

# Steeple Renewables Project

## Applicant Comments on Deadline 2 Submissions

January 2026

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## **Applicant Comments on Deadline 2 Submissions**

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## 1 Introduction

1.1.1 This document provides Steeple Solar Farm Limited (the ‘Applicant’) response to Applicant Response to Third Party responses to ExQ1 and Other Documents submitted to the Planning Inspectorate by the 08 January 2026, relating to Deadline 2 respectively for a Development Consent Order (‘DCO’) regarding the Steeple Renewables Project (the ‘Proposed Development’).

1.1.2 In total 13 third party responses and other documents **[REP2-062 to REP2-074]** were submitted to the Examining Authority by interested parties in response to the Proposed Development. WRs were published on Monday 12 January 2026 on the Planning Inspectorates website (reference: EN010163).

1.1.3 This document provides responses from the Applicant to Third Party responses to ExQ1 and other documents received at Deadline 1 were a responses is considered necessary by the Applicant (not every Third Party responses to ExQ1 and other document has been responded to). The structure of this document is as follows:

- Table 1.1 tabularised list of Third Party responses to ExQ1 and other documents the Applicant has responded to.
- Section 2 tabularised Third Party responses to ExQ1 and other document comments as well as the Applicants corresponding response.

**Table 1.1 List of Third Party responses to ExQ1 and Other Documents that are responded to in Section 2**

<b>PINs reference</b>	<b>Third Part responses to ExQ1</b>
REP2-062	Bassetlaw District Council
REP2-063	Nottinghamshire County Council
REP2-064	Environment Agency
REP2-068	Fields for Farming
REP2-069	National Grid Electricity Transmission Plc
REP2-071	UK Industrial Fusion Solutions Ltd
REP2-074	Mr and Mrs Barlow
<b>PINs reference</b>	<b>Other Document</b>
REP2-073	Mr and Mrs Barlow

## 2 Applicant Response to Third Party responses to ExQ1 and other documents listed in Table 1.1

**Table 2-1: Bassetlaw District Council**

ID	Theme	Verbatim Comment	Applicant Response
REP2-062/1	Q1.0.9	Yes, BNG monitoring	Please see the Applicant's response against Q9.4.5.
REP2-062/2	Q9.4.5	BDC would need to be assured via an appropriate mechanism that the figures quoted were deliverable.	The Applicant would refer Bassetlaw District Council to the response of Natural England in relation to Q9.4.5 [REP2-066] which aligns with the Applicant's position that appropriate controls to ensure that BNG is delivered can be included in the DCO requirements, and through those requirements the LEMP. The Applicant would point BDC towards its oLEMP [APP-116] which is secured by requirement 6 in the dDCO [REP2-007]. BDC are noted as being the approval body of the LEMP under requirement 6, which states that no phase of the authorised development can commence until a LEMP covering that phase which accords with the outline LEMP has been submitted to and approved by the local planning authority in consultation with Natural England. Whilst the authorised development does not need to secure BNG, the recent DEFRA consultation on biodiversity net gain for nationally significant infrastructure projects (28 May 2025) does state that DEFRA are expecting monitoring requirements to be managed through requirements rather than s106 agreements.

**Table 2-2: Nottinghamshire County Council**

ID	Theme	Verbatim Comment	Applicant Response
REP2-063/1	Q1.0.5	<p>The scenario that the waste is recycled or recovered is preferable, the recycling capacity facilities to do this for the PV panels is not established, particularly at the scale that will be needed when considering the cumulative impacts of several solar farm schemes in this area expected to finish around a similar time. This issue is recognised in the recently published Solar Roadmap: United Kingdom Powered by Solar June 2025 by the Department for Energy Security &amp; Net Zero. Without the development and establishment of sufficient solar panel recycling facilities, this would lead to a large volume of waste in the area at the time that requires disposal.</p> <p>Other similar schemes in Nottinghamshire, for example One Earth Solar Project, have within their assessment of waste considered an absolute worst-case scenario whereby the waste is not able to be recovered or recycled. They have also considered the local and regional existing landfill capacity to understand potential significance impacts. Whilst the Outline Decommissioning Plan notes that forecasting future landfill capacity is difficult and that disposal of waste to landfill is the worst-case scenario, which the Council agrees with, there is though no detailed assessment of the significance of impact in this worst-case scenario, in relation to application and for cumulative effects, nor the recognition of the growing national issue around the limited landfill capacity. In</p>	<p>The Applicant has submitted a Local and Regional Landfill Capacity Assessment at Deadline 3.</p> <p>In accordance with the waste hierarchy, the Proposed Development will prioritise waste prevention followed by preparing for reuse, recycling and recovery. Disposal to landfill is a last final choice.</p> <p>The Environment Agency Waste Management information includes waste sent to landfills and remaining landfill capacity are outlined within the Environment Agency's 2024 waste summary tables for England – version 1, for non-hazardous and inert waste Expansive Study Area (East Midlands) and the Hazardous Waste Expansive Study Area (England). In summary, the landfill capacity is</p> <ul style="list-style-type: none"> <li>• East Midlands total non-hazardous landfill capacity, 30.6 million m<sup>3</sup>.</li> <li>• East Midlands inert landfill capacity, 19.2 million m<sup>3</sup>.</li> <li>• England hazardous landfill, 9.75 million m<sup>3</sup>.</li> </ul> <p>There is no publicly available information regarding any potential changes to landfill capacity by the time of the Proposed Development's construction. Furthermore, due to the cyclic nature of inert landfill capacity (i.e. landfill capacity decreasing, and then new sites or landfill cells being opened with landfill capacity increasing) it is not realistic to forecast future landfill</p>

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	<p>Nottinghamshire particularly there is a lack of non-hazardous landfill capacity as identified in Table 11 of the new Nottinghamshire and Nottingham Waste Local Plan.</p> <p>As raised in paragraph 5.58 and paragraphs 7.38 – 7.41 of the Waste Local Plan, due to underlying geology of the area and wider environmental constraints, the scope to provide hazardous and non-hazardous capacity in Nottinghamshire is extremely unlikely. This therefore stresses the importance of considering the absolute worst- case scenario.</p>	<p>capacity. Therefore, inert and hazardous landfill capacity is assumed to remain the same as the current baseline.</p> <p>For non-hazardous waste, using current rate of decline of landfill capacity and forecasting into the future would lead to the conclusion there would be no void space remaining. However, this is not a credible scenario because if there is still a need for landfill, then the waste planning authority will need to consent new landfill capacity to replace any that has been used up. Therefore, non-hazardous and hazardous landfill capacity is assumed to remain the same as the current baseline.</p> <p>The absolute worst case scenario based on the assumption that all construction and demolition waste (C&amp;D) waste goes to landfill is considered to be extremely unlikely to occur. A more realistic worst case scenario is that only 70% of waste is recovered based on current and likely future recovery rates (recovery is defined as reuse, recycling and recovery such as energy from waste). This approach is justified on the bases that 2020 C&amp;D recovery rate for the UK was approximately 92.6%, exceeding the national target of 70% and has remained at a similar level since 2010. A 70% recovery rate is considerably lower than current consistent rates of recovery over recent significant time periods. Furthermore, waste generated by the Proposed Development comprises readily recyclable materials with high recovery rates (concrete and aggregates, metals, plastic, glass, wood, paper and cardboard). PV Panel are recyclable and strong economic and regulatory drivers for recycling, with proven technology, result in a realistic high expectation that PV panels can achieve a high rate of recovery. The Waste Electrical and Electronic Equipment (WEEE) Regulations 2013 and the Waste</p>
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			<p>Batteries (Amendment) Regulations 2015 places obligations on producers of electrical and electronic equipment and batteries to finance the collection and recycling of their product. Producers of PV panels and batteries are obliged to join a Producer Compliance Scheme (PCS) which ensures legal obligations are met.</p> <p>The Applicant's is committed to reuse and recycling as much waste as possible. Together with embedded mitigation measures, the overall quantities of construction, operational and decommissioning waste anticipated to be sent to landfill are below 1% of regional inert and non-hazardous landfill capacity and less than 0.1% of national hazardous landfill capacity. This would not be significant and disposal to landfill as a last resort with preferred options being reuse or deposit for recovery.</p>
REP2-063/2	Q4.0.2	<p>NCC would draw attention to the NCC Highway Design Guide <a href="#">Highway design guide Nottinghamshire County Council</a></p> <p>Nottinghamshire County Council does not have any other local design policies and standards relevant to solar development.</p>	<p>Nottinghamshire County Council Highways Design Guide is referenced in the Transport Assessment Appendix 13.1 [APP-128]. Chapter 3 paragraphs 3.12-3.14 provide a summary of the principles of the guidance document and refers also to the Guidance on Transport Assessment document (which is appended to the Nottinghamshire County Council Highways Design guide). Paragraph 3.1 of the Transport Assessment states that the Proposed Development has been considered in the context of the policy and guidance documents including the NCC Design Guide. Section 5 refers to the NCC Design Guide in terms of construction site access points.</p>
REP2-063/3	Q4.0.4	<p>1. Paragraph 4.7.14 of NPS EN-1 encourages the use of independent design review where appropriate, particularly for projects where design quality may</p>	<p>In response to NCC's answer on sub-parts (2) and (3) of ExQ1 4.0.4, the Applicant notes that NCC would agree that it is not essential for a design review to be put in place. The Applicant's own response to ExQ1 4.0.4 provides detailed justification on why this is not required.</p>

