

**Boxted Solar Farm, Boxted,
Suffolk**

(Application Reference
DC/23/05127)

Biodiversity Addendum

(Updated September 2026)

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1 Introduction

Background to Addendum

- 1.1 RES Ltd has submitted an application to Babergh District Council for the development of a solar farm (the Proposed Development) on land west of Boxted (Application Reference DC/23/05127). The description of the proposed Development is *“Construction and operation of a solar farm with all associated works, equipment, necessary infrastructure and biodiversity net gains.”*
- 1.2 BSG Ecology prepared the following three documents that were submitted with the application
- Ecological Assessment [dated 26/10/2023]
 - Biodiversity Net Gain Statement [dated 26/10/2023]
 - Skylark Mitigation Strategy [dated 26/10/2023]
- 1.3 As a result of internal and external consultation over the application a number of responses were received from consultees that raised issues about the treatment of biodiversity features and the assessment.
- 1.4 This Biodiversity Addendum has been prepared to address issues arising from the comments submitted by Place Services (acting as retained ecological advisers to Babergh District Council) and the Suffolk Wildlife Trust and was originally issued in October 2023. This was then updated in March 2025 (BSG Ecology 2025) to take into account updated landscaping plans and again in September 2026 to account for further updates to the landscape plan and the published Suffolk Local Nature Recovery Strategy (LNRS) in October 2025. Additionally, the Biodiversity Net Gain (BNG) calculation has been converted from the DEFRA metric 4.0 to the Statutory Metric which come into force in February 2024.

The comments submitted by Place Services

- 1.5 The comments submitted by Place Services were in the form of a letter dated 08 December 2023 from Hamish Jackson, Senior Ecological Consultant. This did not object to the application, *“subject to securing ecological mitigation and enhancement measures”*.
- 1.6 The submission sought three conditions relating to:
- 1 Construction Environmental Management Plan (CEMP: Biodiversity)
 - 2 Biodiversity Net Gain Plan
 - 3 Biodiversity Enhancement Strategy
- 1.7 And a legal agreement to secure: Skylark Mitigation Strategy
- 1.8 In response to reviewing the Landscape Masterplan, the suggestion was made that *“further planting could be undertaken to link Lownage Wood CWS and Park Wood CWS, as this will help establish more coherent ecological networks within the landscape and provide further biodiversity net gains.”*
- 1.9 In response to reviewing the Biodiversity Net Gain Statement, a comment was made about the deliverability of the habitat ‘other neutral grassland’ beneath the solar panels, suggesting instead this be assessed as ‘modified grassland’. A further comment was made about grazing beneath the panels, suggesting that *“low intensity grazing with an appropriate rotation scheme”* be implemented and secured through the Biodiversity Net Gain Plan.

Matters addressed in the Addendum as a result of the Place Services comments

- 1.10 The proposal that there are conditions relating to a Construction Environmental Management Plan (CEMP: Biodiversity), a Biodiversity Net Gain Plan and a Biodiversity Enhancement Strategy and a legal agreement to secure the Skylark Mitigation Strategy are considered to be standard requirements for a solar farm development. They are accepted and not addressed further in this Addendum.

- 1.11 The following two matters are addressed in a following section of this Addendum:
- Modification to the planting between Lownage Wood CWS and Park Wood CWS.
 - Treatment of grassland habitats in the assessment of biodiversity net gain.
- 1.12 The comment about grazing beneath the panels will be addressed and implemented through the Biodiversity Net Gain Plan which has been accepted as a condition.

The comments submitted by the Suffolk Wildlife Trust

- 1.13 The comments submitted by the Suffolk Wildlife Trust were in the form of a letter dated 11 December 2023 from Alex Jessop, Planning & Advocacy Officer. This letter was accompanied by a Planning Guidance Note prepared by the Suffolk wildlife Trust that is generic in nature and did not specifically address the Proposed Development.
- 1.14 The submission sought modifications to the landscaping of the Proposed Development to:
- Allow scrub to establish from the base of hedgerows and woodlands.
 - Extend and link existing ancient woodland parcels adjacent to the Site.
- 1.15 The submission commented on the delivery of the habitat 'other neutral grassland' beneath the solar panels in a similar manner to that raised by Place Services.
- 1.16 The submission requested that the *"applicant demonstrate that the proposals deliver a net gain of at least 20% from land which is not primarily used for energy generation"*.
- 1.17 The submission sought that *"monitoring of onsite habitats and biodiversity will be undertaken, including monitoring of vegetation under solar panels"* in order to evidence the habitat gain that is delivered under solar panels.

Matters addressed in the Addendum as a result of the Suffolk Wildlife Trust comments

- 1.18 The following three matters are addressed in a following section of this Addendum:
- 1 Modifications to the landscaping to allow scrub to establish and linking existing ancient woodland parcels.
 - 2 Treatment of grassland habitats in the assessment of biodiversity net gain.
 - 3 Demonstrating that the proposals deliver a net gain of at least 20% from land which is not primarily used for energy generation.
- 1.19 The comment about monitoring of onsite habitats, including monitoring of vegetation under solar panels is accepted and will be a component of the Biodiversity Net Gain Plan (that has already been accepted as a condition), specifically requiring *"the submission of monitoring reports demonstrating how the BNG is progressing towards achieving its objectives"*.

Matters addressed in this Addendum as a result of updates to the Landscape Plan

- 1.20 The Landscape Plan has been updated; the current version (Version J), that has been used to inform this updated addendum, has been produced by Pegasus Group: 'Landscape Masterplan – Boxted Solar Farm (DRWG No: P21-2960_EN_004 – Rev: K – 28/09/2026)'. Whilst the submitted copy of the Biodiversity Net Gain Statement was based on Revision B of the Masterplan, this updated Biodiversity Addendum is based on the distribution and types of habitats set out in the current Landscape Masterplan.

