



Application by Steeple Solar Farm Limited for an order granting development consent for the Steeple Renewables Project

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 11 December 2025

Responses are due by deadline 2: 8 January 2026 (unless otherwise stated)

The following table sets out the Examining Authority's (ExA's) first set of written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the initial assessment of principal issues provided as **annex C** to the [Rule 6 Letter](#) dated 10 October 2025. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which interested parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

You should respond to the questions by using the **Have your say** function on the [project page of the National Infrastructure website](#) and selecting 'Responses to Examining Authority's First Written Questions (ExQ1)' when asked.

If you are responding to a small number of questions, you can submit your answers by choosing 'Make a comment' and entering your answers in the 'Your comments' box. If you are answering a larger number of questions you should request a copy of the Microsoft Word version of the document from the Case Team (SteepleRenewables@planninginspectorate.gov.uk), enter your answers and save the document using an appropriate file name. You can then submit the completed document by selecting 'Upload files'.



Abbreviations used:

PA2008	Planning Act 2008	GHG	Greenhouse gas
AI	Artificial Intelligence	HE	Historic England
ALC	Agricultural Land Classification	ISH	Issue Specific Hearing
BESS	battery energy storage system	LIR	local impact report
BNG	biodiversity net gain	LVIA	landscape and visual impact assessment
BoR	book of reference	NCC	Nottinghamshire County Council
CA	compulsory acquisition	NE	NE
oCEMP	Construction Environmental Management Plan	NPS	National Policy Statement
dDCO	draft Development Consent Order	NSIP	Nationally Significant Infrastructure Project
oDP	outline Decommissioning Plan	oOMP	outline Operational Management Plan
EA	Environment Agency	RVAA	residential visual amenity assessment
EM	Explanatory Memorandum	tCO₂e	tonnes of carbon dioxide equivalent
ES	Environmental Statement	VP	viewpoint
ExA	Examining Authority	ZTV	zone of theoretical visibility
FfF	Fields for Farming		

The Examination Library

References in these questions set out in square brackets (for example [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: <https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010163-000026-Steeple%20Renewables%20Project%20Examination%20Library.pdf>

It will be updated as the examination progresses.



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ExQ1	Question to:	Question:
1. General and cross-topic questions		
Q1.0.1	All parties	<p>Artificial Intelligence (AI)</p> <p>The Planning Inspectorate has issued guidance (Use of artificial intelligence in casework evidence) in relation to the use of AI. Have you used AI to create or alter any part of your documents, information or data? If yes:</p> <ul style="list-style-type: none"> • detail what material you have submitted which has been created using AI; • confirm what systems of tools you used; • confirm what the source of the information the AI based its content on was; and • confirm what information or material the AI has been used to create or alter. <p>If you use AI for any future submissions into this examination, please ensure it is accompanied by the information as requested above.</p>
Q1.0.2	Bassetlaw District Council	<p>Participation in examination</p> <p>Please advise the ExA of your intended involvement in this examination, including details of documents you intend to submit and by which deadlines?</p>
Q1.0.3	The applicant	<p>Relevant legislation</p> <p>Please provide a full list of all relevant primary and secondary legislation that is important and relevant to the proposed development, expanding upon that contained in section 4.6 of the Planning Statement [APP-182].</p>
Q1.0.4	The applicant and all interested parties	<p>2025 revisions to National Policy Statements (NPSs)</p> <p>Following a review of the energy NPSs, the government consulted on updates to EN-1 (the overarching energy NPS), EN-3 (renewable energy infrastructure) and EN-5 (electricity networks) in April to May 2025. After considering responses to the consultation, the government is due to publish revised versions of EN-1, EN-3 and EN-5 following a 21-sitting day ‘consideration period’. Further details can be found here.</p> <p>Please set out any implications for the consideration of the proposed development arising from the updated NPSs.</p>
Q1.0.5	The applicant and all interested parties	<p>Solar roadmap</p> <p>The Solar roadmap: United Kingdom powered by solar was issued by the Department for Energy Security and Net Zero on 30 June 2025. Please set out how the proposed development would align with the measures set out in roadmap.</p>
Q1.0.6	Nottinghamshire County Council	<p>Local Impact Report</p> <p>Each page in the Local Impact Report (LIR) [REP1-014] is labelled as ‘draft’. Confirm whether this is document is the Council’s final version. If so, please provide a revised copy with ‘draft’ removed from the pages within the document and if not, advise when the final version will be submitted.</p>
Q1.0.7	Bassetlaw District Council and Nottinghamshire County Council	<p>Development Plan Policies</p> <p>Provide full copies of all development plan policies and any accompanying guidance that has been referred to in the LIR [REP1-014]. Should either of the councils refer to any additional development plan policies at any time in your future submissions then, if they have not already been provided, please also submit copies of these into the examination.</p> <p>The ExA also asks to be kept up-to-date on changes to the status of any Development Plan which a local authority has previously relied upon during Examination.</p>
Q1.0.8	Bassetlaw District Council and Nottinghamshire County Council	<p>Neighbourhood Plans</p> <p>Reference has been made to the Sturton Ward Neighbourhood Plan in relevant representations. Please submit a copy of this plan and in addition, can you confirm whether there are any other relevant made or emerging neighbourhood plans that the Examining Authority (ExA) should be aware of? If there are can you:</p>

ExQ1	Question to:	Question:
		<ol style="list-style-type: none"> 1. Provide details, confirming their status and, if they are emerging, the expected timescales for their completion. 2. Provide a copy of the made plan, or any draft / emerging plan, signposting to any relevant part. 3. Indicate what weight you consider the ExA should give to these documents.
Q1.0.9	The applicant, Bassetlaw District Council and Nottinghamshire County Council	Planning obligation Please confirm whether a section 106 planning obligation would be required for the proposed development. If not, explain why not and if so, provide details of the topics and issues that an obligation would be required to cover and why.
Q1.0.10	The applicant	Clarification – Order limits Plots 02/23 and 06/23 are identified on the land plans [AS-001] as excluded from the scheme. Explain why these plots are included within the order limits, particularly when the rectangular plot of land between plot numbers 02/06, 02/09, 02/14 and 02/15 has been omitted. Can the Order Limits plan [AS-008] be updated to include different shading to more clearly annotate areas surrounded by the order limits which are not within it?
Q1.0.11	The applicant	Clarification The Planning Statement [APP-182] paragraph 2.2.4 states the locations of a number of overhead electricity transmission/distribution lines, underground fuel, and water pipelines which pass through the site are identified in Environmental Statement (ES) Figure 3.1: Site Constraints Plan [APP-143] . However, these features are not clearly annotated on the map or feature in the key. Please rectify or signpost to where in the application documentation this information is presented.
Q1.0.12	The applicant	Clarification – Works Plans The turquoise work number on sheet 3 of the works plans [AS-002] is labelled ‘work nr. 2’. Should this be ‘work nr. 3’? If so please rectify.
Q1.0.13	The applicant	Submission of documents The ExA requires updates of the following documents to be submitted by deadline 3 (in advance of the dates reserved for hearings week commencing 9 February 2026): <ul style="list-style-type: none"> • Statements of Common Ground; • Outline Construction Environmental Management Plan (oCEMP) [APP-089]; • Outline Operational Management Plan (oOMP) [APP-092]; and • Outline Decommissioning Plan (oDP) [APP-090]. Please confirm that these will be submitted by deadline 3?
2. Need, site selection and alternatives		
Q2.0.1	The applicant	Overplanting Appendix C (pages 287 and 288) of the Planning Statement [APP-182] states that the indicative design for the proposed development includes “an element of overplanting to have regard to the degradation of panels”. Noting the requirements of footnote 92 of EN-3 which states “Such reasonable overplanting should be considered acceptable in a planning context so long as it can be justified...”, provide further details on the proposed overplanting including: <ol style="list-style-type: none"> a. The amount of land (in hectares) which would be required and where in the order limits this is proposed including current land use. b. The expected overplanting ratio and how this compares to other nearby consented schemes. c. The amount of additional energy generation it would result in. d. The overall justification for the amount of overplanting proposed.
Q2.0.2	The applicant	Note on Scheme Efficiency The document [APP-185] refers to other paragraphs and sections which do not appear to exist within the document, such as the bullet point on page 8 which refers to section 3, paragraph 1.4.8 which refers to paragraph 2.1.2 and paragraph 1.4.9 which refers to paragraph 3.1.2. Please clarify whether the full document has been submitted. If so, signpost to where the referred to paragraphs and sections are located.

ExQ1	Question to:	Question:
Q2.0.3	The applicant	Battery Energy Storage System - Capacity 1. Could you explain how the 150MW capacity figure for the Battery Energy Storage System (BESS) has been arrived at to be considered sufficient to serve the proposed development. 2. What measures are there to ensure that any energy stored in the BESS comes directly from the proposed development? 3. The application documentation states that the BESS would have a capacity of 150MW. As currently drafted the draft Development Consent Order (dDCO) does not stipulate a capacity for battery storage. Would it be appropriate for such a capacity to be included in the description of the Work No.? If not, explain how the maximum generating capacity of the BESS would be secured.
Q2.0.4	The applicant	Battery Energy Storage System – Battery degradation Section 1.4 of the Note on Scheme Efficiency [APP-185] provides details on photovoltaic module degradation. Provide further details of degradation of the batteries in the BESS. Amongst other matters, explain in particular what is the typical lifespan of batteries and how often, if at all, they require replacement.
Q2.0.5	The applicant and National Grid Electricity Transmission Ltd	Grid Connection The Grid Connection Statement [APP-056] paragraph 2.3.4 states a grid connection agreement has been secured with National Grid Electricity Transmission Ltd to import and export the full electrical capacity of the proposed development with connection date of October 2029. What are the implications of this agreement if connection is not secured on this date? Does the agreement fall away?
3. The Environmental Statement (general)		
Q3.0.1	The applicant	Updates to Environmental Statement documents In response to comments made by the Environment Agency (EA) in [RR-025] , you have stated [REP1-008] that various documents will be revised as part of the examination process in respect of the following matters: <ul style="list-style-type: none"> • (RR-025/9) regarding maximum water levels; • (RR-025/10) regarding the Catchwater Drain; • (RR-025/16) regarding labelling and/or shading major contours; • (RR-025/23) regarding management and maintenance details for the gravel lining drainage features; revisions to the SWDS; • (RR-025/24) regarding testing of the penstock valve as a maintenance activity; revisions to the SWDS; • (RR-025/25) regarding pollution control measures concerning shallow groundwater quality; revisions to the WFD assessment; • (RR-025/26) regarding removing duplicate maps and providing those that are missing; • (RR-025/29) regarding SPZ3 and principal aquifers; • (RR-025/30) regarding changes to the Outline Fire Risk Management Plan [APP-030] to accommodate the changes requested by the EA; and • (RR-025/31) regarding summaries of borehole data. The ExA requests revised documents addressing the above matters are submitted at deadline 2 to allow for maximum examination time of the documents and to ensure that the ExA is in receipt of any comments from the EA in advance of the hearings during week commencing 9 February 2026.
Q3.0.2	The applicant	Clarification – site description ES chapter 3 [APP-061] paragraph 3.2.37 states: “The cropland was primarily winter stubble during the January to March 2024 walkovers, with signs of being sown with cereal crops during the previous summer.” Confirm whether a summer walkover was undertaken? If not, explain why not and if so, explain what these findings were.
Q3.0.3	The applicant	Clarification – traditional orchard ES chapter 3 [APP-061] paragraph 3.2.38 refers to a traditional orchard present in the north of the site. Clarify where this is located with reference to the Field Numbering Plan [APP-010] and the tree survey plan in the Arboricultural Impact Assessment [APP-101] .