	<p>materially influence environmental, landscape or visual effects.</p> <p>2. It is not essential for the dDCO to mandate a formal independent design review process, provided that robust design controls are secured through requirements relating to:</p> <ul style="list-style-type: none"><li>• Detailed design and layout;</li><li>• Materials and colour treatment;</li><li>• Landscape mitigation and long-term management;</li><li>• Construction compounds, access routes and site management.</li></ul> <p>The imposition of a mandatory independent design review panel may introduce uncertainty regarding how recommendations would be implemented, enforced or weighed against any statutory approval process. However, where key components of the scheme remain subject to post-consent design development, the Councils acknowledge that an independent design review group may add value, provided that:</p> <ul style="list-style-type: none"><li>• Any review process is advisory rather than determinative;</li><li>• The scope, timing and remit of the review are clearly defined;</li></ul>	<p>NCC raise the issue of wanting to ensure that robust design controls are set out in the requirements relating to</p> <ul style="list-style-type: none"><li>• Detailed design and layout;</li><li>• Materials and colour treatment;</li><li>• Landscape mitigation and long-term management;</li><li>• Construction compounds, access routes and site management.</li></ul> <p>NCC further go on to state that large above-ground built elements, construction compounds and temporary works, and landscape mitigation should be given specific scrutiny.</p> <p>The Applicant would note that NCC have not specifically raised any issues with the requirement but for avoidance of doubt, the Applicant would make clear that requirement 3 operates to ensure that no phase of the authorised development can commence until details of:</p> <ul style="list-style-type: none"><li>(a) the layout; (b) scale; (c) proposed finished ground levels; (d) external appearance; (e) hard surfacing materials; (f) vehicular and pedestrian access, parking and circulation areas; (g) refuse or other storage units, signs and lighting; (h) drainage, water, power and communications cables and pipelines; and (i) programme for landscaping works</li></ul> <p>relating to that phase have been submitted to and approved in writing by the local planning authority. These details must accord with the site location plan, works plans, and design parameters. Design parameters is defined in</p>
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	<ul style="list-style-type: none"><li>• The Councils are engaged in the process, including agreement of the brief;</li><li>• Any recommendations are capable of being secured through subsequent Requirement approvals.</li></ul> <p>It is important that, should an independent design review be undertaken, its findings are clearly documented and form part of the decision-making context for any subsequent approvals.</p> <p>3. NCC consider that, while the Proposed Development as a whole does not necessarily require mandatory independent design review, certain components could benefit from additional design scrutiny, particularly where final solutions are yet to be confirmed and where landscape and visual effects may be influenced by detailed design choices. These components may include:</p> <ul style="list-style-type: none"><li>• Large above-ground built elements, such as substations, where scale, massing, form, materials and colour treatment will have a strong influence on landscape and visual effects;</li><li>• Construction compounds and temporary works, where mitigation is inherently difficult to implement effectively, particularly in relation to: Proximity to residential receptors of high sensitivity; Visual intrusion arising from plant, materials storage and welfare facilities; and access</li></ul>	<p>relation to the principles and assessments set out in the environmental statement.</p> <p>In relation to further specific elements, such as landscaping, the Applicant has proposed a requirement setting out the need for a LEMP to be approved by the local planning authority in consultation with Natural England before commencement of the relevant phase of the authorised development.</p> <p>Regarding construction compounds, the Applicant has set out a number of controls regarding these compounds in its outline CEMP, which will inform the detailed CEMP required as a result of requirement 7. It should be noted that paragraph 7(5) states that pre-commencement establishment of construction compounds, including the preparation of land, fencing and installation of drainage must only take place in accordance with a specific plan for such works which accords with the oCEMP and which has been submitted to and approved by the local planning authority in consultation with the Environment Agency.</p> <p>In this way, the Applicant considers that the concerns raised by the NCC have been adequately addressed in the dDCO [REP2-007].</p>
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		<p>routes and vehicular movements affecting existing vegetation and landscape features; and</p> <ul style="list-style-type: none"><li>• Landscape mitigation measures, including landform, bunding, boundary treatments and structural planting, where long-term integration with the receiving landscape is critical.</li></ul>	
REP2-063/4	Q5.0.5	<p>NCC have reviewed the metric in full and are satisfied the proposals in terms of habitat creation and enhancements are appropriate and are of a suitable achievable level i.e. the condition of the habitats proposed.</p> <p>The stakeholder engagement undertaken by the ecology team for this project has resulted in the BNG metric including inputs at outcomes such as strategic significance to be correct at the time of submission (omitting the publication of the Nottinghamshire LNRS, which was after the application submission).</p> <p>NCC have no further comments in relation to BNG for this application with the only request that all data obtained as part of the survey work such as the veteran trees are reported to the relevant bodies i.e. Nottinghamshire Geological and Environmental Records Centre and the Ancient Tree Inventory (Woodland Trust).</p>	<p>Regarding submission of biological records, all bird and mammal observations (over 5,000 records) have been prepared in a format suitable to be submitted to the Local Record Centers and will be issued to these in early 2026.</p> <p>The arboricultural survey identified one offsite ancient tree during the surveys and no veteran trees. The ancient tree has been submitted to the Woodland Trust Inventory, and is awaiting verification by the Woodland Trust team.</p> <p>The “veteran trees” identified as part of the BNG assessment are considered to only qualify as ‘veteran’ under the broad <i>Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024</i> definition only, rather than the more comprehensive qualifiers applied by arboricultural professionals. Therefore, it is not intended to submit these records as veteran trees records to the Woodland Trust Inventory.</p>
REP2-063/5	Q7.0.2	<p>NCC consider that REP1-012 is suitable as a high-level coordination and interrelationship update in respect of nearby NSIP schemes. However, it does not address strategic cumulative</p>	<p>The Applicant prepared the Report on the Interrelationships with other National Infrastructure Projects [REP1-012] in line with the content requested by the Examining Authority. Should the Examining Authority</p>

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	<p>landscape effects arising from the unprecedented number, scale and geographic extent of renewable energy and associated National Grid projects in the region.</p> <p>The mass and scale of multiple NSIP-scale energy developments, when considered alongside the Steeple Renewables Project, have the potential to result in adverse cumulative effects on landscape character across a wide area, spanning multiple published landscape character areas in Nottinghamshire and Lincolnshire. Over the operational period, the landscape will be altered through extensive landuse change and the introduction of energy infrastructure into landscapes that are predominantly agricultural in character. Large-scale solar development is not currently identified as a defining characteristic within existing published landscape character assessments. The Councils consider it likely that solar and associated energy infrastructure will become a distinctive and defining landscape characteristic in future character assessments.</p> <p>NCC do note the absence of a unified county-wide landscape character baseline across Nottinghamshire and Lincolnshire. To address this, we promote an approach whereby common landscape attributes are drawn from the multiple character assessments covering the region to establish a reasoned, strategic baseline for cumulative assessment. Across east Nottinghamshire and western Lincolnshire these commonly include arable land use, large-scale field patterns, flat or gently undulating landform,</p>	<p>require further information then the Applicant would be happy to provide this. The Applicant notes however, that cumulative effects were addressed in the Environmental Statement, including cumulative landscape and visual effects. In addition, the Applicant provided a Cumulative Zone of Theoretical Visibility Plan [<b>REP2-054</b>] at the request of the Examining Authority at Deadline 2 and has also prepared a version of the LVIA Viewpoint Photography and Visualisations with annotations identifying any visible cumulative sites for submission at Deadline 3, again as requested by the Examining Authority.</p> <p>The Applicant agrees that there isn't a specific Landscape Character Assessment which covers Nottinghamshire and Lincolnshire together, however, would note that the published Natural England National Character Areas cover the whole of England, including across Nottinghamshire and Lincolnshire, and were considered within the LVIA baseline (paragraph 6.6.6). The National Character Areas serve to help with an understanding of the attributes of the baseline landscape across Nottinghamshire and Lincolnshire.</p> <p>The Applicant can confirm that its cumulative assessment does not conclude that there would be an extensive cumulative landscape character change.</p>
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		<p>open landscapes with big skies, dispersed settlements and high levels of rural tranquillity.</p> <p>On this basis, NCC consider that cumulative large-scale solar, battery and energy infrastructure development would result in extensive cumulative landscape character change, particularly affecting openness and tranquillity.</p> <p>Accordingly, while REP1-012 provides an initial interrelationship report, it could be strengthened to address strategic cumulative landscape character change across multiple character areas, and to align clearly with the cumulative landscape assessment approach within the LVIA, beyond scheme-by-scheme or distance-based screening.</p>	
REP2-063/6	Q9.2.4	<p>NCC agree, the definition allows the applicant to carry out the diversion and laying of services, NCC should consider if this is appropriate or whether that element should be removed from the definition in case it would permit works to the highway which should not be permitted to be carried out until the Requirements have been discharged. The definition of 'site preparation works' should not allow for works which are so extensive that they would be likely to have significant environmental effects themselves, and would normally need consideration and approval by the discharging authority prior to such works starting. Typical examples of matters which are not acceptable preliminary works include major earthworks, clearance of trees and ground clearing,</p>	<p>The Applicant is unclear as to whether NCC are requesting an amendment to the definition of "site preparation works".</p> <p>The Applicant would note that the approach taken broadly aligns with the definition provided in other recently granted solar DCOs including but not limited to:</p> <p>Byers Gill Solar Order 2025, Oaklands Farm Solar Park Order 2025, West Burton Solar Project Order 2025, Cottam Solar Project Order 2024.</p> <p>In particular, each of the above includes the diversion and laying of services. The other examples do not appear to be specific concerns raised by NCC, and rather are used as a general list to provide an example.</p>

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		activities affecting protected species or archaeological remains, unless appropriate controls are secured in another manner.	The Applicant would ask NCC to provide confirmation of its position in relation to this definition, and why in this context it is unacceptable given the previously stated examples.
REP2-063/7	Q9.2.12	<p>3 - Application of the permit scheme 9.—(1) The permit scheme applies with the modifications set out in this article to street works carried out under the power conferred by article 8 (street works) of this Order. (2) For the purposes of this Order— (a) a permit may not be refused or granted subject to conditions which relate to the imposition of moratoria; and (b) a permit may not be granted subject to conditions where compliance with those conditions would constitute a breach of this Order or where the undertaker would be unable to comply with those conditions pursuant to the powers conferred by this Order. (3) References to moratoria in paragraph (2) mean restrictions imposed under section 58 (restrictions on works following substantial road works) or section 58A (restrictions on works following substantial street works) of the 1991 Act. (4) Without restricting the undertaker's recourse to any alternative appeal mechanism which may be available under the permit scheme or otherwise, the undertaker may appeal any decision to refuse to grant a permit or to grant a permit subject to conditions pursuant to the permit scheme in accordance with the mechanism set out in Schedule 15 (procedure for discharge of requirements) of this Order.</p> <p>“The permit scheme” means the Nottinghamshire County Council Permit Scheme Order 2020, as applicable for the location of the</p>	The Applicant would note that this wording has been taken from the Tillbridge Solar Order. The Applicant would note that it has set out its position in relation to the permit order in its response to NCC's LIR [REP2-050], page 121.