2 Addressing Place Services comments

2.1 The following two matters are addressed below:

- 1 Modification to the planting between Lownage Wood CWS and Park Wood CWS.
- 2 Treatment of grassland habitats in the assessment of biodiversity net gain.

1. Modification to the planting between Lownage Wood CWS and Park Wood CWS.

2.2 As a result of the Proposed Development, the connections between the woodland blocks across the sites, including that between Lownage Wood CWS and Park Wood CWS, are improved. This results from:

- i. The removal of arable cropping that has the inherent risk of spray and fertiliser drift into the base of the existing hedgerow that connects the two woods.
- ii. The removal of arable fields that are unlikely to be crossed by a wide range of woodland animals and their replacement by grassland that provides more favourable conditions for woodland animal movement.
- iii. Improved management of the hedgerow connecting the two woods.
- iv. A native woodland mix will be planted between the two woodlands to increase connectivity between the two woodlands. This will include scattered standard trees to add height and structure at implementation and increase likelihood of reaching target condition.
- v. Improved management of the grassland buffering the hedgerow that connects the two woods.

2.3 The result will be that the thicker hedgerow, thicker hedgerow base, thicker grassland structure alongside the hedgerow and the extensive areas of grassland will mean that woodland animals will find the conditions better suited to moving between the two woodlands.

2.4 This is considered a significant improvement in conditions and that further planting between the two woodlands is not essential.

2. Treatment of grassland habitats in the assessment of biodiversity net gain.

2.5 In the submitted Biodiversity Metric the created habitats within the security fenced area is categorised as the habitat 'other neutral grassland' and notably it is given the habitat condition 'Poor' (a significant matter not recognised in the Place Services comments). The suggestion from Place Services is that it is categorised as the habitat 'modified grassland' (without any statement about its condition).

2.6 The condition under which the grass / wildflower mix will grow within the security fenced panel array area is varied since there are areas directly underneath panels, areas between rows of panels parts of which are shaded for part of the day and areas between the panels and the security fence the width of which is variable and includes significant areas that are not shaded by the panels for any significant period during the day. In these varied conditions there are areas where the sown grass / wildflower mix will flourish and it is recognised that there are areas directly underneath the panels where it may take longer to establish. It is recognised that these areas where it may take longer to establish should be reflected in the Biodiversity Metric and so, the whole area on a precautionary basis has been given the habitat condition 'Poor'.

2.7 The botanical difference between the habitat 'other neutral grassland' and the habitat 'modified grassland' is that the former has a greater species richness than the latter. Since a species rich seed mix is being sown and, with the potential exception of directly under the panels, the large majority of those planted species will grow well, it is considered that once established a species rich sward will be present over the majority of the area within the security fence. For the sward to be categorised as the habitat 'modified grassland', the species richness would need to be evaluated at less than 9 species per m² and with a domination by fast growing grasses¹. This is not expected to be the case, especially since the sward is not going to be subject to fertiliser applications nor herbicide applications.

¹ <https://www.ukhab.org/>

3 Addressing Suffolk Wildlife Trust comments

3.1 The following three matters are addressed below:

- 1 Modifications to the landscaping to allow a native woodland mix to establish and linking existing ancient woodland parcels.
- 2 Treatment of grassland habitats in the assessment of biodiversity net gain.
- 3 Demonstrating that the proposals deliver a net gain of at least 20% from land which is not primarily used for energy generation.

1. Modifications to the landscaping to allow native woodland to establish and linking existing ancient woodland parcels.

3.2 As noted in the paragraphs above addressing the comment from Place Services about linking Lownage Wood and Park Wood, and considered more generally across the Proposed Development, the linking hedgerows will be able to thicken out as a result of the change from arable cropping to solar farm with grassland. This thickening out, in terms of the conditions provided for a range of animals, is the equivalent of creating linear scrub and accordingly it is not considered that it is essential that additional scrub growth is promoted.

3.3 A native woodland mix will be planted between the two woodlands to increase connectivity between the two woodlands. This will include scattered standard trees to add height and structure at implementation and increase likelihood of reaching target condition.

3.4 With regard to linking existing ancient woodland parcels, the paragraphs above addressing the comment from Place Services addresses the same intent from the Suffolk Wildlife Trust.

2. Treatment of grassland habitats in the assessment of biodiversity net gain.

3.5 This matter has already been addressed in the paragraphs above relating to the same comment from Place Services.

3. Demonstrating that the proposals deliver a net gain of at least 20% from land which is not primarily used for energy generation.

3.6 The Suffolk Wildlife Trust are seeking a process for assessing biodiversity net gain that does not conform to the published national guidance at the time that the application was submitted, nor does it conform to the guidance on the statutory net gain requirement² and nor does it conform to the requirements set out in the adopted Local Plan Part 1, specifically Policy LP16 – Biodiversity & Geodiversity and the associated explanatory text in Section 15.

3.7 For these three reasons the Applicant does not propose to carry out the type of assessment sought by the Suffolk Wildlife Trust.

² Noting that since the application was made before biodiversity gain became mandatory, that guidance on the mandatory assessment process does not apply to the Proposed Development.