ExQ1	Question to:	Question:
Q3.0.4	The applicant	Fencing ES chapter 4 [APP-062] paragraph 4.4.42 states “As a worst case scenario, the use of palisade security fencing has been assessed in this ES”. Clarify whether this assessment is just to the BESS compound and substation compound or the entire site, including areas of solar panels (notwithstanding the intention to enclose solar panel areas with stock wire deer fencing).
Q3.0.5	The applicant	Lighting ES chapter 4 [APP-062] paragraph 4.4.41 notes downward facing lighting would be attached to buildings in the substation compound or on columns approximately 3m high. It then advises that no areas of the proposed development are proposed to be continuously lit during operation. Paragraph 4.4.45 however notes that in general, it is anticipated that the proposed development would not be lit although security lighting would be required around key electrical infrastructure. It is then stated this includes “permanent downward facing lighting attached to buildings or on columns approximately 3m high in the BESS Compound and Substation Compound”. Work No.3 in the Outline Design Principles [APP-093] also refers to ‘permanent lighting’. Explain what is meant by ‘permanent’ and whether this implies that lighting would be permanently illuminated. If lighting is intended to be permanently illuminated, has this been assessed in the ES?
Q3.0.6	The applicant	Assessment – Solar replacement Paragraph 4.6.9 in ES chapter 4 [APP-062] states “Given the Proposed Development is operational for a maximum of 40 years, there will be a need potentially for some or all of the solar equipment to be replaced during the operational phase”. To what extent has the ES assessed the potential for all of the solar equipment to be replaced during the operational phase? If it has not, explain why not.
Q3.0.7	The applicant	Mitigation Specific mitigation strategies have been provided for landscape in ES Figure 6.9 [APP-160] , Skylark in ES Appendix 7.13 [APP-115] and archaeology in ES Appendix 9.3 [APP-124] . In the absence of specific reference to these documents, explain how the mitigation strategies would be secured through the DCO? Do they need to be specifically referred to in their respective requirements? If not, explain why.
Q3.0.8	The applicant	Errata Appendix 10.1 Outline Supply Chain, Employment and Skills Plan [APP-127] paragraph 7.3 is incomplete. Please rectify.
4. Design, parameters and other details of the proposed development		
Q4.0.1	The applicant	Achieving Good Design Nationally Significant Infrastructure Projects: Advice on Good Design was published on 23 October 2024 and it is noted that the Design and Access Statement [APP-184] states that this guidance has informed the design process undertaken for the DCO proposal. Can the applicant explain how the design has incorporated and followed each of the processes and outcomes set out within the guidance? In addition, the ExA would find it helpful if the applicant could provide a table signposting the relevant application documents to the issues listed in annex A of the guidance.
Q4.0.2	Bassetlaw District Council and Nottinghamshire County Council	Local design policies Paragraph 2.8 in the Design and Access statement [APP-184] refers to footnote 122 in paragraph 4.7.5 of NPS EN-1 stating design principles should take into account guidance including National Infrastructure Commission principles, the National Design Guide and National Model Design Code, as well as any local design policies and standards. Do the councils have any local design policies and standards relevant to solar development? If so, to what extent has the proposed development addressed any design policies and standards?
Q4.0.3	The applicant	Outline Design Principles Paragraph 3.6.10 of ES chapter 3 [APP-061] states that the Outline Design Principles [APP-093] is a document which defines the design principles and parameters which will be certified by the DCO. Paragraph 1.1.2 of [APP-093] states it will be secured by a requirement in Schedule 2 to the dDCO. In the absence of reference to this document in the dDCO, explain how the principles and parameters would be secured.

ExQ1	Question to:	Question:
Q4.0.4	The applicant, Bassetlaw District Council and Nottinghamshire County Council	<p>Independent Design Review</p> <p>There appears to be no mention in the application documents explaining whether there has been any previous input from a design champion or engagement in a design review process or whether there is any intention for this going forward.</p> <ol style="list-style-type: none"> 1. Noting paragraph 4.7.14 of NPS EN-1, can the applicant explain whether the design process has been, and also whether any final design would be, subject to an independent design review process? If not, explain why not? 2. Do the councils consider that provision should be made within the dDCO for the final design of the proposed development to be subject to an independent design review process? If so, explain how the council would engage in such a process. 3. Are there any components of the proposed development that the councils consider would particularly benefit from a design review? If so, explain what these are and why and if not, explain why not.
Q4.0.5	The applicant	<p>Horlock Rules</p> <p>Paragraph 6.2.5 of ES chapter 6 [APP-064] refers to the Horlock Rules stating that they are “a series of guidelines for the design and siting of substations which were established by National Grid in 2009.” However, neither the Design and Access Statement [APP-184], Outline Design Principles [APP-093] nor the Design Approach Document [AS-010] makes any reference to these rules.</p> <p>Explain how these rules have been applied in the design approach to the substation, or any other relevant aspects of the proposed development, and the principles that have been incorporated into the Outline Design Principles [APP-093].</p>
Q4.0.6	The applicant	<p>Errata – Design and Access Statement</p> <p>Paragraph 6.5 [APP-184] states “Requirement 4 of the draft DCO secures the detailed design of the Proposed Development...” Clarify whether this should refer to requirement 3.</p>
Q4.0.7	The applicant	<p>Errata – Outline Design Principles</p> <p>Page 12 [APP-093] for the scheme component ‘Harmonic filters’ states “Add second dimensions in” for the parameter type ‘Dimensions (in metres)’ but then appears to have text missing after it. Please clarify and if so, rectify.</p>
5. Biodiversity and ecology (including Habitats Regulations Assessment)		
Q5.0.1	The applicant and Natural England	<p>Protected Species – Badgers</p> <p>The Consents and Agreements Position Statement [REP1-006] advises that the scope of information the applicant is to submit to Natural England (NE) has been agreed to allow a Letter of No Impediment to be issued to provide the Planning Inspectorate and the Secretary of State with confidence that the competent licensing authority would see no impediment to issuing any future licence. However, NE’s Risk and Issues Log [REP1-020] recommends that a draft protected species licence application is submitted to enable them to issue a Letter of No Impediment although one has not yet been submitted.</p> <ol style="list-style-type: none"> 1. Noting your response to NE in [REP1-008], can the applicant confirm the intended timescales for submitting a draft badger licence application through the examination process? 2. Could NE comment on the accuracy of the comments in the Consents and Agreements Position Statement [REP1-006]?
Q5.0.2	The applicant	<p>Operational lighting</p> <p>ES chapter 8 [APP-066] states in paragraphs 7.7.3 and 7.12.16, and explicitly in respect of mitigation for skylark, otter and dormouse that “an appropriate lighting strategy for all phases of development will be produced and implemented.” Explain:</p> <ol style="list-style-type: none"> 1. How and where in the dDCO a lighting strategy for the operational phase would be secured, noting the lack of reference to lighting in requirement 9 of the dDCO and that the oOMP [APP-092] only refers to control measures. 2. The steps you would take to ensure that lighting would be minimised and directed away from known and potential bat roosts and bat foraging areas and how the success of such provisions would be monitored. 3. Whether provision can be made for a ‘dark corridor plan’ to be produced, as suggested by Nottinghamshire County Council (NCC) in their LIR [REP1-014], as part of any strategy. If not, explain why not.

ExQ1	Question to:	Question:
Q5.0.3	The applicant	<p>Skylark Mitigation Strategy</p> <p>The mitigation strategy [APP-125] sets out measures in the form of identifying arable fields that are considered suitable to support nesting territories of skylark. Explain:</p> <ol style="list-style-type: none"> 1. Why a higher figure of mitigation than the approximate 55% to 64% of the territories likely to be displaced has not been proposed and the consideration that was given to increase this percentage. 2. How other areas, as referred to in paragraph 4.5, are intended to be factored in later in the process and when this would be. Would such areas result in an improvement to the 55% to 64% mitigation? If so, should it be secured in the dDCO?
Q5.0.4	The applicant	<p>Ecology and Fisheries</p> <p>The EA [RR-025] and [REP1-016] has raised concerns regarding the lack of aquatic habitats and species in the Outline Decommissioning Plan [APP-090]. In response [REP1-008], you have stated that the Outline Decommissioning Plan can be updated as part of the examination process.</p> <p>Provide further clarity on whether you intend to update the Outline Decommissioning Plan to address the EA's concerns and if so, when. If not, confirm whether your comments that there are "currently no proposals to undertake any work in waterways or aquatic habitats as part of the decommissioning phase" means that you do not consider it necessary to update the Outline Decommissioning Plan.</p>
Q5.0.5	Nottinghamshire County Council	<p>Biodiversity Net Gain</p> <p>The LIR [REP1-014] paragraph 5.3.15 states a Biodiversity Net Gain (BNG) metric spreadsheet was not available for review at the time of the most recent submission and more detailed comments will be provided at a later stage. The ExA in its recommendations, and the Secretary of State in its decision, will need to decide the weight to attach to any BNG that could be delivered in its planning balance conclusions. As such, could the Council provide detailed comments on the suitability of the BNG metric table in Appendix 7.12.1 [APP-114]?</p>
Q5.0.6	The applicant	<p>Measures in the Outline Construction Environmental Management Plan</p> <p>The relevant representation from NCC [RR-052] and paragraph 5.3.12 of the LIR [REP1-014] requests further details be added to the oCEMP [APP-089] in respect of two-stage cuts and/or hand searches for certain habitat types and locations and a request for a buffer plan to make the buffers easier to understand and implement. Your response acknowledges these requests but does not consider it necessary to update the application documents as there is a requirement for the final CEMP to provide additional details.</p> <p>In the absence of explicit reference to those specific measures in the oCEMP [APP-089], explain how the final CEMP would incorporate the measures suggested by NCC. Would it be prudent for reference to be added so that these measures would be properly secured? If not explain why not.</p>
Q5.0.7	Nottinghamshire County Council	<p>Decommissioning during nesting bird season</p> <p>Your relevant representation [RR-052] and paragraph 5.3.10 of the LIR [REP1-014] requests that no decommissioning works are undertaken within nesting bird season and this secured, as the mitigation for ground nesting skylark should increase the number of territories and nests across the site. The applicant in response to the RR [REP1-008] states that it is likely that year-round works to remove arrays would be required on decommissioning and the need for pre-decommissioning surveys would be secured in requirement 21 of the dDCO. Furthermore, the ExA notes that the oDP [APP-090] states "Where reasonably practicable, vegetation clearance works would be undertaken outside the bird breeding season (March-August inclusive).</p> <p>To allow the ExA to further understand NCC's position, can the Council confirm whether the applicant's response is sufficient to address your concerns or if not, explain further why no decommissioning works, which presumably includes the solar arrays, should take place during the nesting bird season.</p>
5.1 Habitats Regulations Assessment (HRA)		
Q5.1.1	The applicant	<p>Clarification</p> <p>The Information to Inform a HRA [APP-180] table 3 refers to stage 2. Should this refer to stage 1? If so, please rectify.</p>

