and water quantity. Noise should be assessed regarding the ecological Noise Sensitive Receptors (NSRs) designated within the SSSI. As the development lies within 200m of the SSSI, impacts from construction dust should be assessed. As the development lies partially within the water catchment of the SSSI, water quality and quantity impacts should be assessed. Where impacts to the SSSI are identified, suitable mitigation should be proposed through appropriate embedded design and additional mitigation measures, informed by the assessment.

Impacts from operation to the designated site and its features

This should assess impact pathways from the operational phase. Specifically, water quality and water quantity. Most solar panels require regular cleaning with chemicals and as such surface water run-off from the panels should be appropriately assessed. When considering mitigation, we suggest Sustainable Drainage Systems (SuDS), which comply with the [CIRIA SuDS Manual](#), as suitable mitigation for this. In the event of a fire within the Battery Energy Storage System, fire suppressing chemicals are used to extinguish the fire. When entering the environment these chemicals can be harmful to habitats and wildlife. As such mitigation measures should be included to stop these chemicals entering pathways to the SSSI. Where impacts to the SSSI are identified, suitable mitigation should be proposed through appropriate embedded design and additional mitigation measures, informed by the assessment.

Information on species choices within Landscaping Planting Plan

Species should be chosen to compliment the SSSI and generate a buffer habitat between the SSSI and the development. Species should be avoided that could affect species composition at the SSSI from seed dispersal. It is important to consider the development and the SSSI in the wider context of the local landscape. The [Sherwood National Character Area](#) can inform appropriate action to maintain and improve the local landscape. This should be considered in relation to the development's wider surroundings and its connection to the SSSI.

A Landscape Management Plan

Ongoing monitoring, maintenance and management of the proposed landscaping should be detailed to ensure it is maintained to not adversely affect the SSSI.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

In addition, Natural England would advise on the following issues.

Sherwood Forest possible potential Special Protection Area

We note the proposed development is located in the Sherwood Forest area, which has been identified as important for breeding nightjar and woodlark and which may or may not in the future become a Special Protection Area (SPA). Therefore, we refer you to Natural England's Advice Note

(attached) on this matter which provides more information and outlines Natural England's recommended 'risk-based approach'.

We would encourage the Authority to ensure the information provided in support of any application in this location is sufficient for you to assess the likelihood of potential impacts arising from the development on the breeding nightjar and woodlark population and has addressed the potential direct, indirect and cumulative impacts which may include, but may not be limited to, the following:

- Disturbance to breeding birds from people, their cats and traffic.
- Loss, fragmentation and/or damage to breeding birds and or feeding habitat.
- Bird mortality arising from domestic pets and/or predatory mammals and birds.
- Bird mortality from road traffic and or wind turbines.
- Pollution and or nutrient enrichment of breeding habitats.

As part of a risk-based approach, we would also suggest your Authority consider the use of appropriate mitigation and/or avoidance measures to reduce the likelihood of significant impacts which might adversely affect breeding nightjar and woodlark populations occurring.

Best and Most Versatile Agricultural Land

Under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system, where this is not in accordance with an approved plan).

Having reviewed the Agricultural Land Classification Report, Planning Statement and Design & Access Statement, Natural England notes the following information missing, to enable a full assessment of the application regarding impacts to BMV. All information given should be in line with the [Agricultural Land Classification in England and Wales. Revised guidelines and criteria for grading the quality of agricultural land](#):

- Confirmation on the time limit of the application to confirm its temporary nature.
- Appropriate certification of the ALC surveyor, e.g. a member of Institute Professional Soil Scientists (M I Soil Sci).
- ALC map of the site using the standard colours outlined in the guidelines.
- Soil sampling detailed within the ALC Survey methodology. We would expect to see a map of auger boring points and soil pits on a regular 100m grid.
- Auger boring or soil pit observations included.
- Climatic information included at the site.
- Site information such as gradient included.
- Information on the key physical limitations at the site. ALC is based on an assessment of the long-term physical limitations to agricultural use, identified during a soil survey of the site. As such, a full assessment of this is required to judge the ALC grade appropriately.
- An accompanying schedule of all auger borings and soil pits as record of the findings of all the field observations. These should normally describe soils to a depth of 80-120cm and include detailed descriptions of soil profiles.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 07920 881 956.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours faithfully

Lucy Collins
Planning & Environment Lead Advisor
East Midlands Area Team