4 Update to the Biodiversity Net Gain Statement as a result of changes to the Landscape Plan

- 4.1 The biodiversity gain assessment identifies a measure of biodiversity change using the Statutory Biodiversity Metric (the metric) (Defra, 2025) and the associated User Guide (Defra, 2026) and other relevant guidance, to calculate the biodiversity gain outcome of the development.
- 4.2 The metric is a tool used to measure biodiversity losses and gains in relation to habitats. The metric has been used to calculate the biodiversity value of the Site before the development and to provide a provisional value after the development. The purpose of the metric values after the development is to provide sufficient comfort and certainty to the local planning authority in their consideration of the development that biodiversity gain can be achieved in principle for this development i.e. the biodiversity gain condition can be met. The final metric outcome is subsequently calculated and included in the Biodiversity Gain Plan (BGP) which is to be submitted following planning consent to inform the discharge of the biodiversity gain condition.
- 4.3 The metric enables determination of whether the development is likely to result in losses or gains in biodiversity unit terms. The metric is used to numerically quantify the value of biodiversity at a site and can be used to inform an evidence base on the extent of required mitigation for a development, the extent of residual biodiversity impact and, if necessary, to identify the amount of required compensation. The Environment Act 2021 and associated secondary Regulations (SI2024 No's 44-50) together require biodiversity gain of 10% as a general condition of planning permission.
- 4.4 Reference is made to the following in this assessment:
- The Biodiversity Gain Requirements (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 (SI No. 50).
 - National planning policy guidance, as set out within the NPPF, in relation to securing measurable biodiversity gain through development proposals.
 - Relevant local planning policy and supplementary planning guidance.
 - The biodiversity net gain good practice principles (ciria, CIEEM, CIEMA, 2019)
- 4.5 The interaction between the NPPF mitigation hierarchy and the biodiversity gain hierarchy is also considered.
- 4.6 The results of the metric are provided in Appendix 1.
- 4.7 There have been changes made to the Landscape Plan, now at Revision K (shown in Figure 2), to account for the recommendations of a number of sectoral assessments. The baseline habitats and habitat condition of the Site of the Proposed Development remain unchanged (Table 1, 2 and 3 of the submitted Biodiversity Net Gain Statement), although the value of some of the baseline habitats have altered due to their current status as 'formally identified in local strategy' (and therefore a change in their 'strategic significance').
- 4.8 The change that has affected the area and types of proposed habitats is the inclusion of a number of linear swales along some of the northern edges of the proposed solar arrays and the inclusion of some small structures. Those swales are sown with a grass / wildflower seed mix suited to the damper conditions in the swales e.g. Emorsgate EM8 meadow mixture and have been included in the other neutral grassland habitat. These changes are reflected in the revised Table 4 presented below and in the outcomes of the biodiversity net gain metric calculation presented in the revised Table 5, also below.
- 4.9 As with baseline habitats (Figure 1), some of the proposed habitats, including hedgerows are also now considered to be of greater 'strategic significance' as they are 'formally identified in local strategy'.
- 4.10 The flood risk assessment and surface water drainage strategy (Pegasus group, 2023) notes a "Main River" to the north of the site and "Ordinary Watercourses" present on Site. The "Main river" is

located at least 16 meters to the north of the Site and is therefore beyond the 10 meters that would require it to be included within the Statutory BNG metric. The "Ordinary Watercourses" consist of linear cuts into the soil at the edges of fields that do not retain water for more than 4 months of the year and so did not warrant listing as water features. Watercourses have therefore been excluded from the BNG calculation.

- 4.11 A copy of the revised summary overview of the metric calculations generated by the Biodiversity Metric is presented in Appendix 1.

Revised Table 4: Habitat types, area / length and target condition on-Site post-development

Habitat type			Area / length	Condition
JNCC Phase 1	Landscape Masterplan	Statutory Metric		
Neutral grassland, semi-improved	Grass / Wildflower seed grazing mix within security fence	Other neutral grassland	35.05 ha	Poor
Neutral grassland, semi-improved	Grass / Wildflower seed mix (eg EH1)	Other neutral grassland	4.65 ha	Moderate
Broad-leaved semi-natural woodland	Native woodland mix	Lowland mixed deciduous woodland	1.88 ha	Moderate
Hardstanding	Access roads and electrical infrastructure	Artificial unvegetated, unsealed surface	0.76 ha	N/A - Other
Buildings	Buildings	Developed land, sealed surface	0.48 ha	N/A - Other
Native hedgerow: Species rich with tree	Native mixed hedgerow planting	Species-rich native hedgerow with trees	1,413 m	Moderate
Native hedgerow: Species poor with trees	Native mixed hedgerow planting	Native hedgerow with trees	773 m	Moderate
Native hedgerow: Species poor	Native mixed hedgerow planting	Native hedgerow	1,333 m	Moderate

Revised Table 5: Outcome of the BNG assessment for the area based habitats

Context	Value (Biodiversity Units)
Pre-development biodiversity value of the Site	90.31
Pre-development hedgerow value of the Site	16.37
Post-development biodiversity value of the Site	193.35
Post-development hedgerow value of the Site	29.87
The net change in biodiversity value of the Site	114.10%
The net percentage change in hedgerow value of the Site	82.46%

- 4.12 The conclusions of the Biodiversity Net Gain Statement remain broadly the same. There is a small change to the percentage gain value for the habitats. It is recognised that the Local Nature Recovery Strategy has now been adopted and therefore the created habitats are of strategic significance. Those revised conclusions are:

- The landscaping, habitat creation and habitat enhancement measures to be implemented as part of the development of the proposed Boxted Solar Farm could achieve a biodiversity net gain score of 114.10% for habitats and of 82.46% for hedgerows.
- The proposed Boxted Solar Farm could satisfy the now mandatory national requirement and the adopted Joint Local Plan Part 1 of a minimum of 10% biodiversity net gain.