ExQ1	Question to:	Question:
6.	Climate	
Q6.0.1	The applicant	<p>Operational emissions</p> <p>Table 12.9 in ES chapter 12 [APP-070] estimates that the operational greenhouse gas (GHG) emissions would be 174,000 tonnes of carbon dioxide equivalent (tCO₂e) over the 40-year design life. An estimated 98.1% of the emissions would be through maintenance operations, such as replacement of product components. Table 12.2 sets out the assumed reference values for the operational phase calculations.</p> <p>Can the applicant provide further details on the values that have been considered for each of the replacement parts and how they have been calculated? For example, taking the replacement of solar panels do the figures in table 12.9 suggest that 0.2% of the solar panels would be replaced each year, which would mean only 8% of the panels would be replaced during the 40-year design life?</p>
Q6.0.2	The applicant	<p>Decommissioning phase emissions</p> <p>Table 12.11 in ES chapter 12 [APP-070] shows the estimated emissions in the construction phase (273,000 tCO₂e) and the decommissioning phase (14,300 tCO₂e). Can the applicant explain why the GHG emissions during decommissioning are considerably less than those estimated during the construction phase and the factors that contribute to this?</p>
7.	Cumulative effects and interactions with other projects	
Q7.0.1	Bassetlaw District Council and Nottinghamshire County Council	<p>Updates on development</p> <p>Please provide an update on any submitted planning applications or consents granted since the application was submitted that could either affect the proposed development or be affected by the proposed development which have not been referred to in the application documents and whether these would affect the conclusions reached in the ES.</p>
Q7.0.2	All interested parties	<p>Report on the Interrelationships with other National Infrastructure Projects</p> <p>Following the submission of the above report [REP1-012] by the applicant at deadline 1, please provide any comments on the suitability of the report.</p>
Q7.0.3	Bassetlaw District Council and Nottinghamshire County Council	<p>Cumulative sites</p> <p>Can the Councils confirm whether they are satisfied with the list provided in ES Appendix 2.3 - Cumulative Sites Long List and Short List [APP-088] or whether there are any further projects that should be included?</p>
Q7.0.4	The applicant and National Grid	<p>North Humber to High Marnham National Grid scheme</p> <p>With regard to the proposed North Humber to High Marnham (NHHM) National Grid scheme, referred to briefly in the Report on the Interrelationships with other National Infrastructure Projects [REP1-012]. Please update the ExA on progress to date, and proposed next steps regarding:</p> <ul style="list-style-type: none"> • impact upon the developable area; • alignment of the NHHM scheme; • agreeing protective provisions; and • contingency plans if agreement cannot be reached between the parties.
8.	Compulsory acquisition, temporary possession and other land or rights considerations	
Q8.0.1	The applicant	<p>Book of Reference</p> <p>The Book of Reference (BoR) [APP-046] has a number of entries both within Category 1 and Category 2 where the owner of land and rights is recorded as unknown.</p> <p>Provide an update on efforts to establish these owners and interests and explain what further steps will be undertaken up to the end of the examination to identify unknown ownership, occupation, or interests in land.</p>

ExQ1	Question to:	Question:
Q8.0.2	The applicant and affected persons	<p>Book of Reference</p> <p>Comments were made in relevant representations (such as [RR-023] and [RR-044]) that the BoR is incomplete with respect to affected persons land interests.</p> <ol style="list-style-type: none"> 1. Can the applicant confirm whether the additions to the BoR at deadline 1 [REP1-004] has fully addressed the comments made? If not, please address those comments and undertake a full review of the BoR to ensure all land interests are inaccurately identified. 2. Are any other parties aware of any inaccuracies in the BoR, SoR or Land Plans?
Q8.0.3	The applicant	<p>Funding</p> <p>The Department for Communities and Local Government (as it then was) Guidance relating to procedures for Compulsory Acquisition (CA) (September 2013) states “Applicants should be able to demonstrate that adequate funding is likely to be available to enable compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from blight notice have been taken account of.”</p> <p>The Funding Statement [APP-045] indicates that the estimated costs of the proposed development would be £380m. The figure includes an allowance for compensation payments relating to the compulsory acquisition (CA) of land interests in, and Rights over, land and the temporary possession and use of land. However, it is not clear what proportion of those costs includes CA matters and whether it is sufficient.</p> <p>Confirm the CA costs separately from the project costs and explain how the figure for CA costs was arrived at.</p>
Q8.0.4	The applicant	<p>Funding</p> <p>Section 3 of the funding Statement [APP-045] outlines the estimated cost of the proposed development at £380 million. Clarify the following:</p> <ol style="list-style-type: none"> 1. Has this total cost included the decommissioning of the proposed development and restoration of land? If not, please address this matter. 2. What is the level of contingent costs and inflation that has been allowed for, noting that it could be a number of years before implementation of any development that may be consented.
Q8.0.5	The applicant	<p>Funding</p> <p>Paragraph 3.2.2 of the funding statement [APP-045] explains that pre-application costs including securing of the application site, securing of grid contract and preparation of the DCO application has been fully funded from a loan from the applicant’s parent company, Renewable Energy Systems UK & Ireland Limited.</p> <ol style="list-style-type: none"> 1. Noting that Renewable Energy Systems UK & Ireland Limited has provided the funding to date, provide financial statements for that parent company, in addition to Renewable Energy Systems Holdings Limited. If this is not possible, clearly explain why. 2. Does the referred to “securing of the application site” include costs for land acquisition and blight?
Q8.0.6	The applicant	<p>Funding obligation</p> <p>Please confirm whether the dDCO has included provision for a funding obligation, which would prevent the applicant exercising any CA powers until it can satisfy the Secretary of State that it can meet the costs. If so, signpost to where this provision is included. If not, provide provision for this measure or provide justification why it would not be required.</p>
Q8.0.7	The applicant	<p>The Equalities Act 2010</p> <ol style="list-style-type: none"> 1. Clarify how you have had regard to the Equalities Act 2010 in relation to the powers sought? 2. Have any affected persons been identified as having protected characteristics? If so, what regard has been given to them?
Q8.0.8	The applicant	<p>Justification for compulsory acquisition powers</p> <p>On the basis that the use of the land for the proposed solar arrays and associated infrastructure would be temporary, albeit for the long-term (40 years), please clarify why CA of land (including freehold) is sought for the majority of works (particularly the panel areas), rather than acquisition of rights or simply temporary possession?</p>

ExQ1	Question to:	Question:
Q8.0.9	The applicant	Justification – Roads and railway Explain why permanent rights are sought and required over large sections of public roads (such as but not limited to plots 02/08 and 05/13) and railway (such as plots 02/22 and 03/09).
Q8.0.10	The applicant	Justification – Areas under existing overhead power lines Why is permanent acquisition of land sought and required on land under existing overhead power lines, as shown on sheets 4, 5 and 6 of the Land Plans [AS-001] , where no physical development is proposed on the site layout plans [AS-009] ? Explain within your answer how seeking CA powers over all of this land accords with the need for the Secretary of State to be satisfied that the applicant is seeking no more land than is reasonably required for the purposes of the proposed development.
Q8.0.11	The applicant	Justification – Plot 05/09 The land plans show that permanent acquisition is sought for the entire plot. However, a large extent of this plot is required for either temporary construction compounds or shown as having no physical development proposed. Explain clearly why permanent acquisition is required over these areas of the plot and whether or not you are seeking more land than is reasonably required for the purposes of the proposed development.
Q8.0.12	Affected persons	Powers Sought Does any affected person have any concerns that they have not yet raised about the legitimacy, proportionality or necessity of the land rights powers sought by the applicant that would affect their land or their rights in land?
Q8.0.13	Bassetlaw District Council and Nottinghamshire County Council	Reasonable alternatives/ necessity In your roles as the local planning authority and the highway authority are you aware of: <ol style="list-style-type: none"> 1. Any reasonable alternatives to CA or Temporary Possession for land sought by the applicant? 2. Any areas of land or rights that the applicant is seeking the powers to acquire that you consider would not be needed? Please identify which plots these are and explain why you consider they would not need to be acquired.
Q8.0.14	Peter Warburton and the applicant	Clarification Your relevant representation [RR-036] states that you are a joint owner of a small field in ‘Area D’ which the developers would be given authority to ‘compulsory purchase’, as well as other plots, if the proposed development is granted. In response [REP1-008] (table 4-18 on page 326), the applicant has stated that they have separately confirmed to you that no plot of land you own is included within the order limits of the proposed development and will therefore not be the subject of any CA powers. Can Mr Warburton clarify, preferably through the submission of any maps or plans, the location of the plots of land being referred to allow the ExA to consider the comments made. The applicant is also invited to submit any comments on their understanding of the situation.
9. Draft Development Consent Order (DCO)		
9.1 General		
Q9.1.1	The applicant	Precedents Notwithstanding that drafting precedent has been set by previous DCOs or similar orders, full justification should be provided for each power or provision taking into account the facts of this particular DCO application. Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed by more recent DCOs so that the DCO provisions reflect the Secretary of State’s current policy preferences. If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and draft DCO) actually differ in any way from corresponding provisions in the Secretary of State’s most recent made DCOs, an explanation should be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016).

ExQ1	Question to:	Question:
		Provide a list of all the previous DCOs that have been used as a precedent for the drafting of this dDCO or signpost where in the application documentation this can be found.
Q9.1.2	The applicant	Terminology There are inconsistencies in references between ‘works plan’ and ‘works plans’ and ‘land plan’ and ‘land plans’ throughout the dDCO. Please review and ensure consistency of the title of documents throughout.
Q9.1.3	The applicant	Flexibility In the definition for ‘maintain’, in article 4(3) and requirements 19(2)(b) and 24(2), allows for flexibility provided any operations “do not give rise to any materially new or materially <u>more adverse</u> environmental effects compared to those identified in the environmental statement” (underlining added for emphasis). Please explain why different drafting has been used as opposed to using ‘materially new or <u>different</u> effects’ (underlining added) which has been the Secretary of State’s preferred wording in consented DCO’s?
Q9.1.4	The applicant and Nottinghamshire County Council	Inspection of plans Confirm whether NCC has agreed to the stated location in the explanatory note for inspecting the application documents.
9.2 Articles		
Q9.2.1	The applicant	Article 2(1) – Interpretation (definition of “address”) Address is only used once elsewhere in the body of the dDCO in article 35. Should the definition therefore be moved to that relevant article?
Q9.2.2	The applicant	Article 2(1) – Interpretation (definition of “Order land”) The ExA is aware that this definition has been expanded in other made solar DCO’s, such as but not necessarily limited to The East Yorkshire Solar Farm Order 2025, to include reference to different colouring on the land plans. Please review the definition of ‘order land’ in the dDCO and consider whether it could be more precisely defined.
Q9.2.3	The applicant	Article 2(1) – Interpretation (definition of “requirements”) 1. Should the wording (highlighted in bold) ‘ and any reference to a numbered requirement is to be construed accordingly ’ be added after “means any one of those requirements” to improve precision? 2. Does reference also needed to be made to ‘Part 2’ in addition to ‘part 1’?
Q9.2.4	Interested parties	Article 2(1) – Interpretation (definition of “site preparation works”) Do any parties disagree with the extent of operations that would be covered under the definition of site preparation works? If so, please explain why.
Q9.2.5	The applicant	Article 2(1) – Interpretation There are a number of definitions, such as but not limited to “inverter”, “mounting Structure” and “solar panel”, which do not appear within the articles and only appear within certain schedules. Please review all definitions within this article and consider moving those definitions to where they appear primarily within their respective schedules. Noting that the Secretary of State has adopted this approach in recently made DCO’s, if this is not considered necessary please explain why.
Q9.2.6	The applicant	Article 2(1) – Interpretation Reference is made to ‘electrical cables’ within the dDCO. Does a definition need to be added as has been included on other made solar DCOs, such as the made ‘Tillbridge Solar Order 2025’ or ‘Stonestreet Green Solar Order 2025’? If not, explain why not.
Q9.2.7	The applicant	Article 2(2) Interpretation The Explanatory memorandum (EM) [APP-042] explains that paragraph (2) defines measures as approximate and the provision allows for a small tolerance although all works will take place within the limits of deviation. However, limits of deviation are not referred to in paragraph (2) nor elsewhere within the dDCO. Is the reference to limits of deviation in the EM correct? If so, explain where and how this is secured in the dDCO.
Q9.2.8	The applicant	Article 4 – Power to maintain the authorised development 1. Explain the full extent to which this article would allow the removal, reconstruction or replacement of panels as the only restriction in the definition for “maintain” in article 2(1) would appear to be so long as these operations would not extend to the whole of the authorised