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		relevant street works, which schemes are made under Part 3 of the Traffic Management Act 2004;	
REP2-063/8	Q9.2.14	<p>The form of wording sought in respect of Articles 9 and 10 to incorporate technical approval from the Street authority is as follows:</p> <p>Schedule 2 Part 1 Requirements – (3) Detailed Design Approval</p> <p>The list in 3 (1) could be expanded to include ...until details of –</p> <ul style="list-style-type: none"><li>(a) Layout, including Road Safety Audit (RSA Stage 1 &amp; 2), road signage, road markings, if required by the LHA</li><li>(b).....</li><li>(c).....</li><li>(d)</li><li>(e)</li><li>(f)</li><li>(g)</li><li>(h)</li><li>(i)</li><li>(j)</li><li>(k) A programme for the works, details of the construction method and traffic managements requirements.</li></ul>	<p>The Applicant does not consider the proposals here to be appropriate to sit within requirement 3. They are simultaneously too detailed but also non-descript. For example, there is reference to “highway design and specification implemented by the Local Highway Authority (LHA)” which is undefined and therefore too broad. Also there is reference is a “section 278 technical audit” which the Applicant would not consider to be an acceptable form of statutory drafting on the basis that it appears to refer to a specific local process, on the basis that section 278 Highways Act 1980 does not establish a technical audit process.</p> <p>As set out in the Applicant’s response to NCC LIR, the Applicant is happy to engage on the oCTMP to discuss what measures need to be inserted into that document to agree a process for technical design approval.</p>

	<p>(l) Details of any service/utility works that need to be renewed, diverted and accommodated</p> <p>(m) Details of the main contractor including their insurance provision</p> <p>(n) Details of the proposed remediation should the works be temporary</p> <p>(o) Details of the appropriate health &amp; safety information required under Construction, Design &amp; Management Regulations or equivalent legislation</p> <p>3 (2) The details submitted must accord with the -</p> <p>(a).....</p> <p>(b).....</p> <p>(c)</p> <p>(d) The details submitted will need to meet the highway design and specification implemented by the Local Highway Authority (LHA). This will require a Section 278 technical audit of the proposed highway works by the LHA and the LHA will need to recover the costs incurred. No works within the public highway may commence until the technical approval has been issued and the appropriate fees have been paid.</p> <p>The County Council as local highway authority is willing to discuss this wording further as part of the examination stage and agree the process of approval within the Construction Traffic</p>	
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		<p>Management Plan. Please note that the approval process can take up to 12 weeks and the audit and works supervision fees are 12% of build costs.</p>	
REP2-063/9	Q9.4.5	<p>In general terms, NCC would support the promotion of a higher BNG in line with other solar DCOs (greater than 10%).</p> <p>NCC would suggest that the the BNG figures be set out as a separate requirement? Rather than just requiring over 10% net gain. The level of BNG to be provided at the site will need monitoring and management over the proposed 40-year period. This is usually set out within a HMMP which would be secured via planning condition/the Biodiversity Net Gain condition on normal planning applications. The LEMP functions as this document for this DCO application. Could more weight be given to the requirement of the LEMP and include monitoring measures including a schedule of monitoring reports submitted to the LPA.</p> <p>The Outline Landscape and Environmental Management Plan (OLEMP) provide a framework for future detailed designs and management of the scheme, but longterm commitments (well beyond 5 years) for establishment, monitoring and replacement planting <b>must be secured</b>.</p> <p>Without this, the predicted Year 15 reductions in landscape and visual effects cannot be relied upon.</p>	<p>The Applicant has provided its position on BNG in its response to Q9.4.5. Specifically in relation to NCC's response here, the Applicant would consider there to be no requirement, or need, to set out the 10% gain in a separate requirement. The LEMP is the relevant management plan which will set out the measures of how BNG will be achieved and monitored, and therefore it is appropriate that the requirement (requirement 6) which establishes the need for the LEMP is where the BNG commitment is established.</p> <p>The Applicant does not understand the point being made regarding "more weight" being given to the requirement of the LEMP. The Applicant would note that the LEMP is a document which is relevant to the local planning authority, and therefore to the extent that the local planning authority requires amendments to the LEMP from the current position in the oLEMP, they will have the position to require this as per the approval process established by requirement 6.</p> <p>Regarding the position of "long term commitments", the Applicant has provided a response to this position at page 54 of its response to NCC's LIR [REP2-050].</p>

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REP2-063/10	Q9.4.21	Yes, NCC considers that a period of 10 working days would be appropriate.	The Applicant has provided 28 days which it considers is a standard period of consultation established by DCOs. This period can be extended to 42 days where requested by the consultee within 21 days of their receipt of materials.
REP2-063/11	Q11.0.2	NCC believe that the ribbon development adjacent to the Scheduled Monument is highly likely a part of the Roman town and there is a strong argument for extending the scheduling to include it. However, Historic England curate the list under the 1979 Act and therefore determine whether or not this will occur. NCC would suggest that some limited evaluation work within the ribbon development area to establish the date and state of preservation would be necessary to establish an evidential basis for further scheduling and determine the actual significance of the remains present.	<p>This area has been excluded from development, this secured by the dDCO requirements and will be managed through Appendix 9.3 Archaeological Mitigation Statement <b>[APP-124]</b>. Given its exclusion from development, undertaking destructive trial trenching in this area is not considered an appropriate exercise.</p> <p>The relevant requirements of the dDCO which secures the above are requirement 3 (detailed design), which secures that the details approved must accord with the works plans and design parameters. The Applicant considers that the location of the exclusion area is a design parameter on the basis that it forms part of the principles and assessments of the environmental assessment. Further requirement 17 sets out the controls for archaeology specifically.</p>
REP2-063/12	Q11.0.3	<ol style="list-style-type: none"><li>1. Yes, the less than substantial harm to the setting of North Leverton Windmill, is based on the clearly discernible immediate and wider landscape impacts and is considered to be 'less than substantial' on the basis that impacts on setting are in accordance with guidance and case law, considered to be indirect, however the impacts are considered to be at the highest end of the category.</li></ol> <p>In addition, impacts on the potential viability of North Leverton Windmill as a visitor attraction are based on the level and extent of landscape change and erosion to the</p>	The Applicant's position is as set out in its response to NCC's Local Impact Report <b>[REP2-050]</b> .

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	<p>rural attractiveness through industrialisation of landscape character. The financial viability of North Leverton Windmill is like virtually all heritage assets of this type, reliant on large amounts of dedicated volunteer time, grant funding and visitor donations. A reduction in visitor numbers to this area of the Trent Valley is predictable as a result of de-ruralisation (less farming activity) and industrialisation that would have potential direct economic impact on any heritage attraction within this area, but especially one (such as a windmill) that is closely linked to rural heritage.</p> <p>This is considered to be direct harm and has the potential to be 'substantial' as a result of reduced income to support the operation of the windmill. The viability of Burton Chateau as overnight accommodation is clearly linked to the heritage interest of the building and its setting. The wider rural landscape of the Trent Valley features in photos on the Landmark Trust's website and is part of its marketing for Burton Chateau. The contribution that these views make to the attractiveness of this designated heritage asset as overnight accommodation will be diminished. Indirect harm to the setting of the asset but potential direct harm to its viability.</p> <p>2. It is difficult to predict the long-term effects of cumulative industrialisation of the agrarian character of the Trent</p>	
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		<p>Valley on the viability of heritage assets that, in part, derive their character and value from this landscape setting. Comparative information may be suitable for extrapolation if a suitable landscape change and heritage scenario is available to study. The lower Trent Valley landscape and heritage is dissimilar to other parts of the Trent Valley and it would be difficult to envisage comparing the type of development proposed with, for instance, gravel extraction and restoration, but this might be worth investigating by the applicant. The Landmark Trust could be approached for their opinion on the impact of the proposals in the vicinity of Burto Chateau on its viability.</p>	
REP2-063/13	Q11.0.5	<ol style="list-style-type: none"><li>1. Footpath 20 and footpath 19 both afford views towards Crow Tree Farm and are impacted by proposed solar installation.</li><li>2. Both the curtilage buildings and the primary listed farmhouse. The western and southern ranges are most readily intervisible with the proposals.</li><li>3. Crow Tree Farmstead contributes to the agrarian character of Sturton, approaching the village from the west across open fields enables an appreciation of the listed buildings as an historic farmstead. This farmland is crucial to the understanding of the agrarian heritage and to the appreciation of the significance of the farm.</li></ol>	<p>The Applicant notes that this position appears to repeat that which was set out in NCC's relevant representations. Please see the Applicant's comments on Relevant Representations for their position re Crow Tree Farm and the footpaths to the west [REP1-008].</p>

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		<p>4. Area 1 highlighted Appendix 2– removal from proposals would preserve the existing views across the agrarian setting of the listed farm from FP20. Appreciation of the setting would also be preserved from FP19.</p> <p>Area 2 highlighted in Appendix 2 – removal from the proposals would preserve the appreciation of the agrarian setting of the farm from FP20.</p>	
REP2-063/14	Q11.0.6	<p>1. Yes, footpath 24 offers the best views.</p> <p>2. North Leverton Manor House (410125). Views from the upper floors of the listed building outwards are at present open fields, the western side will become dominated by views of the solar array. Users of FP24 walking westwards will no longer appreciate the Manor House in its wider agrarian setting, the solar array will take dominance in the view and erode the appreciation of the significance of the listed building.</p> <p>3. –</p> <p>a. Removing the area highlighted (1) in Appendix 3 would ensure that views northwest from the Manor listed building and north from the Windmill are preserved and views of the listed buildings in their settings from FP24 would also be better preserved.</p>	<p>The Applicant disagrees. The primary elevation of North Leverton Manor House faces southwards (away from the Order Limits), with large, modern residential properties lying to the north of the Listed building, between it and the Order Limits. The western elevation of the property is not publicly accessible, however views from the road do not identify windows in the upper floor of the western elevation. Regardless, views in this direction extend across adjacent modern residential properties and their associated gardens, and do not face towards the Order Limits. The Applicant maintains their position that the Site does not contribute to the significance of this designated heritage asset, as outlined in Appendix 1 of Appendix 9.1 Cultural Heritage Technical Baseline [APP-122].</p>

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		<p>b. The agrarian setting of both the listed buildings (Manor and Windmill) would be better preserved by retaining the field in non-industrial use and character.</p>	
REP2-063/15	Q11.0.7	<p>1. Yes, primarily the concerns are regarding views from the listed building out over the Trent Valley incorporating the proposals. It is clear that Burton Chateau was deliberately placed within the design landscape and pre-dates the later C18th Gate Burton Hall. It was located both as a folly 'eye-catcher' and also to provide views outwards of the wider landscape, including to the west over the Nottinghamshire side of the Trent Valley. The existing tree bank to the north of the building only partially obscure views out from the building and its immediate environs (the small garden area). The impact of solar arrays, glare, BESS etc should not have been scoped out of the assessment, for the reasons given previously in answer to Q11.0.3.</p> <p>3. With reference to the answer provided to Q11.0.3 we would like to see further examination and presentation of proof that the Trent Valley setting of Burton Chateau is fully appreciated and considered. Furthermore, that there is examination of potential impact on the financial viability of 'The Chateau' through consultation with the Landmark Trust, including how the cumulative impact of Trent Valley solar arrays will impact on their marketing</p>	<p>The Applicant acknowledges that NCC's primary concerns relate to views from the Burton Chateau. Details with regard to visibility have been provided in the Applicant's Response to ExA First Written Questions <b>[REP2-052]</b>, in response to 11.0.8. It is not considered that the views across the park or down the River Trent from the asset will be impacted as these do not face in the direction of the Scheme. The Applicant has provided comments with regard to potential impacts on tourism in their response to the Local Impact Report <b>[REP2-050]</b> at 5.1.8.</p>

