

Date: 30 May 2022  
Our ref: 392576  
Your ref: 22/00537/FUL



Melton Borough Council

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Gareth Elliott

**Planning consultation:** Construction of a Solar Farm together with associated work, equipment and infrastructure.

**Location:** Fields OS 6700 6722 And 5200, Muston Lane, Easthorpe

Thank you for your consultation on the above dated 05 May 2022 which was received by Natural England on 05 May 2022.

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**

### **NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED**

We consider that without appropriate mitigation the application could:

- damage or destroy the interest features for which Muston Meadows Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Additional buffering to the SSSI

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

### **Further advice on mitigation**

Natural England welcome the general consciousness of the SSSI adjacent to the SSSI, however, we consider that a larger 'buffer' area alongside the SSSI should be implemented to ensure no impacts occur to the interest features of the SSSI.

The activities during construction and maintenance of the panels have the potential to cause adverse impacts via dust creation, sediment runoff, pollution events (i.e. oils/fuels). We note the 11m buffer which is described within the EIA, but would want to see a larger buffer area alongside the SSSI, both during construction and for the lifetime of the development.

We would also like to note that the SSSI citation includes GCN as an interest feature, thus, any impacts to the GCN population would constitute an adverse impact to the SSSI. The field margins and edges of the development site may be used as terrestrial habitat by GCN; we believe this further indicates the need for larger buffering alongside the SSSI.

We would like to see a *further* buffer area of at least 10m along the boundary of the SSSI. This buffer area would not only help to prevent any impacts, but would provide a significant benefit for the SSSI. Where the buffer, along with the entirety of the development site, is maintained appropriately, species from the SSSI are likely to establish in these areas and create a high quality extension to the SSSI. In time, this area may be suitable for inclusion in an official extension to the Muston Meadows NNR.

### **Other advice**

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

### **Landscape Strategy**

Natural England welcome the intention to create high quality grassland/meadow habitats across the development site, and do not consider the current proposals would cause harm to the SSSI. However, we consider this development to provide a rare opportunity to take the route of natural regeneration. We note that the natural regeneration route may give rise to less biodiversity credits through the Biodiversity Metric, however, the development is currently indicating a gain in well over the expected amount; natural regeneration, in the long term, may provide better opportunities for Nature.

The presence of Muston Meadows SSSI adjacent to the site means there is a natural seed source directly adjacent, which, if given the chance, would likely colonise the development site; over time, create high quality species rich habitat akin to the SSSI itself. The Green Winged Orchids present on the SSSI would be unlikely to colonise the development site should it be sown with a plethora of different species; extending the range of the Orchid would be a huge win for local biodiversity.

We note two parcels of the development site have been shown on the landscape masterplan to be 'Complimentary species diverse grassland habitat'. We are unable to find detail of what this comprises and would like to take this opportunity to state that these areas would be best suited to natural regeneration, due to their proximity to the SSSI. We would also ask that the parcel directly north of the SSSI be included within this 'Complimentary species diverse grassland habitat', or better yet, natural regeneration.

Natural England would be happy to organise a meeting with the applicant to discuss the possibility of taking a more natural regeneration route across the site, or just in the adjoining land parcels, to secure the best opportunities for nature. Should the applicant wish to discuss this further, I would be happy for them to get in contact with me.

### **Biodiversity Management Plan**

We have reviewed the Biodiversity Management plan, and once again, do not consider that any harm will come to the SSSI as a result of it, however, we do have the following comments:

- 3.1.1 states security fencing will be erected around the site, we would recommend that this fencing should be permeable by mammals, to prevent cutting off their access to the site; thus enhancing the biodiversity value.
- 4.1.9 states a grazing mix will be sown beneath panels, to be grazed by sheep. We welcome the intention to use low intensity grazing to manage the site, however, we note that Native sheep will graze the natural regeneration of the site; that there is not necessarily a need to seed these areas.
- 4.1.15 states that if there is an abundance of annual or perennial weeds, herbicide will be

used. We would like to note that arable weeds can often be highly beneficial to biodiversity and should not be removed where possible.

- 4.1.25 states that bark will be imported to the site. We note this bark may contain non-native/non-local species and/or pests. We recommend care being taken to ensure an appropriate bark substrate is used, to prevent any such issues.
- 5.1.2 states that small area of bare ground will be tolerated. We welcome this and would like to see small areas of bare ground created where they are not present naturally, to achieve the benefits described.
- 5.1.4 states a number of harmful weeds will be removed. We note that these weeds are still useful for biodiversity. We recognise that where sheep will graze the site this may cause some issues, however, would like to see these species left in situ in the borders and areas which are not being used for grazing.
- 5.2.2 states that all dead wood will be removed. We would like to see deadwood left on the site, as it is very important for biodiversity.
- 6.3 – We would like to welcome the inclusion of contingency measures.

## **Biodiversity Net Gain**

Natural England would like to welcome the use of the Biodiversity Metric 3.0, which showed a clear gain of 15.78% in hedgerow units and 173.38% in habitat units.

## **Protected Species**

For advice on protected species, please see Natural England's [Standing Advice](#).

## **District Level Licencing for Great Crested Newts**

Natural England note that the development lies within an area which has an active District Level Licensing scheme. Where a licence may be required for great crested newt, DLL provides a quicker, simpler licensing approach. Some advantages of the DLL scheme include:

- **Speed:** On average, obtaining a DLL brings a time saving of 77 days compared to mitigation licencing.
- **Simplicity:** DLL does not require extensive on-site survey or mitigation measures by the developer, hence the licencing process is much more streamlined than mitigation licencing.
- **Efficiency of conservation:** 85% of the developer's investment goes directly towards habitat creation/restoration, compared to approximately 16% under mitigation licencing.

Please see [this link](#) for further information on how to join a district level licensing scheme to manage great crested newt (GCN) populations if you are developing land in certain parts of England.

## **Best and Most Versatile Agricultural Land**

From the documents accompanying the consultation we consider this application falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, as the proposed development would not appear to lead to the loss of over 20 ha 'best and most versatile' (BMV) agricultural land.

For this reason, we do not propose to make any detailed comments in relation to agricultural land quality and soils, although sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through appropriate site design / masterplan / Green Infrastructure. In addition, impacts to soil are less likely as the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards

Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources, including the provision of soil resource information in line

with the Defra guidance [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#).

Further guidance is available in The British Society of Soil Science [Guidance Note](#) Benefitting from Soil Management in Development and Construction which we recommend is followed in order to safeguard soil resources as part of the overall sustainability of the development.

If, however, you consider the proposal has significant implications for further loss of BMV agricultural land, we would be pleased to discuss the matter further.

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

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.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on [Click here to enter text..](#)

*State whether we need to be consulted on discharge of conditions or obligations.* Choose an item..  
*(only use second option where there are very specific issues we need to see again).*

Should the proposal change, please consult us again.

Yours Choose an item.

[Click here to enter text.](#)

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