ExQ1	Question to:	Question:
		<p>development. For example, would this article allow for 99% of the authorised development to be subject to these operations at the same time? If so, explain what the local authorities and members of the public can expect from this provision and how any effects have been assessed within the ES.</p> <p>2. The maintenance powers in paragraph (1) are subject to the other provisions of the dDCO and any agreements made under it. Please identify where the relevant other provisions are and what agreements might be made which would affect this article.</p>
Q9.2.9	The applicant	<p>Article 5 – Consent to transfer benefit of Order</p> <p>1. Paragraph (3) would allow the benefit of the made Order to be transferred or leased to others by the Undertaker. Please explain who the “specified companies” (as stated in the EM [APP-042]) or persons are who would benefit from the powers sought under paragraph (3) and provide full justification as to why a transfer to such persons would be appropriate. Where the purpose of the provision is to enable such person(s) to undertake specific works authorised by the dDCO (if it is made), the transfer of benefit should be restricted to those works. If the provision seeks to permit transfer of compulsory acquisition powers the applicant should provide evidence to satisfy the Secretary of State that such person has sufficient funds to meet the compensation costs of the acquisition</p> <p>2. The ExA is aware that other made DCOs have provided a longer period than the five working days period stipulated in paragraph (6). In the absence of justification provided in the EM [APP-042], consider amending this provision so that it accords with the time period in other made solar DCOs, or provide an explanation as to why a shorter period should be apply in this application.</p>
Q9.2.10	The applicant	<p>Article 6(1) – Disapplication and modification of legislative provisions</p> <p>Paragraph 1(a)-(c) disapplies sections of the Land Drainage Act 1991 on the basis that protective provisions for the protection of drainage authorities are included in the draft Order.</p> <p>1. Explain clearly how the requirements in schedule 2 or the protective provisions in schedule 10 prevent any adverse impact arising as a result of disapplying these legislative controls. If they do not, then explain why not.</p> <p>2. Clarify whether the disapplication of these measures affects the interests of the Trent Valley Internal Drainage Board and confirm when the bespoke protective provisions relating to the IDB’s statutory undertaking, as stated to be currently in the course of negotiation in your comments on relevant representations [REP1-008], are intended to be included in the dDCO.</p> <p>3. Confirm whether you have received written consent from the appropriate regulating authorities agreeing to the removal of these sections of the Land Drainage Act. If so, confirm when you received this.</p>
Q9.2.11	The applicant	<p>Article 6(2) – Disapplication and modification of legislative provisions</p> <p>The EM [APP-042] explains that paragraph (2) provides for the modification of Regulation 6 of the Hedgerows Regulations 1997 so that the removal of any hedgerow to which the Regulations apply is permitted for carrying out development that has been authorised by a DCO. Notwithstanding that reference has been made to another made DCO that has included this provision, article 36(4) and the accompanying schedule 9 part 1 of the dDCO would specifically authorise the removal of identified hedgerows. It therefore appears to the ExA that the powers sought by paragraph (2) would duplicate powers already proposed in the dDCO.</p> <p>Please explain why this power is necessary.</p>
Q9.2.12	The applicant and Nottinghamshire County Council	<p>Article 8 – Street Works</p> <p>1. Should paragraph (1)(a) be expanded with the following words (added in bold) to improve precision: ‘Break up or open the street, or any sewer, drain or tunnel within or under it;’? Please clarify and amend accordingly.</p> <p>2. Is paragraph (3) necessary given that “apparatus” is defined in article 2 and also noting that the EM implies that it has been omitted?</p> <p>3. The LIR [REP1-014] explains that any street works are subject to the Nottinghamshire County Council Permit Scheme Order 2020. Notwithstanding your reference to article 9 of the made ‘Tillbridge Solar Order’, can NCC provide details of the wording you are seeking to this article? The applicant is also asked to comment on the Council’s request generally for the works to be subject to a permit scheme and if it does not agree to this request, then to explain why.</p>
Q9.2.13	The applicant	<p>Article 9(2) – Power to alter layout, etc., of streets</p> <p>1. Please clarify which other streets require the powers set out in paragraph (2) in addition to those set out in schedule 4 of the dDCO and what is the justification for including this general power. Please also clarify whether this power is intended to apply to streets located outside of the order limits.</p> <p>2. Paragraph 6.40 of the EM states that the powers conferred by paragraph (2) require the consent of the street authority before they can be exercised. Please clarify where this provision is included in the article.</p>

ExQ1	Question to:	Question:
		<p>3. Paragraph (2) provides powers subject to paragraphs (3) and (4). However, paragraph (4) does not exist. Please rectify.</p> <p>4. Clarify what is meant by the “reasonable” satisfaction and why provision has not been made in this article, and similarly in article 10 paragraph (2), for the undertaker to carry out any restoration works to the satisfaction of the street authority.</p>
Q9.2.14	Nottinghamshire County Council	<p>Articles 9 and 10 – Request for full technical approval</p> <p>Your LIR [REP1-014] explains you require the undertaker to seek full technical approval from the street authority with the associated costs to the street authority to be covered by them. Provide details of the wording you are seeking to these articles to incorporate this provision.</p>
Q9.2.15	The applicant and Nottinghamshire County Council	<p>Article 11 – Temporary stopping up of streets and public rights of way</p> <p>Is reference to temporary ‘stopping up’ correct or should this refer to temporary ‘closure’ of streets and public rights of way? Please clarify and make any necessary alterations to articles and schedules throughout the dDCO which cross reference this article.</p>
Q9.2.16	Nottinghamshire County Council, Bassetlaw District Council, Environment Agency and Trent Valley Drainage Board.	<p>Article 14 – Discharge of water</p> <p>Is it necessary for a paragraph to be added that does not permit any activity listed in paragraph 3(1) of Schedule 21 to the Environmental Permitting (England and Wales) Regulations 2016? If so, please explain why and if not, explain why not.</p>
Q9.2.17	The applicant	<p>Article 14 – Discharge of water</p> <p>The Secretary of State has added provision to this article on a number of other made DCO’s stipulating that an application for consent under paragraph (3) or for approval under paragraph (4)(a) must contain a written statement that the provisions of paragraph (9) apply to that application to make the discharging authority fully aware of the deemed approval provision in paragraph 9 (a “guillotine”). An additional paragraph has also been added stipulating that if an application for consent under paragraph (3) or approval under paragraph (4)(a) does not include the written statement then the provisions of paragraph (9) will not apply to that application. Please consider adding these provisions or provide justification why you do not consider them to be necessary.</p>
Q9.2.18	The applicant, Nottinghamshire County Council, Bassetlaw District Council and the Environment Agency	<p>Article 14(5) – Discharge of water</p> <p>Paragraph 5 refers to ‘main river’ although no definition is provided as to what this includes. Should the following definition highlighted in bold be added to paragraph (8) after sub-paragraph (b) to improve precision:</p> <p>““main river” means watercourses as defined under section 113(1) of the Water Resources Act 1991 and shown as such on the statutory main river maps held by the Environment Agency and the Department for Environment, Food and Rural Affairs.</p> <p>If so, please amend accordingly or explain why this is not necessary.</p>
Q9.2.19	The applicant, Nottinghamshire County Council, Bassetlaw District Council and the Environment Agency	<p>Article 14(9) – Discharge of water</p> <ol style="list-style-type: none"> 1. Can the applicant explain the measures you have taken to ensure that all parties who could be affected by this provision, such as owners of any watercourse, public sewer or drain, have been made aware of the deemed consent provision. 2. Do the councils and the EA consider that the 28-day period specified for issuing a decision of an application for consent a sufficient period of time? If not, explain why not and what you consider an appropriate period of time for issuing a decision would be.
Q9.2.20	The applicant	<p>Article 15(3) – Protective works to buildings</p> <p>To improve precision, should the following wording highlighted in bold be added to paragraph (3)?</p> <p>‘For the purpose of determining how the functions under this article are to be exercised the undertaker may (subject to paragraph (5)) enter and survey any building falling within paragraph (1) and any land within its curtilage.’</p> <p>If so, please amend accordingly or explain why this is not necessary.</p>
Q9.2.21	The applicant	<p>Article 15(5) – Protective work to buildings</p> <p>In the absence of any explanation provided in the EM [APP-042] (paragraph 6.64), please explain why, aside from any precedent in other made DCO’s, a 14-day period has been specified for serving notice on owners and occupiers and why this is reasonable?</p>

ExQ1	Question to:	Question:
Q9.2.22	The applicant	<p>Article 16(2) – Authority to survey and investigate the land</p> <ol style="list-style-type: none"> 1. In the absence of any reasoning provided in the EM [APP-042] (paragraph 6.66], please explain why, aside from any precedent in other made DCO's, a 14-day period has been specified for serving notice on owners and occupiers and why this is reasonable? 2. In order to improve precision, should 'at least' be replaced with 'no less than'? If so, please amend accordingly or explain why this is not necessary. 3. For precision and reasonableness, should the paragraph be expanded to specify that the notice that is required to be served must provide details of the nature of the survey or investigation that the undertaker intends to carry out? If so, please amend accordingly or explain why this is not necessary.
Q9.2.23	The applicant	<p>Article 16 – Authority to survey and investigate the land</p> <p>Should additional paragraphs be added after paragraph (6) requiring any application submitted under paragraph (4)(a) or (4)(b) to be accompanied by a statement advising of the provisions of paragraph (6) and that failure to provide a written statement would result in the provisions in paragraph (6) not applying, similar to that suggested for article 14 above? If not, explain why not.</p>
Q9.2.24	The applicant	<p>Article 17 – Compulsory acquisition of land</p> <p>Does paragraph (2) need to be expanded to include reference to articles 20 (private rights), 22 (Acquisition of subsoil only), 23 (power to override easements and other rights), 25 (Rights under or over streets), 27 (Temporary use of land for maintaining authorised development) and 28 (Statutory undertakers)?</p>
Q9.2.25	The applicant	<p>Article 18 – Time limit for exercise of authority to acquire land compulsorily</p> <p>Recently made solar DCO's, such as The Tillbridge Solar Order 2025 and The Oaklands Farm Solar Park Order 2025, have included the following wording in this article with regards to time limits:</p> <p>'The applicable period for the purposes of section 4 of the 1965 Act (time limit for giving notice to treat) and section 5A of the 1981 Act (time limit for general vesting declaration) is five years beginning on the day on which this Order is made.'</p> <p>Should this article be amended to include this wording with paragraph (5) in article 21 (Application of the 1981 Act) being removed? If not, explain why.</p>
Q9.2.26	The applicant	<p>Article 18(1) – Time limit for exercise of authority to acquire land compulsorily</p> <p>Reference is made to the Acquisition of Land Act 1946 yet both articles 21 and 31 refer to the Acquisition of Land Act 1981. Is there a discrepancy? If so, please rectify.</p>
Q9.2.27	The applicant	<p>Article 27(11) – Temporary use of land for maintaining authorised development</p> <p>Does provision need to be made in paragraph 11 to allow for an exception in relation to landscaping where "the maintenance period" means such period as set out in the landscape and ecological management plan which is approved by the local planning authority pursuant to requirement 6? If not, explain why not.</p>
Q9.2.28	The applicant	<p>Article 33 – Operational land for the purposes of the 1990 Act</p> <ol style="list-style-type: none"> 1. Please provide further details in the EM [APP-042] explaining what the powers in this article would provide and why it is required in this application, so this is clear to all parties. 2. There are a number of areas within the order limits [AS-008] which the ExA requests clarification as to why they are required to constitute operational land. These include: <ol style="list-style-type: none"> a. Areas surrounding the construction compound in plot 05/09 where no physical development appears to be proposed. b. Areas under existing overhead power lines where no solar arrays are proposed. c. Areas which are stated on the land plans [AS-001] to be excluded from the scheme.
Q9.2.29	The applicant	<p>Article 36 – Felling or lopping of trees or removal of hedgerows</p> <ol style="list-style-type: none"> 1. In paragraph (1), what is the extent of 'near any part of the authorised development' and how can this be interpreted or determined? 2. Do the powers in paragraph (1) only apply to trees or shrubs located outside the order limits? 3. In respect of paragraph (2), is a definition required for British Standards? If not, explain why not.