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		<p>that states: 'The Château stands on a grassy knoll above a big bend of the River Trent on the edge of Gate Burton Park. There are fine views across the park and up a shining reach of the River Trent along which big slow barges, piling the water in front of them, press on towards an enormous power station whose cooling towers steam majestically in the distance'.</p>	
REP2-063/16	Q11.0.11	<p>See Appendix 4 The blue areas are those proposed for mitigation (avoidance) by the applicant, however no evaluation has been undertaken in these areas to determine significance, state of preservation, date or extent of the remains present.</p> <p>The green circles are areas of identified high archaeological potential from the geophysical survey (undertaken by the applicant) and from records on the Nottinghamshire Historic Environment Record (NHER). The green areas following the site boundary have not been subject to geophysical survey or the results of the geophysical survey have been compromised by ground conditions such as green waste and consequently there is no site-specific information at all on the archaeological resource in these areas.</p> <p>NCC maintain that to fully understand the archaeological resource within the site boundary, the whole site should be subject to trial trench evaluation, with varying degrees of coverage. However, the attached plan identifies those areas of known high archaeological potential that have not yet been investigated by the applicant and</p>	<p>The Applicant has provided comments with regard to how the areas proposed for mitigation have been identified in their response to the Local Impact Report <b>[REP2-050]</b> at 5.2.7.</p> <p>With regard to the geophysical survey, further survey work has been completed which covers the majority of the Order Limits excluding limited areas in the south-west which were not accessible, however this largely comprises an area proposed for landscape/ecology mitigation (updated report forthcoming). It is acknowledged within Appendix 9.2 Magnitude Surveys Geophysical Survey Report <b>[APP-123]</b> that an area within the south-west of the Order Limits which may have obscured some anomalies in this location. However, this covers a smaller area than that provided by NCC on their plan.</p> <p>The Applicant has no additional comments with regard to approach to trial trenching, the Applicant has provided detailed comments previously in their response to the Local Impact Report <b>[REP2-050]</b>. The Applicant's approach is also further clarified and given in context in the Archaeological Strategy Note <b>[REP2-053]</b></p>

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		<p>their significance and full extent has not been established in any way. NCC strongly recommend that these areas are subject to pre-determination evaluation as a minimum and would be happy to work with the applicant on an appropriate trench plan to achieve this.</p> <p>NCC continue to raise concerns that without site-wide evaluation at the assessment stage, the applicant's ability to identify archaeological remains and their significance is limited. Targeting geophysics results alone introduces confirmation bias in favour of certain periods such as the Roman, medieval and post-medieval periods and underrepresents the pre-historic and Anglo-Saxon periods.</p> <p>For those areas of the full site not evaluated at this stage, provision must be made for evaluation at a later stage, and it would also be helpful to have the applicant prepare an appropriate outline Written Scheme of Investigation at this stage for completing the work.</p>	
REP2-063/18	Q11.0.15	<p>For archaeology, the issue relates to PD in areas that have not been properly evaluated (no reliable data on archaeological potential) or areas where archaeological potential has been identified, but development did not impact at the time of construction and therefore no mitigation work has been undertaken.</p> <p>In such cases, PD will have an adverse and negative impact on either currently unknown archaeological sites, or sites of</p>	<p>The Applicant would like to make clear that given the authorised development comprises a nationally significant infrastructure project, which requires an environmental statement, the Applicant does not consider that permitted development rights would apply. The Applicant would note that if it were carrying out development that was functionally linked and dependent on the NSIP, then that development should be permitted by the DCO. Otherwise, the Applicant would consider it would risk acting contrary to section 160 which makes it a criminal act to carry out development for</p>

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		<p>significant archaeological potential that have not been subject to mitigation work as part of the initial development.</p> <p>NCC are reviewing the dDCO and will provide additional wording in due course.</p>	<p>which development consent is required at a time when no development consent is in force in respect of the development. This is not to say that the Applicant is barred from using permitted development rights over the site, if the development so permitted was not directly dependent on the authorised development, but in that context – clearly that development should be treated individually, at that time, on its own merits as it would be its own separate scheme.</p>
REP2-063/19	Q13.0.4	<p>It is understood that these viewpoints are what is allowed for in the LVIA process and methodology but it is insufficient and a 'blunt tool' that does not allow for a proper analysis and, where appropriate, the design of thoughtful and effective mitigation strategies, using screening. NCC have no specific viewpoint locations to suggest, but would suggest exploring a 'flythrough' mechanism as a better way of appreciating the dynamic component of moving (walking/riding/driving) through the landscape.</p> <p>Generally, the viewpoint and photomontage locations provide good coverage of the proposed development. These have been refined through consultation and subsequently agreed upon.</p> <p>However, there was prolonged discussion at the ISH1 regarding why <b>Viewpoint 18 – Sheet A – High House Road / Trent Valley Way</b> had been selected. It was felt that this viewpoint did not provide a 'worst case' view of the proposed development.</p> <p>Viewpoint 18 was taken from a railway underpass and views are contained by the location's low elevation and raised</p>	<p>The Applicant notes that NCC have no specific additional viewpoint locations to suggest. Whilst the comments from NCC on the limitations of viewpoints is noted, as NCC themselves set out, the use of viewpoints as part of the LVIA process is set out in the best practice guidance for LVIA (Guidelines for Landscape and Visual Impacts Assessment 3rd Edition).</p> <p>Regarding Viewpoint 18, as was discussed in the ISH1, this viewpoint was not the sole basis on which the assessment of the effects on the footpath route was based, and a full discussion of the effects on the footpath was provided in the assessment, based on site visits which included walking the full lengths of the routes in different seasons. Notwithstanding this, the Applicant was happy to prepare an additional photomontage from a section of the footpath further along the route, as requested by the Examining Authority and this has been provided at Deadline 3 as requested.</p> <p>Regarding the methodology for the production of the visualisations, paragraph 6.4.40 of the LVIA Chapter <b>[APP-064]</b> confirmed that 'the visualisations have been prepared in line with Landscape Institute guidance, 'Visual Representation of Development Proposals, Technical Guidance Note 06/19, September 2019''. In addition, with regard to the assumptions</p>

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		<p>embankments. We agree that more visually exposed locations of the High House Road / Trent Valley Way need to be used. We would suggest that Viewpoint 18 is an exception rather than the rule and should be relocated to an appendix. We agree with the ExA's requested additional viewpoint locations on Trent Valley Way as described in Q13.0.3.</p> <p><b>No clear methodology</b> for the visualisations is provided in the LVIA and more information on this could be provided (refer paragraph 5.5).</p> <p>There was prolonged discussion at the Hearing regarding why Viewpoint 18 – Sheet A – High House Road / Trent Valley Way had been selected. It was felt that this viewpoint did not provide a 'worst case' view of the proposed development.</p> <p>Viewpoint 18 was taken from a railway underpass and views are contained by the location's low elevation and raised embankments. We agree that more visually exposed locations of the High House Road / Trent Valley Way need to be used. We would suggest that Viewpoint 18 an exception rather than the rule and should be relocated to an appendix. We agree with the ExA's requested additional viewpoint locations on Trent Valley Way as described in Q13.0.3.</p>	<p>regarding growth rates which were used in the production of the visualisations, this was addressed at paragraphs 6.8.6 and 6.8.7 of the LVIA Chapter.</p> <p>It appears the same point has been repeated regarding Viewpoint 18 at the end of this section. This is therefore covered by the Applicants response previously provided above.</p>
REP2-063/20	Q13.1.5	<p>NCCs concern relates specifically to instances within the <b>LVIA</b> where <b>moderate adverse landscape effects</b> are reported and subsequently concluded to be <b>not significant</b>, without sufficient clarity on how the judgements of <b>sensitivity, magnitude of</b></p>	<p>The matter of the approach to the identification of significant effects in the LVIA was addressed by the Applicant in their response to the Examining Authority's First Written questions [REP2-052].</p>

