

Date: 08 January 2026  
Our ref: 536750  
Your ref: EN1010163



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**BY EMAIL ONLY**

Dear Max Wiltshire

**NSIP Reference: Steeple Renewables Project - EN1010163**  
**Consultation: Examining Authorities First Written Questions**

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

Please find Natural England's responses to the Examining Authorities first written questions at **Annex A** below.

For any further advice on this consultation please contact [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sustainable Development Team  
East Midlands Area Delivery  
Natural England

## Annex A

Question Reference	Question	Natural England response
Q5.0.1	<p><b>Protected Species – Badgers</b></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"> <li>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?</li> <li>2. Could NE comment on the accuracy of the comments in the Consents and Agreements Position Statement [REP1-006]?</li> </ol>	<ol style="list-style-type: none"> <li>1. NE have been in discussion with the applicant regarding timescales for the submission of a draft Badger licence application, and understand that this is due to be submitted to NE in Mid-Late January. NE's usual turnaround time for issuing of a LoNI (Letter of No Impediment) is up to 30 working days, pending capacity and complexity, as set out in <a href="#">PINS Advice Note 11 Annex C</a>.</li> <li>2. The comments at Page 8-9 of the Consents and Agreements Position Statement [REP1-006] are accurate. The purpose of the draft licence application &amp; issuing of a LoNI is to provide the SoS with the certainty at examination stage that licencing will not be a blocker post-consent. Following issue of a LoNI, where detailed design cannot avoid impacts, a full licence will still need to be applied for as usual.</li> </ol>
Q9.4.5	<p><b>Requirement 6 – Landscape and ecological management plan (LEMP)</b></p> <p>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</p>	<ol style="list-style-type: none"> <li>1. N/A</li> <li>2. Natural England generally consider that implementation of BNG via the LEMP is suitable. The <a href="#">Consultation on BNG for NSIPs</a> (Dated May 2025) states that '<i>The Secretary of State can consider the biodiversity gain objective as met if there are requirements in the development consent order securing it will be.</i>'</li> <li>3. Natural England welcome the positive design principles that have resulted in such high biodiversity net gains being possible; the current wording secures</li> </ol>

	<p>2025 and The Cottam Solar Project Order 2024.</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. Is more clarification required as to the 'details' required to secure BNG. For example, is a separate strategy required to secure this?</li> <li>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?</li> </ol>	<p>the delivery of a minimum of 10% BNG, as is intended to become mandatory from May 2026. However, NE would advise caution when applying any further positive weight based on the figures illustrated in Appendix 7.12 [<a href="#">APP-114</a>], where they are not secured in the DCO.</p>
<b>Q12.0.2</b>	<p><b>ALC Survey Methodology</b></p> <p>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.</p> <ol style="list-style-type: none"> <li>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?</li> <li>2. Can the applicant advise on the timescale for submitting this information into the examination?</li> </ol>	<p>1- Whilst not considered best practise, in this circumstance due to the small areas proposed for Pond and Woodland Creation, NE are satisfied with the approach to post-consent ALC Survey in these locations, subject to review of the updated oSMP. NE are yet to receive an updated oSMP including the discussed changes on this matter (at section 8 of the Written Summaries of Oral Submissions [<a href="#">REP1- 009</a>]) and will review and comment once this is received.</p> <p>It is also noted that the same post-consent ALC survey approach is proposed for the cable route across a much wider area (approx. 1km).</p> <p>It is Natural England's advice that any soil disturbance risks damaging the soil resource and soil profile, including the potential for degrading agricultural land quality. As such, Natural England's general advice remains that ALC surveys should be undertaken pre-consent, firstly to inform micro-siting &amp; avoidance of the highest quality agricultural land as far as</p>

		<p>practicable along the cable route, in line with the established principles of the Mitigation Hierarchy and the NPSs, and secondly to inform the soil handling practises necessary to minimise potential damage and inform reinstatement.</p> <p>Where the ALC survey of the cable route is undertaken post-consent, whilst the relevant information to inform soil handling and reinstatement can be collected, the ability of the applicant to avoid the highest quality agricultural land is limited.</p>
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