4.13 The proposed habitat outcomes are considered to be achievable, can be legally secured and they are appropriate to the location and setting of the Site and the locally surrounding habitats.

Consideration of Biodiversity Net Gain Good practice principles for development

4.14 On reference to Ciria CIEEM IEMA (2019) Biodiversity Net Gain Good practice principles for development, the principles were considered during the development design, completion of ecology related desk and field surveys and the biodiversity gain assessment.

Consideration of assumptions and limitations

4.15 The original calculations were performed using the 4.0 iteration of the metric, and this has been updated to the Statutory Metric

References

- CIRIA, CIEEM, CIEMA (2019). Biodiversity net gain. Good practice principles for development. A practical guide.
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- UK Habitat Classification Working Group. (2018). *UK Habitat Classification User Manual* Version 1.0 Available from: <http://ecountability.co.uk/ukhabworkinggroup-ukhab/>
- UKHab. (2023). *The UK Habitat Classification Version 2.01*. UKHab Ltd. <https://www.ukhab.org>

Appendix 1: 'Headline Results' output from The Statutory Metric

Headline Results		results menu	
Scroll down for final results ⚠			
On-site baseline	Area habitat units	90.31	
	Hedgerow units	16.37	
	Watercourse units	0.00	
On-site post-intervention (Including habitat retention, creation & enhancement)	Area habitat units	193.35	
	Hedgerow units	29.87	
	Watercourse units	0.00	
On-site net change (units & percentage)	Area habitat units	103.04	114.10%
	Hedgerow units	13.50	82.46%
	Watercourse units	0.00	0.00%
Off-site baseline	Area habitat units	0.00	
	Hedgerow units	0.00	
	Watercourse units	0.00	
Off-site post-intervention (Including habitat retention, creation & enhancement)	Area habitat units	0.00	
	Hedgerow units	0.00	
	Watercourse units	0.00	
Off-site net change (units & percentage)	Area habitat units	0.00	0.00%
	Hedgerow units	0.00	0.00%
	Watercourse units	0.00	0.00%
Combined net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Area habitat units	103.04	
	Hedgerow units	13.50	
	Watercourse units	0.00	
Spatial risk multiplier (SRM) deductions	Area habitat units	0.00	
	Hedgerow units	0.00	
	Watercourse units	0.00	
FINAL RESULTS			
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Area habitat units	103.04	
	Hedgerow units	13.50	
	Watercourse units	0.00	
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	Area habitat units	114.10%	
	Hedgerow units	82.46%	
	Watercourse units	0.00%	
Trading rules satisfied?	Yes ✓		

Appendix 2: Summaries of Relevant Policy, Legislation and Other Instruments

This section briefly summarises the legislation, policy and related issues that are relevant to the main text of the report. The following text does not constitute legal or planning advice.

National Planning Policy Framework (England)

The Government issued the National Planning Policy Framework (NPPF) in August 2026 which provides the Government's plan making and development decision-making policies for England; the Introduction advises that *'It [the NPPF] is a material consideration of critical importance in both contexts.'* The NPPF advises that plan making and decision making policies are to be read as a whole including relevant footnotes and annexes with relevant weight to be applied, as detailed in the respective decision-making policies. Text excerpts from the NPPF, including relevant footnotes, are shown in italics where they may be relevant to planning applications and biodiversity including protected sites, habitats and species.

The Government sets out the three objectives for the delivery of sustainable development through the planning system (economy, social and environmental) at paragraph 17 (a, b and c). At paragraph 17 the Government advises that *'These objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across all three)...'*

The planning system's environmental objective is *'to support efforts to mitigate and adapt to climate change, including moving to a low carbon economy; and to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, and minimising waste and pollution'* (paragraph 17c).

In conserving and enhancing the natural environment, the objective of the NPPF policies (Chapter 19) *'is to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth.'*

A series of six policies is provided in Chapter 19; Policy N1 relates to plan making, the remainder relate to national decision making.

In respect of plan making, Policy N1 (1) states that

'Development plans should safeguard and enhance the natural environment, and reflect the wider benefits from natural capital and ecosystem services, by using Local Nature Recovery Strategies, Protected Landscape Management Plans, River Basin Management Plans, National Forest Strategies, Community Forest Plans and other relevant evidence at the most appropriate level to:

- a. Set out the hierarchy of international, national and locally designated sites and areas of importance for their landscape, geodiversity or biodiversity value in the plan area, and identify other features which require particular consideration in managing development due to their environmental value such as chalk streams;*
- b. Identify opportunities for the conservation, enhancement and recovery of landscapes, sensitive waterbodies, habitats and priority or threatened species, including through habitat restoration, the use of nature-based solutions, and the creation and strengthening of ecological networks that are more resilient to current and future pressures (including opportunities which exist at a catchment or landscape scale across plan boundaries);*
- c. Steer the location of development, including through site allocations, in ways which utilise land of least environmental value where that would be consistent with other policies in this Framework. This should include limiting the scale and extent of development within Protected Landscapes, avoiding the use of higher quality agricultural land where land of poorer quality is available and avoiding and minimising harm to designated sites of importance for nature. Areas which could become of particular importance for nature identified in Local Nature Recovery Strategies should be taken into account as opportunities to integrate*

development with environmental restoration, but should not necessarily preclude the allocation of land for development; and

d. Set out standards for green infrastructure provision, in a way which complements and/or incorporates those for recreational land... These should draw upon Natural England's Green Infrastructure Standards for England³, tailored as necessary to local circumstances.'