	<p><b>change and significance thresholds</b> have been applied. As stated in the Landscape and Visual Review (paragraph 4.27), <b>we do not agree</b> that the landscape effects identified as 'Moderate' should be automatically assessed as 'Not Significant'. <b>We would generally expect most 'Moderate' effects to be assessed as 'Significant'.</b> Where effects are 'Moderate' and assessed as 'Not Significant' we would expect an explanation as to the reasoning for this.</p> <p>It is unclear how the applicant has decided upon their selection of landscape receptors due to the <b>limited information provided in the baseline</b>. Consequently, it is difficult to understand how the development proposals will change the landscape baseline. The baseline contains cursory descriptions of character areas and landscape elements with little identification of key features and limited explanation of value and susceptibility judgements.</p> <p>With regards to the landscape Receptors that have been identified; our biggest concerns relate to the <b>landscape features</b> including <b>Woodland, Individual Trees, hedgerows and ground cover</b> (table 6.7 – P88). Greater transparency and explanation are required with these judgements including descriptions of their 'sensitivity', 'magnitude of change' and how the thresholds of significance have been applied. The proposals will see the removal of mature hedgerow (and other mature planting) and its replacement with immature whip planting that will take many years to establish. Even after 15 years, assuming this mitigation planting survives, it will not have reached the same maturity as the</p>	<p>Regarding landscape receptors, the Applicant considers that these have been appropriately identified and addressed in the LVIA Chapter <b>[APP-064]</b>. Regarding effects on the landscape features referred to by NCC, each of these was addressed fully in the LVIA Chapter <b>[APP-064]</b>. However, in summary, regarding woodland, no existing woodland would be impacted by the Proposed Development, with no negative effects to woodland arising. Regarding individual trees, again, no existing individual trees would be impacted by the Proposed Development, with no negative effects to individual trees arising. Regarding hedgerows, a combined length of 1,070m of hedgerow removal is required across the Site as a whole during the construction phase. The LVIA does identify this as a major-moderate, significant effect, in paragraph 6.7.12. Regarding the remaining ground cover, which is either arable or pastoral farmland, again the LVIA does identify a major moderate, significant effect during the construction phase, as result of the disturbance during the construction works.</p> <p>By Year 1, no further hedgerow removal would take place, and instead there would be over 25km of new hedgerow across the site. This represents a net increase of over 23km of hedgerows once the sections of hedgerows to be removed during the construction period are considered. The LVIA identified at paragraph 6.7.35 that this net increase of hedgerow would represent a minor beneficial effect. By Year 15, this net increase of hedgerow was identified to result in a moderate, significant beneficial effect. It remains the Applicant's view that it is not unreasonable to consider the planting of a notable net increase of hedgerow at the Site to comprise a beneficial effect.</p>
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		<p>removed planting. Therefore, <b>we do not agree</b> that effects on these landscape features can be claimed to be '<b>beneficial</b>' at year 1 or indeed year 15. We do not think any beneficial landscape effects would result from the development of a large-scale solar farm in a rural location.</p> <p><b>Landscape receptors</b> that have been chosen favour landscape elements that will not change due to the development and <b>do not include</b> those that will experience the most change – notably the open arable fields. We consider this landscape feature <b>a missing landscape receptor</b> that should be included and assessed within the LVIA.</p> <p>NCC also judge that changes to land use, along with a perception of development and urbanising effect would particularly affect the <b>Mid Notts Farmlands landscape character area</b>, and would result in a Significant adverse effect at all phases (construction and operation). The Development will also have direct adverse effects across <b>the Site</b>, again which would have a Significant adverse effect across the Site at all phases (construction and operation).</p>	<p>Regarding Ground Cover, following the construction period, no further negative impacts would arise to the ground cover across the majority of the Site, which would be planted with species rich grassland. This change from an existing ground cover of arable or arable or pastoral farmland, to species rich grassland was identified to comprise a minor beneficial effect at Year 1, rising to a moderate, non-significant, beneficial effect at Year 15.</p> <p>It is not agreed that 'open arable fields' are missing as a landscape receptor in the LVIA. The change to the ground cover of the fields has been assessed, as set out above, and the change to the landscape character of the Site as a result of the change in the land cover from 'open arable fields' [or pastoral farmland] is addressed in the landscape character assessment, where at paragraph 6.7.48, it is confirmed that there would be a localised moderate to major, significant effect at Year 1, reducing to a moderate, significant effect at Year 15.</p> <p>The matter of effects on the Mid Notts Farmlands landscape character area was also addressed in the LVIA at paragraph 6.7.44, where a moderate, non-significant, effect was identified for Year 1, reducing to minor moderate by Year 15. Within the discussion of the potential effects it was noted that the impacts of the Proposed Development would only occur across a relatively limited proportion of the 'Mid Notts Farmlands' LCA, with the vast majority of the LCA having no visibility of the Proposed Development.</p>
REP2-063/21	Q13.1.5	<p>Our concern relates specifically to instances within the <b>LVIA</b> where <b>moderate adverse landscape effects</b> are reported and subsequently concluded to be <b>not significant</b>, without sufficient clarity on how the judgements of <b>sensitivity, magnitude of</b></p>	<p>Moderate effects were not automatically assessed as not significant in the LVIA. This was noted in LVIA paragraph 6.3.46 which confirmed that 'Those effects described as major, major/moderate and in some cases moderate may be regarded as significant effects'.</p>

	<p><b>change and significance thresholds</b> have been applied. As stated in the Landscape and Visual Review (paragraph 4.27), <b>we do not agree</b> that the landscape effects identified as 'Moderate' should be automatically assessed as 'Not Significant'. <b>We would generally expect most 'Moderate' effects to be assessed as 'Significant'.</b> Where effects are 'Moderate' and assessed as 'Not Significant' we would expect an explanation as to the reasoning for this.</p> <p>It is unclear how the applicant has decided upon their selection of landscape receptors due to the <b>limited information provided in the baseline</b>. Consequently, it is difficult to understand how the development proposals will change the landscape baseline. The baseline contains cursory descriptions of character areas and landscape elements with little identification of key features and limited explanation of value and susceptibility judgements.</p> <p>With regards to the landscape Receptors that have been identified; our biggest concerns relate to the <b>landscape features</b> including <b>Woodland, Individual Trees, hedgerows and ground cover</b> (table 6.7 – P88). Greater transparency and explanation are required with these judgements including descriptions of their 'sensitivity', 'magnitude of change' and how the thresholds of significance have been applied. The proposals will see the removal of mature hedgerow (and other mature planting) and its replacement with immature whip planting that will take many years to establish. Even after 15 years, assuming this mitigation planting survives, it will not have reached the same maturity as the</p>	<p>There is significant duplication in this response from the NCC with the comment above also numbered as a response to Q13.1.5. Please see applicant's response in box above.</p>
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		<p>removed planting. Therefore, <b>we do not agree</b> that effects on these landscape features can be claimed to be '<b>beneficial</b>' at year 1 or indeed year 15. We do not think any beneficial landscape effects would result from the development of a large-scale solar farm in a rural location.</p> <p><b>Landscape receptors</b> that have been chosen favour landscape elements that will not change due to the development and <b>do not include</b> those that will experience the most change – notably the <b>open arable fields</b>. We consider this landscape feature <b>a missing landscape receptor</b> that should be included and assessed within the LVIA.</p> <p>We also judge that changes to land use, along with a perception of development and urbanising effect would particularly affect the <b>Mid Notts Farmlands landscape character area</b> and would result in a Significant adverse effect at all phases (construction and operation). The Development will also have direct adverse effects across <b>the Site</b>, again which would have a Significant adverse effect across the Site at all phases (construction and operation).</p>	
REP2-063/22	Q13.2.3	<p>As stated in the Landscape and Visual Review (paragraph 4.29 between 5.9 and 5.10), <b>we do not agree</b> that the landscape effects identified as 'Moderate' should be automatically assessed as 'Not Significant'. <b>We would expect most 'Moderate' effects to be assessed as 'Significant'</b>.</p> <p>Many of the assessments of the visual receptors are <b>overly reliant upon mitigation</b> to reduce residual effects with limited</p>	<p>The matter of the methodology and approach to the identification of significant effects in the LVIA was addressed by the Applicant in their response to the Examining Authority's First Written questions <b>[REP2-052]</b>.</p>

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		<p>consideration of the effect screen planting will have on open landscapes and existing views. It is too often assumed that screening views will reduce the magnitude of change when in many instances the view experienced by receptors will be completely altered from that of the existing baseline view.</p> <p>With regards to the visual Receptors that have been identified; our biggest concerns relate to the visual <b>receptors represented by viewpoints 2A, 2B, 2C, 6B, 12, 13A, 14A, 17A, 17B, 17C and 17D</b>. Greater transparency is required on how judgements relating to 'sensitivity' and 'magnitude of change' and thresholds of 'significance' have been applied.</p>	
REP2-063/23	Q13.3.3	<p>NCC judge that the sequential effects would be felt throughout the area, with <b>PROW users</b>, that are more susceptible to changes in their view, moving slowly and often engaging with the landscape attentively; travel along these PROW would involve repeated contact with solar infrastructure, and would lead to a sequential visual effect.</p> <p>The LVIA has identified <b>several PROWs with High sensitivity experiencing Major or Moderate effects</b> of significance. These routes include <b>Footpath 17 Sturton le Steeple, Footpath 1 West Burton, Cross Common Lane, Trent Valley Way and Digs Hole Lane</b>. The visual receptors on these routes are represented by <b>VP3,6,7,8,10,13,17,20,21</b>. Additionally, key roads through the development include <b>Low Holland Lane, Gainsborough Road</b>,</p>	<p>The Applicant notes the comments by NCC regarding potential sequential effects, but notes that NCC do not refer to which particular cumulative projects they consider would give rise to these sequential effects. At the request of the Examining Authority the Applicant has provided an annotated version of the Viewpoint Photography and Photomontages, highlighting where any potential visibility of other cumulative sites would be available. The document serves to demonstrate that in most instances the only cumulative sites which would be visible to any particular degree would be the other developments either operational or proposed at the former West Burton Power Station site, where existing development already comprises a notable part of the baseline landscape, not just the former power station itself, which is due for demolition in the near future.</p>

		<p><b>Thornhill Lane, Three legs Lane and Leverton Road.</b> The visual receptors on these routes are represented by <b>VP2,3,5,10,12,14</b>. NCC anticipate that more detailed assessment along these routes is required to understand cumulative effects.</p>	
REP2-063/24	Q13.4.6	<p><b>NCC would anticipate that some residents will experience adverse visual effects</b> from several properties. However, no properties were judged to experience Significant visual effects.</p> <p>NCC wish to query that all <b>the following were assessed as having Moderate effects</b>, yet <b>none have been identified as having</b> subsequent <b>Significant effects</b>:</p> <ul style="list-style-type: none"> <li>• 1. St Ives, Gainsborough Road, Sturton Le Steeple,</li> <li>• 11. Keepers Cottage, Leverton Road,</li> <li>• 12. The Old Vicarage, Sturton Road,</li> <li>• 17. Properties on Mill Close, North Leverton,</li> <li>• 18. Properties off Main Street and Manor Grove North Leverton,</li> <li>• 20. Orchard Lodge, Sturton Road, South Wheatley,</li> <li>• 24. 7no. properties on Wheatley Road,</li> <li>• 27. Properties on Station Road, Sturton Le Steeple,</li> <li>• 30. Properties on Cross Street, Crown Court, and Caddow View, Sturton Le Steeple,</li> <li>• 33. The Croft, Freeman's Lane, Sturton Le Steeple,</li> <li>• 36. Properties on Leverton Road, Sturton Le Steeple,</li> </ul>	<p>It is not agreed that the properties listed by NCC would have close range views of the Proposed Development. All residential properties are located at least 100m from the built elements of the Proposed Development, with several of the properties listed by NCC lying over 300m, or even 400m distant.</p> <p>The matter of the methodology and approach to the identification of effects on residential properties was addressed by the Applicant in their response to the Examining Authority's First Written questions [<b>REP2-052</b>].</p>

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		<ul style="list-style-type: none"><li>37 Low Holland House, Low Holland Lane, Sturton Le Steeple</li></ul> <p><b>These properties have close-range views</b> of the proposed development, and more explanation is required to explain how the receptors in these properties will not experience adverse visual effects. The scheme has the potential to completely change the baseline views, with panels and subsequently established planting (at year 15) foreshortening views and blocking open and expansive views across this landscape.</p>	
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**Table 2-3: Environment Agency**