ExQ1	Question to:	Question:
		4. Paragraph 6.153 of the EM [APP-042] refers to the 'Outline LEMP' which secures hedgerow mitigation, woodland creation, tree planting and scrub creation. In the absence of any reference to the Outline LEMP, explain whether this article would undermine the measures proposed within the LEMP required under requirement 6. If not, explain why not.
Q9.2.30	The applicant	Article 38 – Requirements, appeals, etc. 1. Please clarify who is a 'consenting authority' as it is not defined? 2. Does the reference to "such consent, agreement or approval must, to be validly given, be given in writing and must not be unreasonably withheld or delayed" restrict any consenting approval from refusing any request made to them?
Q9.2.31	The applicant	Article 42 – Inconsistent planning permissions 1. The Secretary of State has removed a similar article from a number of recently made DCO's, such as but not necessarily limited to 'The Tillbridge Solar Order 2025', 'The Oaklands Farm Solar Park Order 2025' and 'The Byers Gill Solar Order 2025' on the grounds that it is not necessary and creates potential ambiguity. In light of this, please review the necessity of this provision. If your position remains that the article is fundamentally necessary for this particular application, provide fuller justification in the EM [APP-042] for its inclusion. 2. In addition to the above, please respond to the following queries: <ol style="list-style-type: none"> Explain how the factors that led to the Hillside Park Limited v Snowdonia National Park Authority [2022] UKSC 30 judgement are applicable to this proposal such that it justifies the article. Noting that table 2 in the Planning Statement [APP-182] does not identify any other planning history within the order limits, does this situation undermine the justification for this article? If not, explain why not. Explain how 'land adjacent to the Order limits' as referred to in paragraph (2) would be interpreted. Explain how the local planning authorities would be able to monitor and enforce the powers proposed in paragraph (2) over the lifetime of the proposed development. The EM [APP-042] states that paragraph (5) would ensure that enforcement action would not be taken in respect of planning permissions granted under the 1990 Act, which are inconsistent with the works and exercise of powers under the made Order. Explain why it is necessary and reasonable for the dDCO to seek to control separate and potentially unrelated planning permissions.
Q9.2.32	The applicant	Article 43 – No double recovery Please remove the additional reference to '43'.
9.3 Schedule 1 – Authorised development		
Q9.3.1	The applicant	Clarification To improve precision, should the introductory sentence prior to Work No.1 be expanded to state "The nationally significant infrastructure project authorised by this Order comprises a generating station with a gross electrical output of over 50 megawatts alternating current comprising all or any of the work numbers in this Schedule or any part of any work number in this Schedule—" which the ExA notes has been included on other recently made solar DCO's?
Q9.3.2	The applicant	Work No.1 Does 'balance of solar plant' need to be further expanded to clarify what it includes? The Outline Design Principles [APP-093] in table 2.1 lists solar conversion units (3 different options), inverter, transformer, switchgear and DC electrical cabling. Should these be listed or added to a definition of 'balance of solar plant' to improve precision?
Q9.3.3	The applicant	Work No.5 1. Should the following wording (in bold) be added to improve precision: "Work No. 5 – connection and installation works to the existing transmission network substation at the West Burton A Power Station site including—..." 2. Please remove the open bracket '(' at the beginning of (d).

ExQ1	Question to:	Question:
Q9.3.4	The applicant	Work No.7 Can you clarify what 'drainage infrastructure and water containment feature' covers and does it need to be more accurately defined?
9.4 Schedule 2 Part 1 – Requirements		
Q9.4.1	The applicant	General A number of requirements use the term 'may', for example "No phase of the authorised development may commence until....". Such drafting is not precise. Noting that NSIP Advice Note 15: drafting development consent orders paragraph 3.3 states to avoid the word 'may', please consider altering to less ambiguous drafting, such as "No phase of the authorised development is to commence until...." as a potential example, to improve precision.
Q9.4.2	The applicant	Requirement 2 – Phases of the authorised development and date of final commissioning Reference to 'the scheme' in sub-paragraph (3) appears imprecise in the context of the requirement. Should paragraph 3 be reworded as follows to improve precision? 'The phasing of the authorised development must be implemented in accordance with the details submitted and approved pursuant to sub-paragraph (1)'.
Q9.4.3	The applicant	Requirement 3 – Detailed design approval 1. Is the reference to fencing necessary in (j) as these details are required under requirement 15? 2. Do "site location plan" and "design parameters and principles" require a definition, similar to "works plans" to ensure these are properly secured? Is the reference to "design parameters and principles" correct or should it refer to the Outline design principles [APP-093] ? 3. There appears to be no maintenance clause in this requirement. Please clarify or explain why one is not required.
Q9.4.4	The applicant	Requirement 5 – Arboricultural method statement (AMS) 1. To aid reading, should the paragraph be split into three sub-paragraphs with the first sub-paragraph ending after 'local planning authority' and the second ending after 'environmental statement'? 2. The reference to "any approved AMS must be adhered to" is considered imprecise. Would the following drafting for the suggested sub-paragraph (3) improve precision "The works undertaken in each phase of the authorised development must comply with the methods as approved under sub-paragraph 1 for the duration of the works in the phase of the authorised development to which the AMS relates"? If not, explain why not. 3. Reference is made to appendix 6.5 (arboricultural impact assessment) of the environmental statement. Please provide a definition for this document.
Q9.4.5	The applicant, Nottinghamshire County Council, Bassetlaw District Council and Natural England	Requirement 6 – Landscape and ecological management plan (LEMP) Sub-paragraph (e) would secure a minimum 10% BNG during operation. The ExA notes that the Secretary of State has included specific percentage figures for the minimum biodiversity net gain to be secured in recently made solar DCOs', such as The Byers Gill Solar Order 2025 and The Tillbridge Solar Order 2025 which are higher than the minimum 10%. NE [RR-054] has also referred to similar provisions in both the The West Burton Solar Project Order 2025 and The Cottam Solar Project Order 2024. 1. Noting that Appendix 7.12 - Biodiversity Net Gain Report [APP-114] sets out that the proposed development would result in a net gain of 54.93% for habitats, 35.53% for hedgerows and 14.68% for watercourses, can the applicant explain why these specific percentages are not secured on the face of the dDCO. 2. Is more clarification required as to the 'details' required to secure BNG. For example, is a separate strategy required to secure this? 3. In the absence of these percentages being secured on the face of the dDCO, what weight can the ExA give to these figures being delivered?
Q9.4.6	The applicant	Requirement 6(3) – Landscape and ecological management plan (LEMP) To improve precision in sub-paragraph (3) should the following words be added (in bold), particularly to clarify that it is those measures that require to be maintained and not the plan?

ExQ1	Question to:	Question:
		(3) The LEMP must be implemented in accordance with the scheme as approved under sub-paragraph (1) and the implemented measures thereafter maintained throughout the operation of the relevant part of the authorised development to which the plan relates.
Q9.4.7	The applicant	Requirement 7 – Construction environmental management plan (CEMP) 1. To aid reading, should sub-paragraph (1) be split into further sub-paragraphs as suggested above in respect of requirement 5? 2. The reference to “any approved CEMP must be adhered to” is considered imprecise. Would the following drafting adding as a new sub-paragraph improve precision “All construction works associated with that phase of the authorised development must be carried out in accordance with the approved CEMP for that phase for the duration of the works”? If not, explain why not.
Q9.4.8	The applicant	Requirement 8(1) – Construction traffic management plan (CTMP) To improve drafting, should sub-paragraph (1) be altered as follows, with deletions shown as a strike through and additions in bold : (1) No phase of the authorised development is to be commenced until a CTMP covering that phase, prepared and in accordance with the outline CTMP, has been submitted to and approved by the local planning authority...
Q9.4.9	The applicant	Requirement 9(1) – Operational environmental management plan (OEMP) To improve drafting, should sub-paragraph (1) be altered as follows, with deletions shown as a strike through and additions in bold : No phase of the authorised development may is to commence until an OEMP, prepared in accordance which accords with the outline OEMP for that phase, has been submitted to and approved by the local planning authority.
Q9.4.10	The applicant	Requirement 9(3) – Operational environmental management plan (OEMP) To improve precision in sub-paragraph (3) should the following words be added (in bold), particularly to clarify that it is those measures that require to be maintained and not the plan? (3) The OEMP must be implemented in accordance with the scheme as approved under sub-paragraph (1) and the implemented measures thereafter maintained throughout the operation of the relevant part of the authorised development to which the plan relates.
Q9.4.11	The applicant	Requirement 10 – Fire risk management plan (FRMP) 1. The use of the wording “must be submitted to and approved in writing by the local planning authority” in sub-paragraph (1) seems to imply that the local planning authority would be under an obligation to approve any FRMP submitted to them. In order to improve precision, provide alternative drafting such as restricting any operations until such a document has been submitted to and approved in writing by the local planning authority. 2. Sub-paragraph (3) restricts the local planning authority from approving a FRMP which proposes changes to the outline FRMP until it has consulted with the Health and Safety Executive and Nottinghamshire Fire and Rescue Service. As worded, would the sub-paragraph allow the local planning authority to approve a FRMP without receiving comments from those respective parties? 3. Please consider amending the wording of sub-paragraph (4) in accordance with the suggestions in respect of requirements 6 and 9 above.
Q9.4.12	The applicant	Requirement 11 – Soil management plan (SMP) 1. NE has requested in their relevant representation [RR-054] (reference NE17) is amended to include consultation with them. Please consider updating sub-paragraph (1) to include this provision or explain why you do not consider it to be necessary. 2. Please consider amending the wording of sub-paragraph (1) in line with that suggested for requirement 9(1) above. 3. Explain why sub-paragraph (3) does not contain a maintenance clause. If it should, please rectify with wording similar to that suggested in respect of requirements 6, 9 and 10 above.
Q9.4.13	The applicant	Requirement 12 – Land contamination 1. Sub-paragraph (3) requires a written scheme and programme for remedial measures to be taken when the undertaker determines that remediation of the contaminated land is necessary. Explain why it is appropriate for this decision to be determined only by the undertaker? Would it be more appropriate for this matter to be determined by the risk assessment required under sub-paragraph (1) and the wording in sub-paragraph (3) substituted accordingly? If not, explain why not.