At N1 (2) there is specific reference to biodiversity net gain in relation to plan making policies as follows: *'Development plans should only set local standards for biodiversity net gain which are in excess of the statutory net gain requirement where this is for specific site allocations, and is fully justified and deliverable. Local standards should not extend to categories of development which are exempt from statutory biodiversity net gain.'* A similar reference is included at Policy N2 (3) in relation to decision making for development proposals which further advises *'Decision makers should not give weight to other development plan policies which require biodiversity gains which go beyond the statutory framework...'*

Policy N2 provides a series of principles (a - g) that should be applied for development proposals to help meet the Government's objectives for the natural environment and nature recovery including reference to:

- the existing environmental qualities of land proposed for development that may have the opportunity for conserving or enhancing those qualities including through biodiversity net gain
- connecting and strengthening ecological networks beyond the site *'drawing on the measures proposed by Local Nature Recovery Strategies...'* and other locally relevant strategies,
- conserving and enhancing existing natural features including those of *'nature conservation value (such as established trees and hedgerows'* where possible...
- using green infrastructure for multiple reasons as part of the development design including for biodiversity
- the need to minimise *'any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective'*
- minimising the risk of failure of *'green infrastructure and other features to support nature'* through the design process and by securing any necessary long-term management.

Policy N2 advises that when determining planning applications, the following principles should apply; this approach is typically referred to as the NPPF mitigation hierarchy:

'If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then the development should be refused.'

The value of planting new trees as part of the design for new development proposals is detailed at Policy N3 (1) a – c as follows:

- New streets are to be tree-lined unless strong reasons why inappropriate and trees are to be incorporated into parks and the provision of community orchards
- Tree species selection is to take into account compatibility with highway and other infrastructure requirements and the needs of different users of public spaces

³ [GI Standards](#)

- Long term maintenance of existing and newly-planted trees is to be provided where they form part of the development proposal.

Policy N4 provides details of the requirements for major development proposals in Protected Landscapes including reference to *‘Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.’* Where an exception is made for major development within Protected Landscapes mitigation of adverse impacts including ‘features such as tranquillity and dark skies’ should be provided.

In chapter 17 Pollution, public protection and security, the NPPF refers to the need to ensure that new development is appropriate for the location taking into account risks from pollution. In relation to ecology, Policy P3 (e) and (f) states that development proposals should:

‘Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature’ at Policy P3 (e)

and

‘Assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality, especially in relation to sensitive water bodies such as chalk streams’ at Policy P3 (f).

Policy N5 refers to protecting the character of the coast as part of development proposals that *‘should maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, while improving public access to it where appropriate.’* In addition, major development within areas identified as Heritage Coast is not to be supported unless the development is compatible with the Heritage Coast area.

In respect of protected sites, habitats and species, at Policy N6 the Government advises the following:

‘1. To support the conservation of important habitats, species and sites of geodiversity value, development proposals affecting:

a. A site of international importance, which for the purpose of this policy is a habitats site, should be refused unless:

- i. An appropriate assessment has concluded that the proposal will not adversely affect the integrity of the site (either individually or in combination with other developments), or the proposal can satisfy the derogation tests⁴; and/or*
- ii. The impact of development on the relevant protected features of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy.*

b. A site of national importance, which for the purpose of this policy is one designated as a Site of Special Scientific Interest, should only be supported if:

- i. There would be no adverse effect (either individually or in combination with other developments) on the site’s features of special scientific interest; or*
- ii. The benefits of the development in the location proposed clearly outweigh both the likely impact on the features of special scientific interest, and any broader impact on the national network of Sites of Special Scientific Interest; or*

⁴ These being that there are no feasible alternative solutions to the proposal which are less damaging, there are imperative reasons of overriding public interest for it to proceed, and compensatory measures are secured to ensure that the overall coherence of the network of habitats sites is maintained.

iii. The impact of development on the relevant protected feature of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy.

c. A site of local importance, which for the purpose of this policy is one designated as a Local Nature Reserve or identified as a local wildlife site, local geological site or equivalent in the development plan, should only be supported if:

- i. There would not be a significant adverse effect on the integrity of the site; or*
- ii. The benefits of development in the location proposed clearly outweigh the likely impact on the features which make the site valuable for nature conservation.'*

At N6 (2) and (3) the Government provides advice that applies regardless of a site's designation status:

- *'development proposals which would entail the loss or deterioration of irreplaceable habitats, (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵ and a suitable compensation strategy exists (Policy N6 (2))'*
- *'that this policy applies to development on land inside or outside a designated area, if it would have an impact on the identified biodiversity or geodiversity value of the area concerned.'*

The glossary of the NPPF (Annex B) defines an ancient or veteran tree as follows: *'A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.'*

Government Circular ODPM 06/2005 Biodiversity and Geological Conservation (England only)

Paragraph 98 of Government Circular 06/2005 advises that "the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult Natural England before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species' protection provisions affecting the site concerned..."

Paragraph 99 of Government Circular 06/2005⁶ advises that "it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted".

Standing Advice (GOV.UK - England only)

The GOV.UK website provides information regarding protected species and sites in relation to development proposals: 'Local planning authorities should take advice from Natural England or the Environment Agency about planning applications for developments that may affect protected species.' GOV.UK advises that 'some species have standing advice which you can use to help with planning decisions. For others you should contact Natural England or the Environment Agency for an individual response.'

⁵ For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of the relevant habitats.

⁶ ODPM Circular 06/2005. Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impacts within the Planning System (2005). HMSO Norwich.

The standing advice (originally from Natural England and now held and updated on GOV.UK⁷) provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides advice on survey and mitigation requirements.