ID	Theme	Verbatim Comment	Applicant Response
REP2-064/1	Q9.2.19	We do not agree with para (9). Consent to discharge to a watercourse is controlled by the Environmental Permitting (England and Wales) Regulations 2016 and this regime is not limited to a 28-day decision-making period. We routinely recommend applicants consider the likely need for discharge permits as early as possible, to avoid delays to the development.	Article 15 does not operate to replace the consenting procedure operated by the Environmental Permitting (England and Wales) Regulation 2016. Article 15(7) sets this out specifically, stating that the article does not override the controls set out by regulation 12 of the aforementioned regulations. The purpose of this article is concerned with interactions of landownership in the context of riparian law. The consents discussed within the article, as per 15(3) are consents obtained from the owner of the water course, sewer, or drain. In this way, the Applicant does not consider that the example raised by the EA of regulation 12 regime to be a relevant example. It should be noted that the 28 day period has been used in many DCOs, and in particular, to reference recent examples, has been used in: Byers Gill Solar Order 2025, Five

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			Estuaries Offshore Wind Farm Order 2025, Mona Offshore Wind Farm Order 2025, M5 Junction 10 Development Consent Order 2025.
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**Table 2-4: Fields for Farming**

ID	Theme	Verbatim Comment	Applicant Response
REP2-068/1	Q7.0.2	<p>STEP Fusion have formally announced that the Development Consent Order (DCO) process will begin in January 2026. The DCO will cover the prototype power plant and associated infrastructure developments across road, rail and river networks. Non-statutory (informal) consultation will start in the local community in January and run for 8 weeks. The process involves a series of exhibitions across the area, they plan to visit including Sturton-le-Steeple, North and South Wheatley, Bawtry, Lea, South Leverton, Misterton, Sturton by Stow, Gringley on the Hill, Clarborough and Retford areas. Source: <a href="http://www.stepfusion.com">www.stepfusion.com</a></p> <p>FFF note that the ExA have requested that document EN010163-000316-8.7 Report on the Interrelationships with other NSIP Projects.pdf be produced and updated on a regular basis. FFF are of the view that the Cumulative Impact assessment on the village of Sturton le Steeple and the wider community also be updated to reflect the actual cumulative impact that these projects will have, and that the baseline used is that prior to certain major projects</p>	<p>The Applicant is aware that a first phase of Non-statutory (informal) consultation has begun in relation to the STEP project. It is therefore considered that the project now represents a Tier 3 project in line with the NSIP: Advice on Cumulative Effects Assessment (2025). On that basis an update to the Report on the Interrelationships with other NSIP Projects has been prepared which notes that the STEP project has reached this phase. Given the early nature of this consultation, which is noted to be the first of three phases, and as the project has not yet reached the point of submission of an EIA Scoping Request, it is not considered that detailed cumulative impact assessment work should be undertaken. The parameters on which any such cumulative assessment work should be based are not yet clear, with the proposals for the STEP project being at such an early stage.</p>

		being implemented i.e. prior to quarry construction and power station demolition.	
REP2-068/2	Q18.1	<p><b>Other planning topics</b></p> <p><u>Air Quality</u></p> <p>Time did not allow for discussion of other planning topics and it should be brought to the examiners attention that during the harvest season there are large dust clouds blown by strong winds once the cereals have been harvested. The Trent Valley has its own microclimate that causes strong winds to blow from the south.</p> <p>I know because my property is on the southern edge of the village and I have been obliged to grow a large, thick hedge to protect my garden. Fences in neighbouring properties regularly blow down in these winds.</p> <p>During the construction phase of this project, the area in which the panels and associated equipment are to be located will be pounded from the sheer volume of wheels and tracks of the construction vehicles. In dry weather, it will be crushed into a fine powder and blown across the valley by the prevailing winds.</p> <p>The soils in the valley have been fertilised for many years by Bio solids or sewage sludge fertiliser. These pollutants will be carried in the dust during the construction phase to the surrounding villages and hamlets.</p>	<p>The matter of potential effects from dust during the construction period is fully addressed in the Air Quality Chapter of the Environmental Statement <b>[APP-072A]</b>. In particular, an assessment of construction dust risk was undertaken within Appendix 14.1(C) - Air Quality Appendices <b>[APP-130]</b>.</p> <p>Mitigation measures are to be implemented and included as part of the Outline Construction Environmental Management Plan (OCEMP) <b>[APP-089]</b> to minimise dust emission during the construction phase and control impacts to a negligible level.</p>

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		What actions will be taken by the applicant to prevent such occurrences?	
REP2-068/3	Q17	<p>The applicant has stated that they will establish an equipment storage site off Wheatley Road north of the railway line. How do they plan to distribute the hundreds and thousands of solar panels and steel bracing without driving through the centre of the village? They can only be distributed by using lanes like North Street, Littleborough Road, Fenton Lane and Northfield Road.</p> <p>These are medieval narrow single carriage lanes at best, mostly without footpaths and will be destroyed by the volume of heavy traffic they will be expected to carry. Northfield road has deep ditches on its north facing side and its verges will be completely obliterated by HGVs in wet weather. I suggest a one-way system for HGVs using these routes as they are not wide enough and cannot take two HGVs trying to pass each other in wet weather.</p> <p>Our constant worry is the depositing of wet soil and mud from RES vehicles driving off the work sites without clearing the mud from their wheels. The water table is less than one metre in this area and the soil is very shallow, less than 12 inches in most places. After heavy rain, the water does not run off and any wheeled vehicles or areas where there is a lot of foot traffic will soon become oozing with mud.</p>	<p>ES Appendix 13.2 outline Construction Traffic Management Plan (oCTMP) <b>[APP-129]</b> has been submitted in support of the Proposed Development. It includes measures to manage construction vehicle access and routing to the order limits. This includes an agreed routing for construction traffic avoiding Sturton-le-Steeple village. The oCTMP is secured by Requirement 8 of the dDCO <b>[APP-041]</b>.</p> <p>The Applicant considers that the main route by which any condition survey and reports are secured along with process for remediation, is through requirement 8 (construction traffic management plan (CTMP) which secures that a construction traffic management plan is submitted to and approved by the local planning authority in consultation with the highway authority prior to the commencement of the relevant phase of the development. Requirement 8 states at 8(2)(c) that the CTMP must include details of how defects identified are to be remediated.</p> <p>ES Chapter 13: Transport and Access <b>[APP-071]</b> has assessed the impact of vehicle movements generated by the Proposed Development in terms of severance; driver delay; pedestrian delay; pedestrian and cyclist amenity; fear and intimidation; accidents and safety; abnormal and hazardous loads. There are not expected to be any significant residual effects to Transport and Access receptors.</p> <p>As indicated in ES Appendix 13.2 outline Construction Traffic Management Plan (oCTMP) <b>[APP-129]</b> paragraph 6.13, a rolling record of daily vehicle movements to/from the site will be maintained. This data will allow site</p>

	<p>I predict a public outcry when these lanes, essential for local people to access their homes and travel to work, become impassable or gridlocked in wet weather.</p> <p>The absence of transport questions in the ExA's set of written questions make me wonder if any of our written submissions were ever read. HGV damage to public drains have caused flooding in the River Idle near the Tiln Lane development in Retford.</p> <p>We have read the horror stories of gridlock and traffic congestion on earlier solar array schemes in the UK and we expect that this proposed scheme will be just as bad if not worse. Our local roads are in a pitiful condition and getting worse as the winter takes its toll. The extra load upon our road surfaces will increased exponentially and we will not see any improvement in the foreseeable future.</p> <p>The local and county authorities are not regarded with any degree of confidence and road traffic policing is non-existent. We live in the far north of the county and most employees of county hall have never heard of our local villages. Our local MPs fail to answer our questions regarding this development and the ExA failure to allow time for objectors to raise matters such as transport, noise pollution, dust or BESS fires does not inspire confidence that any of our objections carry any weight whatsoever.</p>	<p>managers to track deliveries, monitor congestion risks, and ensure compliance with NCC's construction traffic restrictions.</p> <p>As indicated in ES Appendix 13.2 outline Construction Traffic Management Plan (<b>oCTMP</b>) [<b>APP-129</b>] paragraph 6.22 Wheel washing facilities will be provided to reduce the spread of mud and dirt onto the local highway network. All construction vehicles will therefore have to exit through the wheel wash areas.</p> <p>Requirement 8 of the dDCO [<b>REP2-007</b>] secures a Construction Traffic Management Plan (CTMP) building on details provided in the oCTMP.</p> <p>With regards drainage, an updated Surface Water Drainage Strategy [<b>REP2-033</b>] was submitted into the Examination at Deadline 2. It sets out at Paragraph 5.1.6 and 5.1.7 on pages 23 and 24 agreed drainage disposal methods with the Lead Local Flood Authority (LLFA) and Internal Drainage Board (IDB) as follows:</p> <p><i>"It has been agreed with the LLFA and the IDB that formalised drainage is only required for the BESS and Onsite Substation, as these areas have substantial hardstanding. For all other parts of the development which are considered to have a minimal impact on runoff, such as the solar panels, access tracks and inverters, localised drainage features should be provided to infiltrate into the ground as per the existing scenario."</i></p> <p>and</p> <p><i>"It has been agreed that the BESS and the Onsite Substation proposed drainage will positively drain to the local watercourse to avoid local groundwater contamination. The BESS presents a potential fire risk, which</i></p>
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			<p><i>could lead to the spread of contaminants from the chemicals in the battery units.”</i></p> <p>Requirement 16 (Surface and Foul Water Drainage) of the dDCO <b>[REP2-007]</b> secures additional drainage details prior to the commencement of each phase that have to be submitted to and approved by the local planning authority. The details submitted must be in accordance with and include the plans and strategies referred to in the flood risk assessment and the surface water drainage strategy. The surface and foul water drainage system must then be implemented in accordance with the approved details and maintained throughout the operation of the relevant part of the authorised development to which the plan relates.</p>
REP2-068/4	Q14	<p><b>Noise and vibration</b></p> <p>Sturton le Steeple is located in a quiet rural area with relatively low ambient noise levels. At 9am this morning the noise level measured 52 dBA in my garden with only audible sound being that of the crows and pheasants in the field alongside my property.</p> <p>Until recently, apart from traffic noise, the relative quiet of the area has been disturbed only by the demolition of West Burton A coal fired Power Station. The opening of Sturton Quarry has led to an increase in noise levels but this has been dependant on the direction of the wind.</p> <p>The only comparison we can make locally is from complaints from the residents living near the Tiln Solar facility in Retford who have</p>	<p>The Applicants position is that some noise and vibration could be generated during the construction, operation, and decommissioning of the Proposed Development.</p> <p>ES Chapter 11: Noise and Vibration <b>[APP-069]</b> addresses all relevant potential noise and vibratory effects from the introduction of the Proposed Development, including the BESS facilities, concluding that noise and vibration generated during the construction, operation and decommissioning of the site would not be significant.</p> <p>Further safeguards are proposed during construction through ES Appendix 4.1 Outline Construction Environmental Management Plan (oCEMP) <b>[APP-089]</b>, during operation through ES Appendix 4.4 Outline Operation Environmental Management Plan (oOEMP) <b>[APP-092]</b> and during decommissioning through ES Appendix 4.2 Outline Decommissioning Plan (oDP) <b>[APP-090]</b>. Requirements 7 (CEMP), 9 (OEMP) and 21</p>