ExQ1	Question to:	Question:
		2. In the event that contaminated material is found during construction works where remediation is required, what provision does the requirement provide as currently drafted in requiring development to cease in the areas where contaminated material is found? Or is this covered by requirement 7(h)? Should provision be made for this if it is not already included? If not, explain why not.
Q9.4.14	The applicant	Requirement 13 – Public rights of way diversions Explain why sub-paragraph (3) does not contain a maintenance clause. If it should, please rectify.
Q9.4.15	The applicant	Requirement 15 – Fencing and other means of enclosure 1. In sub-paragraph (1), should reference to temporary be clarified that it refers to construction fencing and permanent be that erected during the operation period? 2. To improve the structure of the requirement, should the sub-paragraphs be reordered so that all temporary fencing is covered first followed by permanent; essentially sub-paragraph (5) moving to (7) at the end? Should the sub-paragraphs on temporary be reordered as follows: (6), (7), (3) and then (4)? 3. To improve precision, does sub-paragraph (5) need to stipulate that the permanent fencing must be completed in accordance with the approved details and also include a clause requiring maintenance for the operational lifetime of the authorised development? If not, explain why not. 4. Should the reference to “before completion” in sub-paragraph (5) be changed to “the date of final commissioning” to use the definition in article 2?
Q9.4.16	The applicant	Requirement 18 – Permissive path Clarify why sub-paragraph (3) only secures maintenance and access of permissive paths by the public for 264 days a year and not a whole calendar year.
Q9.4.17	The applicant	Requirement 19 – Construction hours 1. Explain what constitutes ‘emergency works’ in sub-paragraph (2)(a) and where this is defined. 2. Can you clarify who would be responsible for determining whether noise would be audible at the boundary of the order limits and how this would be enforced? In addition, please explain why the second part of sub-paragraph (2)(b) is required and would it create a tension with the first part which restricts noise that is audible at the boundary of the order limits? 3. In the absence of an explanation in the EM [APP-042] , which should be updated accordingly, can you explain the reason for this sub-paragraph and what it is seeking to achieve noting that it does not appear to provide the local planning authority with any powers. 4. What is the “approved scheme” referred to in sub-paragraph (4) and who would approve it? In the absence of any explanation in the EM, which should be updated accordingly, explain the purpose of this sub-paragraph.
Q9.4.18	The applicant	Requirement 20 – Protected species NSIP Advice Note 15: drafting development consent orders paragraph 3.3 states applicants should avoid the use of the word ‘shall’ for drafting conventions. Sub-paragraph (1) includes reference to ‘shall’ on three occasions. Please redraft the sub-paragraph with less ambiguous terminology avoiding the use of ‘shall’.
Q9.4.19	The applicant	Requirement 21 – Decommissioning and restoration 1. Explain how this requirement would secure the restoration of the site in the event the undertaker were to fall in to liquidation during the lifetime of the proposed development. 2. It would appear the reference to requirement 3 in sub-paragraph (1) should refer to requirement 2. Please clarify. 3. Does reference need to be made to the inclusion of a waste management strategy in sub-paragraph (3), noting that reference has been made to this document in the oDP [APP-090] which also includes reference to a resource management plan which has been included in sub-paragraph (3)? If not, explain why not.
Q9.4.20	The applicant	Requirement 22 – Skills, supply chain and employment To improve precision in sub-paragraph (4) should the following words be added (in bold), particularly to clarify that it is those measures that require to be maintained and not the plan?

ExQ1	Question to:	Question:
		(3) The skills, supply chain and employment plan must be implemented in accordance with the scheme as approved under sub-paragraph (1) and the implemented measures thereafter maintained throughout the operation of the relevant part of the authorised development to which the plan relates.
Q9.4.21	The applicant, local authorities and statutory consultees	Requirement 25 – Consultation To improve precision, is a timescale required to be added stipulating a time period for another person or body to provide comments to the undertaker?
9.5 Schedule 2 Part 2 – Procedure for discharge of requirements		
Q9.5.1	The applicant	Requirement 26 – Interpretation Explain why “relevant authority” has been defined in this section but part 1 uses “local planning authority”. Should the terminology in both parts of schedule 2 match to ensure consistency?
Q9.5.2	The applicant and host authorities.	Requirement 27 – Applications made under requirements The ExA is aware that ‘The Byers Gill Solar Order 2025’ and ‘The Tillbridge Solar Order 2025’ contained additional paragraphs requiring applications to be accompanied by a statement confirming whether it is likely that the subject matter of the application will give rise to any materially new or materially different environmental effects compared to those in the environmental statement and containing information setting out what those affects are. Any applications which would give rise to new or materially different environmental effects compared to those in the environmental statement would not benefit from the deemed benefit provisions as specified under sub-paragraph (3). 1. Can the applicant explain whether consideration was given to incorporating similar paragraphs within the dDCO and confirm whether you would consider incorporating such provisions within the dDCO. If not, explain why not. 2. The host authorities are asked for their comments on the inclusion of such a provision.
9.6 Schedule 9 – Hedgerows		
Q9.6.1	The applicant	Relationship with article 36 NSIP Advice Note 15: drafting development consent orders states schedules in DCOs must be given effect by an operative article in the main body of the DCO. This may be by an express provision that the schedule is to have effect or by clear implication (such as where the article which grants development consent does so by reference to the schedule which describes the authorised development). No reference is made to schedule 9 in article 36 and paragraph 6.154 of the EM [APP-042] states that the article provides broader powers in addition to those available for hedgerows listed in Schedule 9. Please clarify how article 36 gives effect to schedule 9 in the absence of an explicit reference.
9.7 Schedule 11 – Arbitration rules		
Q9.7.1	The applicant	Confidentiality Paragraph 7 stipulates that arbitration hearings are to take place in private. No justification has been provided in paragraph 7.31 of the EM [APP-042] explaining why this position has been adopted. The Secretary of State has amended this provision on a number of recently made DCO’s, such as but not necessarily limited to ‘The East Yorkshire Solar Farm Order 2025’, ‘The Oaklands Farm Solar Park Order 2025’, ‘The Byers Gill Solar Order 2025’ and ‘The Tillbridge Solar Order 2025’, to stipulate that any arbitration hearing and documentation will be open to and accessible by the public, subject to some confidentiality exceptions. Consider amending this paragraph so that it accords with the changes made by the Secretary of State to other made solar DCOs, or provide an explanation as to why, in the context of this particular application, hearings should take place in private.
9.8 Schedule 12 – Documents to be certified		
Q9.8.1	The applicant	Absence of documents The list of documents to be certified is incomplete.

ExQ1	Question to:	Question:
		<ol style="list-style-type: none"> 1. Please complete this section in full for the next version of the dDCO to be submitted at deadline 3. 2. Please ensure that the schedule is updated throughout the examination to account for any future changes to any of the documents listed.
10. Flood risk, drainage and the water environment		
Q10.0.1	Environment Agency, Nottinghamshire County Council and Bassetlaw District Council	Suitability of sequential and exception test Do you have any comments on the suitability of the sequential assessment for flood risk and the Exception Test contained in sections 6 and 7 of [APP-186] and particularly whether it satisfies the requirements of section 5.8 of NPS EN-1?
Q10.0.2	The applicant	Provision of water detention basins The application documents, for example [APP-062] , [APP-066] , [APP-117] and [APP-184] , state that two surface water detention basins have been proposed as an enhancement measure to the west of Sturton le Steeple to help reduce known flooding issues within the village. The Design and Access Statement [APP-184] in paragraph 3.36 and your response to relevant representations [REP1-008] on page 289 notes that the proposed basins are not a policy requirement and are not required to mitigate the effects of the proposed development. It is further stated that they are an additional voluntary measure for the benefit of the local community and are separate to the measures proposed to control runoff from the proposed development. <ol style="list-style-type: none"> 1. Clarify the location of the basins on the Site Layout [AS-009]. 2. Explain which work number, if any, would secure the works in the dDCO. If they are not proposed to be secured, can any weight be given to the provision of the proposed basins, particularly if they are not needed as a policy requirement? 3. Noting that the proposed basins are stated to be a voluntary measure, explain how they would meet the tests for associated development in section 115 of the PA2008 and the 'Guidance on associated development application for major infrastructure projects' published by the then Department for Communities and Local Government dated April 2013. 4. Confirm whether land is proposed to be compulsorily acquired to deliver the proposed basins. If so, please set out how acquisition would meet the tests in section 122 of the PA2008.
11. Historic environment		
Q11.0.1	The applicant	Methodology In identifying significant effects, paragraph 2.10.7 of ES chapter 2 [APP-060] states "Where discipline-specific methodology has been applied that differs from the generic criteria above, this is clearly explained within the given chapter under the heading of 'Assessment Methodology'". Paragraph 2.10.8 states "As can be seen from Table 2.6, when an environmental effect is assessed as having a 'Major' or 'Moderate' degree of significance it is deemed to be 'significant'." <p>Paragraph 9.3.18 in ES chapter 9 [APP-067] states "A significant effect is considered to be 'major'. A 'moderate' effect could also be considered to be significant, however, this is subject to professional judgement." Explain clearly:</p> <ol style="list-style-type: none"> 1. Why the methodology for identifying significant effects in the Historic Environment chapter of the ES has adopted a different approach to the methodology set out in ES chapter 2 where moderate effects are considered significant. In doing so, does the assessment in chapter 9 have the potential to underplay the number and extent of significant effects? If not, explain why. 2. How 'professional judgement' has been used to determine whether a moderate effect is considered significant or not significant and the factors that have been used to differentiate between these findings, using the assessment findings for the Church of St Peter and St Paul as an example.
Q11.0.2	Fields for Farming, Historic England and Nottinghamshire County Council	Littleborough Roman Town Scheduled Ancient Monument The written representation from Fields for Farming (FfF) in respect of Historic Environment [REP1-032] explains that the Scheduled Ancient Monument site presently covering the main Roman settlement is being extended to cover the ribbon developments and other important remains detected during the recent surveys. It is further stated it would include fields to the left of the current road from Littleborough to Sturton.