When determining an application for development that is covered by standing advice, in accordance with guidance in Government Circular 06/2005, Local planning authorities are required to take the standing advice into account. In paragraph 82 of the aforementioned Circular, it is stated that: 'The standing advice will be a material consideration in the determination of the planning application in the same way as any advice received from a statutory consultee...it is up to the planning authority to decide the weight to be attached to the standing advice, in the same way as it would decide the weight to be attached to a response from a statutory consultee.'

The Environment Act 2021

The Environment Act includes the requirement for mandatory biodiversity gain for all qualifying developments in England through an amendment to the Town and Country Planning Act 1990 which came into force on 12 February 2024. For all qualifying developments in England, The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 (SI44) at Regulation 3 advises in relation to planning applications that *'the biodiversity gain planning condition does not apply in relation to a planning permission within the scope of regulation 2 (2) of these Regulations, where the application for planning permission was made before 12th February 2024'*. From 12 February 2024, the Act and associated secondary Regulations (SI2024 No's 44- 50) insert amendments into the Town and Country Planning Act 1990 which in summary require the following for all qualifying developments in England:

- The provision of a required percentage of biodiversity gain, currently set nationally to be at 10%, as a general condition of planning permission,
- The use of the statutory Biodiversity Metric to calculate the biodiversity gain,
- Submission to and approval by the planning authority, of a Biodiversity Gain Plan (BGP) for the development before the development may be begun; the BGP is to be prepared using a template prepared by Defra to demonstrate how biodiversity gain will be delivered on and / or off-site and how the biodiversity gain hierarchy has been applied so that the local planning authority can take account of the approach taken when deciding whether to approve the BGP,
- Significant on-site biodiversity gain and all offsite biodiversity gain to be secured for a fixed period, currently nationally set at 30 years,
- Alternative arrangements to be made for the purpose of minimising the adverse effect of development to habitats deemed to be irreplaceable habitat (see NPPF),
- Demonstration of how the biodiversity gain will be secured, typically through planning obligations in a section 106 agreement,
- Registration of offsite biodiversity gain and allocation of relevant biodiversity units to a given development in a national register for which Natural England is the Register Operator,
- Use of statutory biodiversity credits through the Secretary of State, which is considered to be a last resort, if onsite and/or offsite biodiversity gains cannot achieve the required percentage.

Natural Environment and Rural Communities (NERC) Act 2006 – Habitats and species of principal importance (England)

The Natural Environment and Rural Communities (NERC) Act came into force on 01 October 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The list has been drawn up in consultation with Natural England as required by the Act. In accordance with the Act the Secretary of State keeps this list under review and will publish a revised list if necessary, in consultation with Natural England.

⁷ <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#standing-advice-for-protected-species>

The S41 list is used to guide decision-makers such as public authorities, including local authorities, local planning authorities and statutory undertakers, the latter such as utilities companies, in implementing their duty under Section 40 of the NERC Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal functions, including development management and planning. This was previously commonly referred to as the 'Biodiversity Duty.'

On 01 October 2024 the Biodiversity Duty⁸ was updated and strengthened to become a 'duty to conserve and enhance biodiversity' which requires public authorities to consider what action the authority can take to further the Government's 'general biodiversity objective'. The public authority then must determine appropriate policy actions and specific objectives that can be taken and must take the appropriate action. Actions to satisfy the general biodiversity objective may be through the revision of existing policies and 'specific objectives.' The public authority must have regard to the relevant Local Nature Recovery Strategy and relevant national species and/or protected sites strategies prepared by Natural England when complying with the general biodiversity objective. Consideration by a given public authority was first to take place within one year of the Environment Act 2021 coming into force and then be subject to a review after no more than 5 years although other reviews can be undertaken at any time.

Guidance for public authorities in England on implementing the Biodiversity Duty has been published by Defra⁹ on GOV.UK. The guidance requires a public authority to consider what they can do to conserve and enhance biodiversity and how they deliver their policies and actions to achieve their objectives. The roles of Local Nature Recovery Strategies, species and protected sites strategies are set out and public authorities are advised that the action they take at a local level will contribute to national biodiversity goals and targets. Public authorities are required to consider their enhanced biodiversity duty in development plans and decisions including planning policy, environmental impact assessment and how they manage their own land to improve biodiversity value including details in relation to 'green and blue spaces.' Guidance is also provided on how local authorities and local planning authorities must write and publish a biodiversity report as part of fulfilling their duty; these individual authority reports will be used by Defra as part of their Environmental Improvement Plan 5-yearly reviews.

In 2007, the UK Biodiversity Action Plan (BAP) Partnership published an updated list of priority UK species and habitats covering terrestrial, freshwater and marine biodiversity to focus conservation action for rarer species and habitats in the UK. The UK Post-2010 Biodiversity Framework¹⁰, which covers the period from 2011 to 2020, now succeeds the UK BAP. The UK priority list contained 1150 species and 65 habitats requiring special protection and has been used as a reference to draw up the lists of species and habitats of principal importance in England.

In England, there are 56 Habitats of Principal Importance and 943 Species of Principal Importance on the S41 list. These are all the habitats and species found in England that were identified as requiring action in the UK BAP and which continue to be regarded as conservation priorities in the subsequent UK Post-2010 Biodiversity Framework.

European protected species (Plants)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates various amendments that have been made to the original (1994) Regulations which transposed the EC Habitats Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/EEC) into national law.

"European protected species" (EPS) of plant are those which are present on Schedule 5 of the Conservation of Habitats and Species Regulations 2017 (as amended). They are subject to the provisions of Regulation 46 of those Regulations.