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	<p>complained of constant loud humming noise from inverters and the loss of WI-FI and Mobile Phone Signals.</p> <p>The Sturton Renewables project, should it be approved, will completely destroy the peace and quiet of this area for decades to come. The 2 years development and construction phase alone will last 12 hours per day for 6, possibly 7 days a week.</p> <p>A perceived advantage of solar facilities is that they are silent and only operate during the day. However, facilities with battery energy storage systems (BESS) do result in transformer and inverter operation during the night. There is a real need for acoustic evaluation and noise control with respect to nighttime operations of solar energy components but equipment manufacturers are extremely reluctant to release data on the acoustic output of the equipment they supply. However, while quiet transformers and inverters are available, due to their extra cost, they are generally not a price developers of the solar facility are prepared to pay. Solar energy facilities can be designed to be inaudible, but this is generally achieved only after site evaluation and planning.</p> <p>The issue of noise matters when solar arrays are built near homes or schools, especially in rural areas where ambient noise levels are lower; they emit nuisance noise whenever there is enough solar power to generate electricity. This noise will impact on the health and well-being of many residents and is perceived by different individuals in numerous ways depending upon age and health. The</p>	<p>(Decommissioning and Restoration) of the dDCO <b>[REP2-007]</b> secure these safeguards.</p> <p>The Applicant cannot comment on potential operational issues related to other planned, consented or operational solar developments which are not relevant to the Proposed Development.</p> <p>The Applicant is committed to ensuring operational noise at the identified sensitive receptors will be no higher than the low-level criteria set out in Section 11.3 of ES Chapter 11: Noise <b>[APP-069]</b>. There is no evidence to suggest that such low levels of operational sound generated by developments would result in health effects on the wider human population or in terms of ecology. Furthermore, existing ambient noise levels in the area resulting from natural and traffic movements along the wider road network are already higher than that expected to result from the introduction Proposed Development.</p>
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	<p>noise will certainly impact on any nearby residents' amenity, and the recreational amenity of all those using footpaths and other Public Rights of Way on or nearby a solar array site. This pollution will significantly impact our wildlife by disrupting communication, navigation, and foraging behaviours, leading to increased stress, altered habitat use, and reduced reproductive success. Animals rely on sound for crucial life functions, and human-generated noise interferes with these processes, ultimately affecting their survival and the overall health of ecosystems.</p> <p>from inverters' and the 'significant and detrimental change in the character and appearance of the area' which would result from the solar installation. Concluding, he said: 'I consider that 40 years is a very significant period in people's lives during which the development would seriously detract from landscape character and visual amenity'. (Appeal Ref: APP/M1005/W/22/3299953, Land north west of Hall Farm, Church Street, Alfreton DE55 7AH)</p> <p><b>Solar panel Inverter noise and why do solar inverters make noise at night?</b></p> <p><b>Thermal Expansion and Contraction</b></p> <p><b>Normal Creaking:</b> <i>Thermal expansion and contraction of the aluminum racks and other components can cause creaking sounds. This is often more pronounced at night as the materials cool down.</i></p>	
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	<p><b>Panel Movement:</b> Sometimes, the panels themselves can make noise if they are not fully secured or if there is friction between the panels and the rails.</p> <p><b>Inverter Operations</b></p> <p>Fan Noise: Many inverters use fans to cool down, and these can sometimes be audible, especially if the inverter is working hard or if the ambient temperature is high.</p> <p>Relay Clicking: Some inverters make clicking sounds when they switch between different modes which can occur at night if the system is still active.</p> <p><b>Electrical Noise</b></p> <p>Transformer Buzz: Inverters often have transformers that can produce a buzzing sound, especially under heavy load.</p> <p>PLC Signals: Some systems, like those using Enphase microinverters, use Power Line Communication (PLC) to transmit data, which can sometimes cause noise.</p> <p><b>Nighttime Power Consumption</b></p> <p>Standby Modes: Inverters can consume a small amount of power at night, and this can sometimes generate noise.</p> <p><b>Other Potential Issues</b></p> <p>Faulty Components: Sometimes, unusual noises can indicate a failing component, such as a dying fan.</p>	
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		<p>Loose Connections: Loose connections can cause arcing and buzzing, which can be dangerous and should be checked.</p> <p><b>What causes solar inverter noise?</b></p> <hr/> <p>TEXT APPEAR TO BE MISSING FROM SUBMISSION</p> <hr/> <p><b>Electrical Noise and Harmonics</b></p> <p>Dirty Power: <i>Inverters can produce "dirty" power, which can cause noise in other devices.</i></p> <p>Harmonics: <i>These are electrical disturbances that can affect other devices.</i></p> <p><b>Load Issues</b></p> <p>Motor Loads: <i>Devices with motors, like washing machines, can sometimes cause noise.</i></p> <p><b>Grounding and Connections</b></p> <p>Poor Grounding: <i>Check inverter are properly grounded.</i></p> <p>Loose Connections: <i>Ensure all electrical connections are tight.</i></p> <p><b>Software and Configuration</b></p> <p>Firmware Updates: <i>Updating the inverter's firmware can resolve noise issues.</i></p>	
REP2-068/5	Q18	What steps do RES propose to reduce the risk of fire in BESS installations?	A revised Outline Fire Risk Management Plan (oFRMP) <b>[REP2-029]</b> was submitted into the Examination at Deadline 2. Section 3 on pages 5-7 and Appendix A of the oFRMP set out design and mitigation measures to prevent

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	<p>“Despite storing electrochemical energy of many hundreds of tons of TNT equivalent, and several times the energy released in the August 2020 Beirut explosion, these BESS are regarded as “articles” by the Health and Safety Executive (HSE), in defiance of the Control of Major Accident Hazards Regulations (COMAH) 2015, intended to safeguard public health, property and the environment. The HSE currently makes no representations on BESS to Planning Examinations.”</p> <p><b>Synopsis</b></p> <p>The area around the West Burton Power Generating site is to become a major hub for solar power generation taking power from sites in the Trent Valley and from across the River Trent from sites in Lincolnshire. At present power generation is limited to West Burton B, a gas fired CCGT plant with BESS storage with a proposed new unit currently in the planning stage.</p> <p>The original West Burton A site has been selected as a hub for clean energy, and to support future fusion power, a major step in the UK's low-carbon energy strategy. This month, STEP Fusion is beginning a public consultation exercise to engage with local communities about the aim of building a prototype fusion power plant by 2040 with a £2.5 billion government investment in the facility.</p> <p>A further proposal has been recently announced for an £11 billion nuclear-powered Data centre just 4 miles as the crow flies from</p>	<p>fire and for safety. Key principles of the NFCC Grid Scale Battery Energy Storage System planning Guidance for FRS NFCC Guidance are addressed through mitigation identified in the oFRMP.</p> <p>In summary:</p> <p>Equipment Spacing - The site has been developed to include adequate spacing between each pair of BSEs to mitigate against the risk of fire spread in the event of a fire within one BSE. A minimum distance of 3m between pairs of BSEs and any other infrastructure.</p> <p>Protection System - Each BSE will have a dedicated fire protection system, comprising flammable gas detection and venting, fire detection and alarm, and an automatic fire suppression system. Additionally, key battery health and environment parameters will be continuously monitored with alarms sent to a control centre.</p> <p>Access to battery storage enclosure - All BSEs will be accessed via external doors only.</p> <p>Location of BESS - There are no premises nearby site, with the closest dwelling more than 350m from the BESS facility. 25 metres or more separation distance between the BESS facility and site boundary and no trees/bushes within 10 metres of the BESS.</p> <p>Access for Emergency Services - Should the fire services need to attend the site, the fenced BESS compound has a wide access route through east corridor and through centre, allowing the fire service to access the site during an incident. In addition, two site access points are proposed to ensure that fire services have an alternative option for approaching site if the</p>
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	<p>West Burton. This will be powered by a Small Modular React (SMR), a type of advanced nuclear fission reactor.</p> <p>This development along with the 400 Mv substation planned for the former High Marnham site</p> <hr/> <p><b>TEXT APPEAR TO BE MISSING FROM SUBMISSION</b></p> <hr/> <p>National Grid will result in what the East Midlands Combine County Authority hopes will become a Supercluster of energy projects on the three former coal powered electricity generating sites.</p> <p><b>RES BESS installations at West Burton</b></p> <p>One of the features of solar power generated electricity is that if it cannot go directly to the grid, it has to be stored in a <i>lithium-ion</i> battery until needed. These batteries are stored in large 40 ft containers, called a BESS installation, contain almost 3,700 lithiumion cells and the area around the forthcoming STEP facility on the West Burton site will be surrounded by dozens of these BESS units.</p> <p>While Grid-scale lithium-ion battery energy storage systems can play a part in supporting short term grid flexibility they come with serious and increasingly visible risks</p> <hr/> <p><b>TEXT APPEAR TO BE MISSING FROM SUBMISSION</b></p> <hr/> <p>into thermal runaway, an uncontrollable, violent chain reaction phenomenon typically triggers fires and even explosions.</p>	<p>combination of wind direction and smoke makes one direction particularly difficult.</p> <p>Water Supply - Water supply provisions will be determined during detailed design in consultation with the fire service, allowance has been made in the preliminary design for a water supply of 1,900 litres per minute for at least two hours in line with current NFCC guidance. An existing fire hydrant is located approx. 1 kilometre from site, which the fire service could connect to in the event of a fire. Alternatively, a piped hydrant could be constructed within / adjacent to site. Should the detailed assessment determine that connecting to existing water infrastructure is not viable, provision has been made within preliminary BESS layout for potential water tank locations.</p> <p>The applicant is liaising with Nottinghamshire Fire and Rescue Service as part of the DCO process. A Statement of Common Ground (SoCG) between the Applicant and Nottinghamshire Fire and Rescue Service has been drafted and is currently under discussion.</p> <p>Requirement 10 of the dDCO [<b>REP2-007</b>] secures a Fire Risk Management Plan (FRMP) building on details provided in the oFRMP. These details must be agreed with the Local Planning Authority in consultation with Nottinghamshire Fire and Rescue Service before development of the BESS commences. The development shall then proceed in accordance with the approved FRMP details.</p>
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	<p>These fires cannot be extinguished, and firefighters have to leave the fire to burn out, a process that can take several days. Highly toxic and flammable gases are released that force firefighters to stay upwind of the conflagration and the millions of litres of water used to dampen the area can result in contaminated firewater runoff. Extinguished fires can reignite days or even weeks later.</p> <p>Subsequent preliminary environmental sampling carried out after a large BESS fire in the USA indicated dramatically increased levels of the heavy metals nickel, manganese and cobalt over a 2-mile radius, hundreds to thousands of times above the pre-fire baseline, including detection of nano-sized particles. The area downwind of a fire became contaminated by the fall out from the fire and this included the soil, roads, ponds, streams and other waterways.</p> <p>During and after these fires, the population from an area of up to 2 miles radius had to be evacuated. The massive market rush for solar power is not yet under pinned by a proper, <i>legally-enforced government safety framework</i> despite the well-known hazards and risks.</p> <p>Why were BESS fires not included under Section 10 — Other planning topics?</p> <p>Was it that the applicant didn't feel it prudent to mention this dangerous and almost unregulated aspect of solar power generation? A major BESS fire or pollution incident at West Burton could have serious implications that may the involve evacuation</p>	
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	<p>and possible the temporary closing of the proposed STEP site and CCGT power plants. It would certainly cause a major interruption of local electricity supplies.</p> <p>This may seem far-fetched but the experts agree that the question of a large scale lithium-ion battery fire occurring is <i>not</i> a question of how, but when.</p> <p>*“A letter to the HSE regarding applicability of COMAH to large-scale BESS (dated 25 Nov 20 [18]) received no reply until follow-up letters were sent addressed personally to the Chief Executive on 7 February 2021, with the intervention of Mrs Lucy Frazer MP. We reply from the Chief Executive [19] dated 22 February 2021 stated that “Lithium-ion batteries are considered articles and are not in the scope of COMAH”.</p> <p>We believe the current attitude of the HSE – that even large-scale Lithium-ion BESS are ‘articles’ best regulated by operators – is not consistent with the law. Unless tested in the Courts however, this throws the entire responsibility for ensuring the safety of major BESS “battery fires” onto the Fire and Rescue Services.</p> <p>Currently the HSE makes no representation to the Planning Inspectorate in respect of BESS hazards.”</p> <p>Safety of Grid Scale Lithium-ion Battery Energy Storage Systems</p> <p>[REDACTED]   MA PhD CPhys CEng FIInstP</p> <p>Fellow of the Institute of Physics [REDACTED] MA DPhil</p>	
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	<p>Professor of Physics, Fellow of Keble College, Oxford University</p> <p>Professor ██████████ CBE FInstP Professor of Physics, former Vice-Chancellor, University of Kent</p> <p>Sources of wind and solar electrical power need large energy storage, most often provided by Lithium-Ion batteries of unprecedented capacity.</p> <p>Incidents of serious fire and explosion suggest that the danger of these to the public, and emergency services, should be properly examined.</p> <p><b>Final Comment:</b></p> <p>The fundamental failure mode of Li-ion batteries presenting major hazard is thermal runaway. This paper is far from the first to identify the risk which is now well-known.</p> <p>However the BESS industry as a whole has still not agreed or implemented adequate Engineering standards to address basic Prevention measures to pre-empt thermal runaway accidents.</p> <p>Until it does, mitigation of major accidents by the Fire Services will remain the sole recourse for public protection and safety.</p> <p>I am waiting for a FOI request from both Lincs and Notts Fire Safety Department. I will forward their replies when I receive them.</p> <p>I am appalled that fire services are not seen as statutory interested parties for these projects.</p>	
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		Further submissions have or will be made by members of Fields for Farming Community Group.	
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**Table 2-5: National Grid Electricity Transmission Plc**