ExQ1	Question to:	Question:
		<ol style="list-style-type: none"> 1. Can FfF provide further details on the stated extension to the Scheduled Ancient Monument and particularly whether this is subject to a formal process. If so, are there any timescales for implementation? Are any areas of the development proposed on the areas referred to? 2. Can Historic England (HE) and NCC provide their understanding of the current position in respect of the comments made by FfF?
Q11.0.3	Nottinghamshire County Council and Historic England	<p>Extent of Harm to North Leverton Windmill (Grade II* listed)</p> <p>The third bullet point in paragraph 5.1.8 considers that the impacts on the setting of North Leverton Windmill are likely to be at the highest end of 'less than substantial harm' category with regards to the NPPF. The fourth bullet point then states that you consider the impact to North Leverton Windmill, and to a lesser extent Burton Chateau, would fall into the 'substantial harm' category with regards to the NPPF in the lack of evidence to prove otherwise.</p> <ol style="list-style-type: none"> 1. Can NCC clarify the different extent of harm findings between the two bullet points. Do the different conclusions on harm relate individually to 'setting' and 'financial viability'? If so, what do you consider would be the totality of harm to the significance of this asset as a consequence of the proposed development? 2. Can NCC explain what evidence you require to consider the effect? 3. Can HE provide their position on the effects to this asset noting the different positions between the applicant and other parties?
Q11.0.4	Historic England	<p>Church of St Peter and St Paul (Grade II* listed)</p> <p>Can HE provide further comments on the effects of the proposed development on the Grade II* Listed Church of St Peter and St Paul and, noting the applicant's response to your relevant representation in [REP1-008], whether you consider the ES has appropriately assessed effects to this asset?</p>
Q11.0.5	Nottinghamshire County Council	<p>Crow Tree Farm (Grade II listed)</p> <ol style="list-style-type: none"> 1. Confirm whether the referred to footpath in paragraph 5.1.4 of your LIR [REP1-014] which affords views towards this asset is FP20? If not, clarify which footpath your concerns relate to. 2. Do the Council's concerns in respect of this asset relate solely to the curtilage buildings that are listed by association, or does it also include the main listed Crow Tree Farm? 3. Can the Council provide further details of how the setting and views towards this heritage asset contribute to its significance or allow its significance to be appreciated. Furthermore, explain the effects of the proposed development on the significance or on the ability to appreciate the asset. 4. Can the Council confirm, by annotating on a screenshot of the proposed site layout, exactly which areas of the proposed development you consider should be removed and explain: <ol style="list-style-type: none"> a. What benefits would occur in removing the requested areas? b. To what extent would the significance of this asset be preserved by removing the requested areas?
Q11.0.6	Nottinghamshire County Council	<p>Group of listed buildings along Main Street North Leverton</p> <ol style="list-style-type: none"> 1. Confirm whether the referred to footpath in paragraph 5.1.5 of your LIR [REP1-014] which affords views towards this asset is FP24? If not, clarify which footpath your concerns relate to. 2. Can the Council confirm exactly which listed buildings along Main Street your concerns relate to and provide further details of how the setting and views towards each of those identified individual heritage assets contribute to their significance or allows significance to be appreciated. Furthermore, explain the effects of the proposed development on the significance or on the ability to appreciate each asset. 3. Can the Council confirm, by annotating on a screenshot of the proposed site layout, which areas of the proposed development should be removed and explain: <ol style="list-style-type: none"> a. What benefits would occur in removing the requested areas? b. To what extent would the significance of this asset be preserved by removing the requested area?
Q11.0.7	Nottinghamshire County Council	<p>Burton Chateau (Grade II* listed)</p> <ol style="list-style-type: none"> 1. The LIR [REP1-014] (paragraph 5.1.8, bullet point 1) considers the development will be visible within the design landscape views from this heritage asset and also highlights the importance of views of the Trent Valley rural, agrarian landscape. Do the Council's concerns relate to views out from this asset rather than views towards it? If so, can the Council provide further details of how views out contribute to the significance of the heritage asset or allow the asset's significance to be appreciated?

ExQ1	Question to:	Question:
		2. The LIR [REP1-014] disagrees with the removal of this asset from thorough examination of impacts on its setting. Can the Council explain what further assessment is required in addition to that provided in paragraphs 6.52 to and including 6.57 of ES Appendix 9.1 Cultural Heritage Technical Baseline [APP-122] ?
Q11.0.8	The applicant	<p>Burton Chateau (Grade II* listed) – Zone of Theoretical Visibility (ZTV)</p> <p>Paragraph 6.55 in ES Appendix 9.1 [APP-122] states “Views westwards, towards the Proposed Development are obscured by the adjacent woodland, as reflected by the ZTV which shows no anticipated visibility of the Proposed Development from the asset”. However, in addition to woodland the ZTV [APP-155] appears to show that the BESS and solar arrays could be theoretically visible from this asset.</p> <p>Please review and clarify whether any aspects of the proposed development would be visible from this asset.</p>
Q11.0.9	The applicant	<p>Burton Chateau (Grade II* listed) – Cumulative effects</p> <p>Noting that paragraph 9.55 of ES Appendix 9.1 [APP-122] states “Views from the primary façade of the asset extend to the south-east across the historic parkland, towards Gate Burton”, can the applicant describe any cumulative effects that may occur from this asset between the proposed development and Gate Burton Energy Park?</p>
Q11.0.10	The applicant	<p>Cumulative Effects – Gate Burton Energy Park</p> <p>Paragraph 9.10.4 in ES chapter 9 [APP-067] states “It is not considered that the effects of that scheme [Gate Burton], in combination with the Proposed Development would give rise to any additional cumulative effects or any increase in the potential effect identified within this chapter which is identified as minor adverse (not significant)”. Can the applicant elaborate further how it has come to this conclusion and the evidence that has under pinned it?</p>
Q11.0.11	Nottinghamshire County Council, Historic England, any other Interested party and the applicant	<p>Buried archaeology – Need for trial trenching</p> <p>The Council’s LIR [REP1-014] paragraph 5.2.5 comments that there are “known areas of high archaeological potential and sensitivity” recorded on the Nottinghamshire Historic Environment Records within the order limits and also known significant medieval remains within and around the order limits.</p> <ol style="list-style-type: none"> 1. Can NCC, HE and any other interested party provide further details of any areas which they consider requires further pre-determination trial trenching to be undertaken by the applicant, providing details for their request (particularly in terms of understanding the significance of any assets) and accompanied by a plan of the area in question. 2. The applicant is requested to provide its comments on any requests at deadline 3 explaining whether or not it intends to undertake pre-determination trial trenching of any requested areas and provide reasons for any areas it does not intend to.
Q11.0.12	The applicant, Nottinghamshire County Council, Bassetlaw District Council and Historic England,	<p>Christian Heritage and the Pilgrim trail</p> <p>Comments have been raised by Sturton le Steeple Parish Council [RR-029] and [REP1-039] on the effect to Sturton le Steeple’s Christian Heritage and the Pilgrim Trail. In response, the applicant [REP1-008] (page 85) notes that the site itself does not form part of the Pilgrim Trail, whose connection is with the relevant churches and settlements, and none of the historic information presented would experience change as a result of the proposals. The response further notes that the related heritage assets, such as the Grade II* Listed Church of St Peter and St Paul in Sturton le Steeple, are considered in the ES.</p> <ol style="list-style-type: none"> 1. Can the applicant explain whether your consideration of identifying the significance of the heritage assets in the ES has considered the matters raised by the Parish Council? If not, explain whether they should. 2. Can the applicant explain whether or not the proposed development would affect the appreciation of this historic association? 3. Can the applicant advise whether the comments raised by the Parish Council raise any considerations relevant to the Equalities Act 2010? 4. Can NCC, Bassetlaw District Council and Historic England provide any comments as to their position of the Parish Council’s concerns?
Q11.0.13	The applicant	<p>Archaeological Mitigation Statement</p> <p>Explain how measures set out within this document [APP-124] are proposed to be secured in the dDCO, noting that no reference is made to it in requirement 17.</p>

ExQ1	Question to:	Question:
Q11.0.14	The applicant	Archaeological Clerk of Works NCC's LIR [REP1-014] refers to the need for an Archaeological Clerk of Work to have oversight of work on the ground and to liaise between the developer's delivery team, consultant, archaeological contractor and relevant stakeholders. Can the applicant explain whether this measure is currently secured? If not, explain why not.
Q11.0.15	Nottinghamshire County Council	Request to remove permitted development rights Paragraph 5.2.23 of the LIR [REP1-014] seeks the removal of any permitted development rights in areas that have not been properly assessed or been subject to mitigation work or measures. Can the Council expand upon its reasons for seeking this measure, providing any necessary wording that it considers would be appropriate to include in the dDCO?
12. Land use and soils		
Q12.0.1	The applicant	Soil in area of cable route In response to NE's concerns regarding disruption to soil, it is stated in your response to relevant representations [REP1-008] that you intend to draft an additional chapter to the outline Soil Management Plan [APP-132] to ensure that Agricultural Land Classification (ALC) grade is recorded and protected during the cabling works. Can you advise on the timescale for submitting this into the examination?
Q12.0.2	The applicant and Natural England	ALC Survey Methodology In response to NE's concerns regarding the lack of ALC survey in areas proposed for pond creation and woodland planting, it is stated that the Outline Soil Management Plan [APP-132] will be expanded to include a chapter on the pre-construction assessment, and on soil handling and storage, so that these areas can be restored in the future. Your written summary of oral submissions made at ISH1 [REP1-009] confirms that the ALC surveys would be carried out post-DCO but before cable installation. 1. Can the applicant explain why you do not intend to carry out the ALC survey, which NE considers is essential to inform the depth of topsoil, until after any consent that may be granted. Are NE satisfied with this approach? 2. Can the applicant advise on the timescale for submitting this information into the examination?
Q12.0.3	The applicant	Steps taken to avoid BMV land There appears to be no direct response in your comments on relevant representations [REP1-008] to NE's request [RR-054] for further detail on the steps taken to avoid BMV as far as reasonably practicable, in line with the NPPF mitigation hierarchy and NPS EN-1 paragraph 5.11.12. To assist the ExA and the Secretary of State in considering this matter, please provide a comprehensive commentary, expanding upon those reasons provided in the planning statement [APP-182] , explaining how the proposed development has sought to avoid BMV land and, noting the requirements of EN-1 paragraph 5.11.34, provide clear justification for its use. Within your response, the ExA requests further details (from that contained in paragraphs 4.6.26 and 4.6.27 of the Planning Statement [APP-182]) on how the proposed development aligns with the Written Ministerial Statement ('WMS') published in May 2024 on 'Solar and protecting our Food Security and Best and Most Versatile ('BMV') Land'. Within your answer, please also set out the economic and other benefits of that land, and the extent to which the existing land within the order limits is used for grazing.
Q12.0.4	The applicant	Food Security Your response to relevant representations [REP1-008] , paragraph 3.7.3 on page 286 states "The independent National Food Strategy Review shows that solar farms do not in any way present a risk to the UK's food security. Indeed, the reverse is true: the solar industry is working closely with Britain's farmers to reduce their energy costs and improve the sustainability of their operations". 1. Submit evidence of the National Food Strategy Review and signpost to where the referred to findings are in this document. 2. Explain how you are working closely with farmers that would be affected by the proposed development and the measures you are adopting to achieve this.
Q12.0.5	The applicant	Effects on farm businesses 1. Noting the methodology for determining receptor sensitivity in table 15.1 in ES chapter 15 [APP-072B] , provide further explanation as to why arable farms fall within a category of 'low sensitivity'. Has any consideration been given to local circumstances in reaching these