Regulation 47 makes it an offence to deliberately pick, collect, cut, uproot or destroy a wild plant of an EPS. It also makes it an offence to have in possession or control any live or dead plant or part of plant which has been taken in the wild and which is an EPS (or listed in Annexe II(b) or IV(b) of the Habitats Directive).

⁸ [Natural Environment and Rural Communities Act 2006](#)

⁹ [Complying with the biodiversity duty - GOV.UK](#)

¹⁰ JNCC and Defra (on behalf of the Four Countries' Biodiversity Group). 2012. *UK Post-2010 Biodiversity Framework*. July 2012. (<http://jncc.defra.gov.uk/page-6189>)

Invasive non-native species

An invasive non-native species is any non-native animal or plant that has the ability to spread causing damage to the environment.

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to release, or to allow to escape into the wild, any animal which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state or is listed under Schedule 9 of the Act.

It is an offence to plant or otherwise cause to grow in the wild invasive non-native plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Hedgerows

Article 10 of the Habitats Directive¹¹ requires that 'Member States shall endeavour...to encourage the management of features of the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure...or their function as stepping stones...are essential for the migration, dispersal and genetic exchange of wild species'. Examples given in the Directive include traditional field boundary systems (such as hedgerows).

The aim of the Hedgerow Regulations 1997¹², according to guidance produced by the Department of the Environment¹³, is "to protect important hedgerows in the countryside by controlling their removal through a system of notification. In summary, the guidance states that the system is concerned with the removal of hedgerows, either in whole or in part, and covers any act which results in the destruction of a hedgerow. The procedure in the Regulations is triggered only when land managers or utility operators want to remove a hedgerow. The system is in favour of protecting and retaining 'important' hedgerows.

The Hedgerow Regulations set out criteria that must be used by the local planning authority in determining which hedgerows are 'important'. The criteria relate to the value of hedgerows from an archaeological, historical, wildlife and landscape perspective.

¹¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

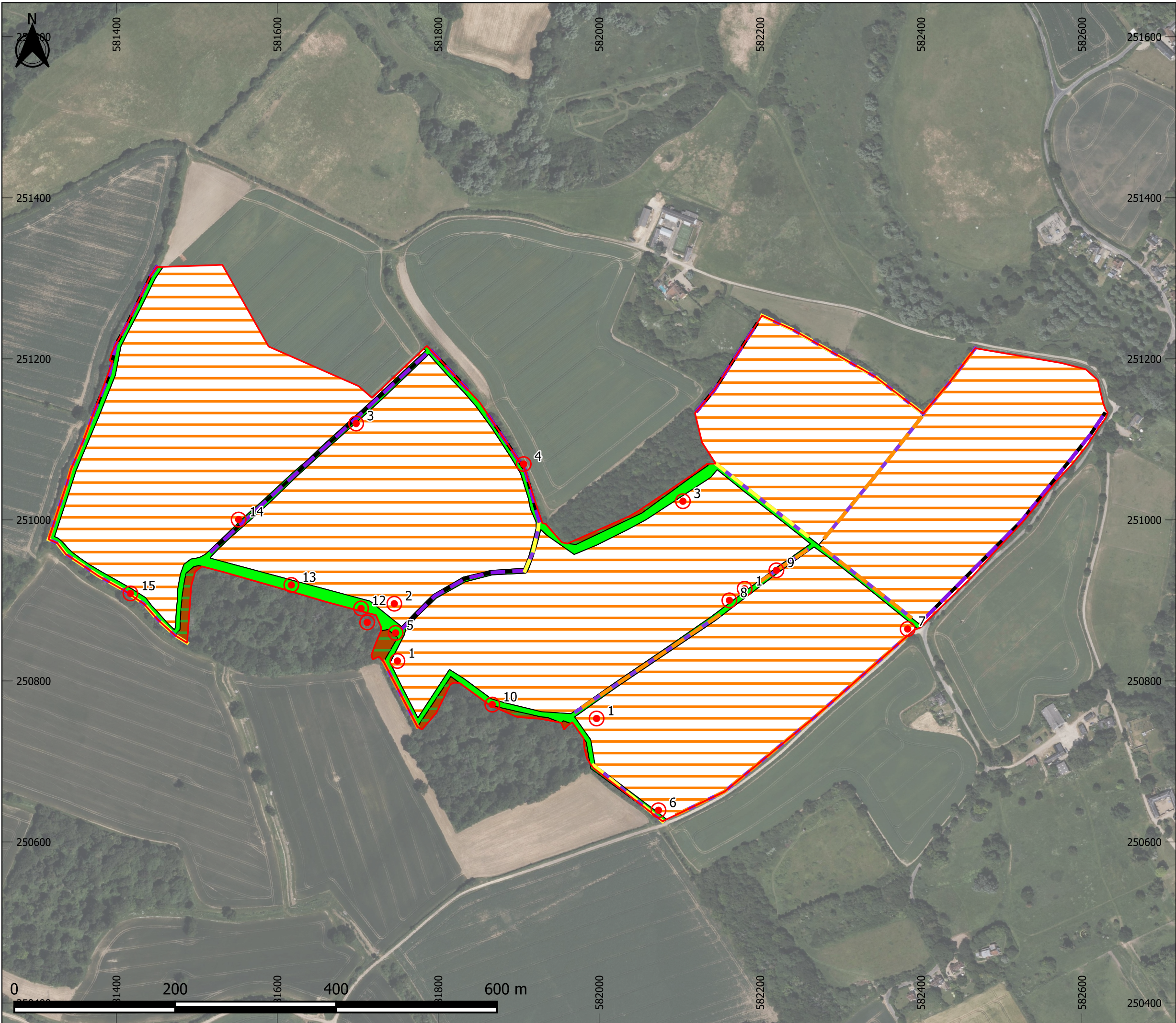
¹² Statutory Instrument 1997 No. 1160 – The Hedgerow Regulations 1997. HMSO: London

¹³ The Hedgerow Regulations 1997: a guide to the law and good practice, HMSO: London

Figures

Figure 1: Baseline habitats

Figure 2: Proposed habitats



Legend

- Site boundary
- Target note
- Native Hedgerow (h2NE5)
- Native Hedgerow with trees (h2NE4)
- Native Species Rich Hedgerow with trees (h2NE1)
- Cereal crops
- Lowland mixed deciduous woodland
- Modified grassland

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PROJECT TITLE
BOXTED (SUFFOLK) SOLAR FARM UPDATE BNG

DRAWING TITLE
Figure 1: Baseline Habitats

DATE: 25/08/2026	CHECKED: JT	SCALE: 1:4,500
DRAWN: BH	APPROVED: AM	VERSION:1.0

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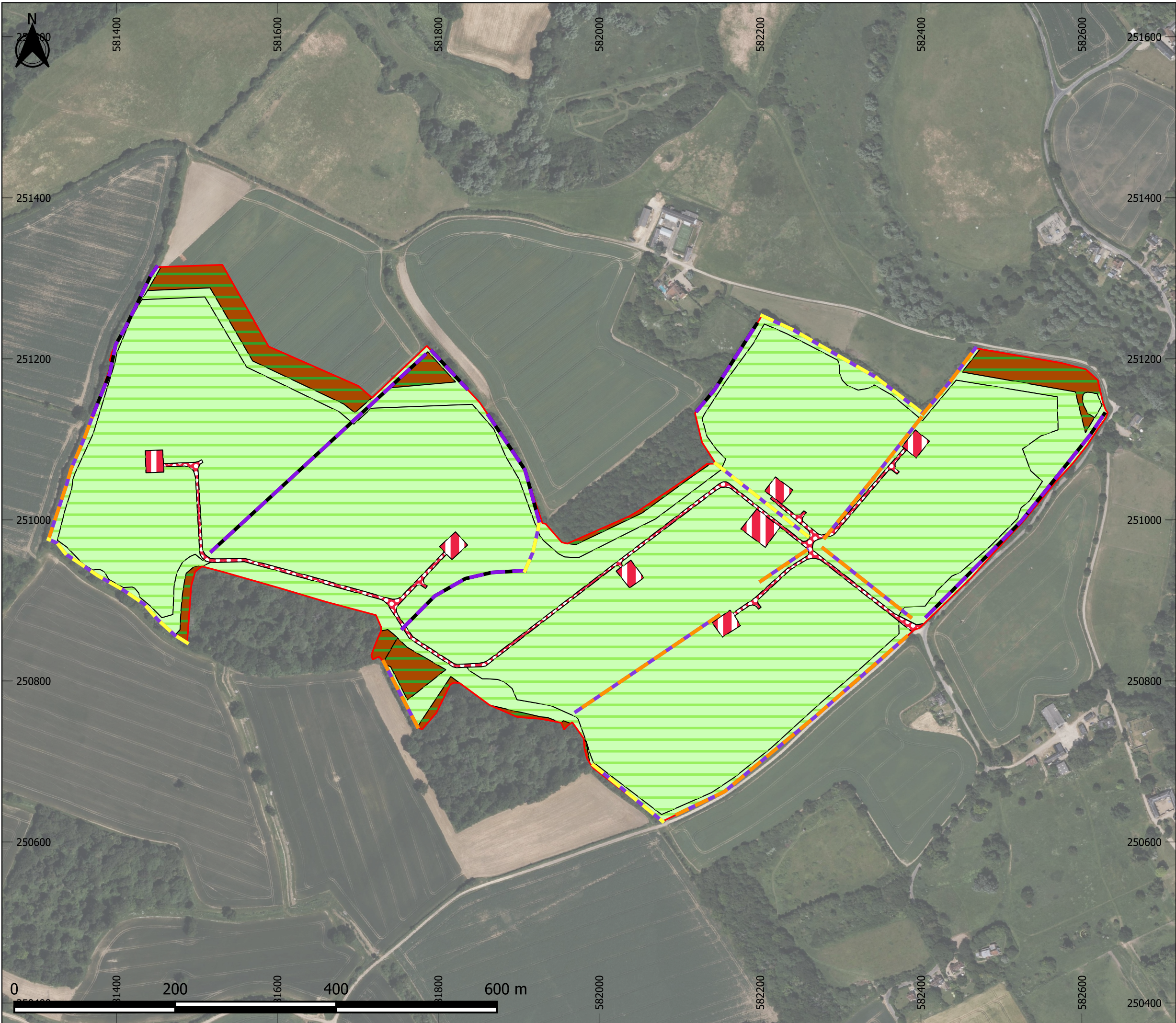
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- Legend
- Site boundary
 - Native Hedgerow (h2NE5)
 - Native Hedgerow with trees (h2NE4)
 - Native Species Rich Hedgerow with trees (h2NE1)
 - Artificial unvegetated, unsealed surface
 - Developed land; sealed surface
 - Lowland mixed deciduous woodland
 - Other neutral grassland

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PROJECT TITLE
BOXTED (SUFFOLK) SOLAR FARM UPDATE BNG

DRAWING TITLE
Figure 2: Proposed Habitats

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