ExQ1	Question to:	Question:
		<p>findings? In addition, noting the comments in paragraphs 15.3.16 and 15.3.17 regarding a 'fallow' (resting) period that would allow soil to recover from constant cultivation, is there any evidence that you can draw upon to demonstrate that such a practice would benefit the farms that would be affected by the proposed development?</p> <p>2. Paragraph 15.7.43 notes that some of the farm businesses will be significantly affected by the proposed development during operation. It then goes on to state that "Negotiations are currently underway between landlords and tenants, and the following analysis may therefore require updating in due course". Provide an update on the status of these negotiations and explain whether the analysis in ES chapter 15 [APP-072B] requires to be updated. If so, when would an update be undertaken?</p>
Q12.0.6	The applicant	<p>Mineral Resources</p> <p>To allow the ExA to fully consider the effects on mineral resources, please submit a mineral resource assessment at deadline 3, as requested in NCC's LIR [REP1-014] paragraphs 5.5.4 - 5.5.8.</p>
Q12.0.7	The applicant	<p>Waste</p> <p>To allow the ExA to fully consider the effects on waste, please submit an assessment of local and regional landfill capacity at deadline 3, based on an absolute worst-case scenario whereby the waste is not able to be recovered or recycled, as requested in NCC's LIR [REP1-014] paragraphs 5.5.11 - 5.5.12.</p>
13. Landscape and visual		
Q13.0.1	The applicant	<p>Methodology</p> <p>In identifying significant effects, paragraph 2.10.7 of ES chapter 2 states "Where discipline-specific methodology has been applied that differs from the generic criteria above, this is clearly explained within the given chapter under the heading of 'Assessment Methodology'". Paragraph 2.10.8 states "As can be seen from Table 2.6, when an environmental effect is assessed as having a 'Major' or 'Moderate' degree of significance it is deemed to be 'significant'."</p> <p>Paragraph 6.3.46 of ES chapter 6 [APP-064] states "Those effects described as major, major/moderate and in some cases moderate may be regarded as significant effects". Explain clearly why the Landscape and Visual Impact Assessment (LVIA) in ES chapter 6 has adopted a different approach to the methodology set out in ES chapter 2 where moderate effects are considered significant. In doing so, does the assessment in the LVIA have the potential to underplay the number and extent of significant landscape and visual effects? If not, explain why.</p>
Q13.0.2	The applicant	<p>ES assessment and photomontages</p> <p>Can the applicant clarify whether the LVIA is assessed, and the accompanying photomontages presented, on the maximum parameters laid out in ES chapter 4 [APP-062] and ES Appendix 4.5 – Outline Design Principles [APP-093]?</p>
Q13.0.3	The applicant	<p>Additional Photomontages</p> <p>Questions were asked during ISH1 [EV5-001] on the viewpoint (VP) selection and in addition, the ExA is aware of the concerns that have been expressed by parties on the choice of viewpoint locations selected, such as in NCC's LIR [REP1-014] and FfF [REP1-025]. Having considered those comments and the applicant's responses in ISH1, the ExA requests the following two additional viewpoint locations, accompanied by photomontages, to allow the ExA to more fully understand the description of effects for receptors as provided in ES chapter 6 [APP-064], at these locations:</p> <ol style="list-style-type: none"> 1. Along the Trent Valley Way on Springs Lane within the order limits at a point between VPs 1 and 18. 2. Along the Trent Valley Way within the order limits at a point halfway between VPs 1 and 18. <p>The ExA requests that ES appendix 6.3 [APP-099] is also updated to include an assessment of effects at the requested locations. Recognising the time required to prepare this information, the ExA requests that this information is provided at deadline 3.</p>
Q13.0.4	All interested parties	<p>Viewpoint locations and photomontages</p> <p>Further to the question above noting comments raised on this matter, are there any specific locations where parties consider should be included in the viewpoints and photomontages? If so, please provide full justification as to why those locations are required, the receptors that they would represent and what they would provide in addition to that not included in the current suite of viewpoint locations and photomontages.</p>

ExQ1	Question to:	Question:
Q13.0.5	The applicant	Mitigation Explain how figure 6.9 [APP-160] would be secured through the dDCO.
13.1 Landscape effects		
Q13.1.1	The applicant	Effects on landscape character Can you explain why you have split an assessment of ‘landscape character of the site’ from the effects on the landscape character areas of ‘Mid Nottinghamshire Farmlands’ and ‘Trent Washlands’ and the rationale for this?
Q13.1.2	The applicant	Effects on landscape character In assessing the effects on this landscape resource, the ES in paragraphs 6.7.20 and 6.7.42 refer to notable but ‘highly localised’ effects upon the ‘Mid Notts Farmlands’ and ‘Trent Washlands’ Character Areas due to the extent and size of the proposed development. What is meant by ‘highly localised’ effects and how is it quantified or differentiated from ‘localised’?
Q13.1.3	The applicant	Effects on landscape character Why has reference been made to visibility in the assessment of effects on landscape character areas in paragraphs 6.7.43 and 6.7.44 when it is assessing effects on landscape character?
Q13.1.4	The applicant	Effects on ‘Mid Notts Farmlands’ and ‘Trent Washlands’ landscape character areas Can the applicant describe how the low-medium magnitude of change, as stated in paragraphs 6.7.44 and 6.7.46, has been arrived at and explain further why the moderate effects in year 1 are not considered significant?
Q13.1.5	Nottinghamshire County Council	Suitability of assessment findings The Landscape & Visual Review in the LIR [REP1-014] paragraph 4.27 advises that there is disagreement with several judgements of moderate landscape effects within the LVIA as being deemed not significant. Can the Council highlight exactly those findings in ES chapter 6 [APP-064] which it disagrees with and why, also explaining any specific receptors where greater transparency is required on how the judgements relating to ‘sensitivity’ and ‘magnitude of change’, and the thresholds of significance, have been applied.
13.2 Visual effects		
Q13.2.1	The applicant	Assessment of effects There are a number of visual effects within the LVIA whereby the ‘magnitude of impact’ is assessed as low to medium and in turn, resultant moderate effects are not considered to be significant. Can the applicant provide a more detailed narrative explaining how the low-medium or medium-low magnitude of impact and moderate (not significant effects) has been arrived at for each of the following receptors: <ol style="list-style-type: none"> Residential Receptors in Sturton le Steeple (ES chapter 6, paragraph 6.7.54). Residential Receptors in North Leverton with Habbleshorpe (ES chapter 6, paragraph 6.7.57). Residential Receptors in Fenton (ES chapter 6, paragraph 6.7.64). Individual properties (ES chapter 6, paragraph 6.7.68). Users of the public right of way at VP6 (ES Appendix 6.3). Receptors at VP8 (ES Appendix 6.3). Users of the Trent Valley Way at VP20 (ES Appendix 6.3).
Q13.2.2	The applicant	Assessment of effects The deadline 1 submission by FfF [REP1-025] notes that the assessment includes the West Burton cooling towers which they state will be gone by 2026/2027. To what extent, if any, has the assessment of landscape and visual effects in years 1 and 15 considered this and also the recent removal of the Cottam Power Station cooling towers? If it has not, explain why not and whether incorporating these matters into the assessment would change the assessment findings.
Q13.2.3	Nottinghamshire County Council	Suitability of assessment findings The Landscape & Visual Review in the LIR [REP1-014] paragraphs 5.10 and 5.11 disagrees with the judgement that there will be no significant visual effects at year 15 and also with several reductions in level of significance of effect at year 15 through the establishment of mitigation planting. With reference to the assessment findings in ES chapter 6 [APP-064] and ES Appendix 6.3 – Viewpoint Assessment

ExQ1	Question to:	Question:
		[APP-099] , can the Council highlight exactly those findings which it disagrees with and why, also explaining any specific receptors where greater transparency is required on how the judgements relating to 'sensitivity' and 'magnitude of change', and the thresholds of significance, have been applied.
13.3 Cumulative landscape and visual effects		
Q13.3.1	The applicant	<p>Cumulative ZTV</p> <p>During ISH1 [EV5-006] it was explained, as summarised in your written summaries of oral submissions [REP1-009], that cumulative ZTV's are one tool available but it was considered they would not show an accurate view due to the presence of additional hedgerows and planting which was observed when testing the ZTV of the proposed development; essentially they would overemphasize potential visibility from reality. It was also stated that they are not the sole basis for judging a development.</p> <p>Whilst mindful of these comments, recognising the fundamental concerns parties have raised on cumulative matters in representations to date and the comments in NCC's LIR [REP1-014] (paragraph 5.1.7), please submit a screened cumulative ZTV to allow for greater understanding of where the potential for theoretical visibility of two or more solar farm schemes would be experienced.</p> <p>The ZTV should include the potential for theoretical visibility in respect of the identified tier 1 solar schemes (including non NSIP) in table 6.6 in ES chapter 6 [APP-064].</p>
Q13.3.2		<p>Photomontages – Cumulative schemes</p> <p>Please undertake a review of the current viewpoints and photomontages and annotate at each viewpoint and photomontage where any cumulative schemes would be visible. To assist in this matter, the ExA would refer the applicant to the content of visualisations that were submitted for the Tillbridge Solar Project.</p> <p>Recognising the time required to prepare this information, the ExA requests that this information is provided at deadline 3.</p>
Q13.3.3	Nottinghamshire County Council	<p>Sequential cumulative effects</p> <p>The Landscape & Visual Review in the LIR [REP1-014] paragraphs 6.8 to and including 6.10 raises concerns with sequential effects that would be felt throughout the area. The applicant provided further explanation of its findings for sequential cumulative effects during ISH1 [EV5-001].</p> <p>Can the Council clarify what, if any, additional assessment it requires to consider the potential for sequential effects. In particular, are there any routes, such as public footpaths or local roads, which are of most concern where a more detailed assessment is required? If so, please provide details.</p>
13.4 Residential Visual Amenity Assessment (RVAA)		
Q13.4.1	The applicant	<p>Study area</p> <p>ES chapter 6 [APP-064] paragraph 6.3.53 states the RVAA [APP-100] is based on a detailed study area of 0.5km from the proposed development. Explain why this distance is considered appropriate.</p>
Q13.4.2	The applicant	<p>Extent of site inspections</p> <p>Paragraph 1.2.6 of the RVAA [APP-100] sets out that step 3 has involved both the desk study and detailed fieldwork but has not required visits to individual properties which, for the purposes of this step, can generally be assessed from the nearest publicly available vantage or access point. Can you confirm what inspections you did to verify the assessment findings in table 1? Were all of the properties listed in table observed from the nearest publicly available point?</p>
Q13.4.3	The applicant	<p>Magnitude of change</p> <p>There are a number of properties identified in table 1 of the RVAA [APP-100] where the magnitude of change has been classed as low/medium. The ExA is aware that Guidelines for LVIA 3 suggests that magnitude of effect is a function of three factors (the size/scale of the effect, the duration of the effect and the reversibility of the effect). However, in the absence of a written description in paragraph 6.3.35</p>

ExQ1	Question to:	Question:
		of ES chapter 6 [APP-064] of this category, please explain clearly how a low/medium magnitude of change has been arrived at for each of those properties.
Q13.4.4	The applicant	Assessment of effects To what extent has effects from upper floor windows been considered in the findings in table 1, particularly where vegetation has been stated as one reason to reduce impacts? How successfully would vegetation mitigate effects from upper floor windows from residential properties?
Q13.4.5	The applicant	Assessment of effects To what extent has the RVAA [APP-100] considered cumulative effects? If it has, explain where this is apparent within the assessment or elsewhere in the ES.
Q13.4.6	All interested parties	Assessment of effects Do any interested parties disagree with any of the assessment findings in table 1 of the RVAA [APP-100] ? If so, please explain why.
14. Noise and vibration		
Q14.0.1		No questions at this stage; the ExA may have questions on this topic later in the examination.
15. Population		
Q15.0.1		No questions at this stage; the ExA may have questions on this topic later in the examination.
16. Socio-economic effects		
Q16.0.1	The applicant	Construction jobs ES chapter 10: Socio Economics [APP-068] states that there would be an average of 164 on-site jobs (paragraph 10.7.3) with a peak number of construction workers of 363 on-site (paragraph 10.7.14). However, the Outline Supply Chain, Employment and Skills Plan in ES Appendix 10.1 [APP-127] (paragraph 5.5) states that there would be an average of 187 jobs on site over the 24-month timeframe with a peak of 436 workers. Explain the apparent discrepancies between the two documents.
Q16.0.2	The applicant	Job creation Please provide a table which details all of the estimated jobs stated throughout ES chapter 10: Socio Economics [APP-068] during the construction stage, operation stage and decommissioning phase, or signpost to where this information is.
17. Transportation and access		
Q17.0.1		No questions at this stage; the ExA may have questions on this topic later in the examination.
18. Other planning topics		
18.1 Air Quality		
Q18.1.1	The applicant	Errata's ES chapter 14 [APP-072A] contains numerous instances where the text "Error! Bookmark not defined" appears. Please re-submit the chapter rectifying this.
Q18.1.2	The applicant	Cumulative and in-combination effects ES chapter 14 [APP-072A] paragraph 14.10.2 states "It is considered unlikely that on-site construction activities on any of the Other Developments listed above will be occurring simultaneously with on-site construction activities at the Proposed Development". Explain how this conclusion has been reached and the evidence that has underpinned it.