ID	Theme	Verbatim Comment	Applicant Response
REP2-069/1	P1	This document sets out NGET's answers to the Examining Authority's First Written Questions. It should be read in conjunction with NGET's Relevant Representation and submissions at Issue Specific Hearing 1.	The Applicant will address section 127 PA 2008 in detail in its report on the issue at Deadline 6 or earlier if an agreed position on common ground is reached with NGET beforehand. In the meantime, negotiations between the Applicant and NGET on content for a Statement of Common Ground, including protective provisions are continuing although sufficient disagreement remains on alignment of NGET's proposed North Humber to High Marnham OHL that the parties have agreed to make consecutive submissions on the issue at D2 and D3 with the intent that there is then consideration of that material in ISH3. Notwithstanding that material being put into examination the parties are and will be continuing to seek common ground in relation to existing and future NGET assets and report on the progress made in doing so at subsequent deadlines.
REP2-069/2	P2	NGET owns, operates and maintains the high-voltage electricity transmission network in England and Wales ("NETS"). The transmission system transports large amounts of energy across the country, connecting energy generators such as wind farms, nuclear or combined cycle gas turbine facilities with distribution systems which take energy on to the homes and businesses across England and Wales.	
REP2-069/3	P3	NGET operates under a transmission licence issued by the Office of Gas and Electricity Markets ("Ofgem"). NGET is subject to regulation by Ofgem and its duties under the Electricity Act 1989.	
REP2-069/4	P4	National Energy System Operator Ltd ("NESO") is the company that has been designated by the Secretary of State as the Independent System Operator and Planner pursuant to section 162 of the Energy Act 2023. It is wholly owned by the Secretary of	

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		<p>State. NESO manages the connection application and offer process in the UK between parties wishing to connect to the NETS (such as the Applicant) and the relevant Transmission Owner (such as NGET). These obligations are imposed on NESO by way of its transmission licence, Ofgem, the Electricity Act 1989 and several electricity transmission codes.</p>	
REP2-069/5	P5	<p>NGET is a statutory undertaker within the meaning of section 127(8) of the Planning Act 2008.</p>	
REP2-069/6	P6	<p>In these circumstances, section 127(2) and (5) provide that any order granting development consent for the Project may only include provision authorising the compulsory acquisition of NGET's land or rights therein if this can be done without serious detriment to the carrying on of NGET's undertaking (whether by the provision of replacement land or otherwise) or if any detriment in consequence of the acquisition of a right can be made good.</p> <p>NGET notes that the Applicant has not explained why it considers that the test in section 127 PA 2008 can be met.</p>	
REP2-069/7	P7	<p>The Applicant's proposals to compulsorily acquire, acquire rights, impose restrictions over and/or to take temporary possession of any of NGET's land, and in particular Plots 04/04, 04/05, 04/06, 04/07, 05/03, 05/04, 05/05, 05/06, 05/07, 05/09, 05/10, 05/11, 05/12, 05/13, 05/14, 05/15, 05/16, 05/17, 05/19, 05/21, 05/22, 05/23, 05/24, 05/25, 05/26, 05/28, 05/29, 05/30, 05/31, 05/32, 05/33, 05/34, 06/03, 06/05, 06/06, 06/09, 06/10, 06/16, 06/17, 06/19, 06/20, 06/21, 06/22, 06/24, 07/01, 07/02, 07/03, 07/04, 07/05, 07/06, 07/07,</p>	

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		07/08, 07/09, 07/10 and 07/11 ("the NGET Land") would cause serious detriment to NGET's undertaking by severely compromising NGET's ability to discharge its statutory obligations and coordinate customer connections, as described below.	
REP2-069/8	P8	The powers sought by the Applicant would interfere with, restrict or delay NGET's ability to access, inspect, maintain, renew and operate its existing apparatus within and near the Order Limits (including the West Burton 400kV substation, 400kV overhead lines and associated cables). Further, the Applicant's proposals to acquire rights over Plots 05/11, 05/12, 05/16, 05/17 and 05/19 of the NGET Land ("West Burton Substation Land") make it more difficult to site other customers' cables and equipment in this area and may have the effect of sterilising the land entirely for that purpose. NGET needs to retain ownership and control of the West Burton Substation Land in order to facilitate those connections in the most economical and efficient manner.	
REP2-069/9	P9	Connections to the NETS are a highly valuable resource. Such connections are essential if the Government's ambition for the UK to accelerate its transition from fossil fuel generation to renewable energy is to be achieved. The existing customer connections process – in which NGET, as the relevant statutory undertaker, plays a vital role – coordinates connections to the NETS. The process takes a whole system view rather than considering this issue only in terms of the needs of individual applicants. Allowing the Applicant to compulsorily acquire the rights it seeks would	

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		<p>unnecessarily interfere with the process and in particular with NGET's ability to carry out its part in co-ordinating connections. It may also prevent others from connecting to the transmission system or make such connections unnecessarily complex.</p>	
REP2-069/10	P10	<p>NGET's position is that the serious detriment described above can only be addressed by including suitable Protective Provisions in the DCO. Protective Provisions are also required in respect of NGET's future assets, specifically the North Humber to High Marnham Project ("NHHM"). As explained below, NGET will make further submissions in relation to this at Deadline 3. NGET's required Protective Provisions were appended to its Relevant Representation.</p>	
REP2-069/11	Q 2.0.5	<p>11. The Applicant's Connection Agreement ("CA"), which enables it to connect to the NETS at West Burton Substation, is with NESO rather than NGET. In turn, NGET has undertaken to carry out the works required to allow the Applicant to connect via a Transmission Owner Construction Agreement concluded between NGET and NESO.</p> <p>12. The implications for the Applicant's CA with NESO if connection is not secured by October 2029 would need to be confirmed by NESO and/or the Applicant. However, NGET can provide its high-level understanding of the position. There is a concept of "queue management" in the CA, which is a process administered by NESO to</p>	

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		<p>manage the connection queue for projects seeking grid access. It ensures timely progress by requiring Users (such as the Applicant) to meet specific milestones.</p> <p>13. Failure to meet these milestones can result in termination of the CA in certain circumstances. One key milestone is obtaining planning permission or development consent for the User's project. NESO also has contractual rights to realign its delivery programme if a User is delayed in meeting its material milestones. It is therefore possible that the Applicant's CA could be terminated, or the construction programme modified, depending on the circumstances.</p>	
REP2-069/12	Q 7.0.4	<p>14. NGET and the Applicant have agreed on an approach to updating the Examining Authority on progress in relation to the interactions between NHHM and Steeple projects by which the Applicant will provide detailed written answers to ExAQ1 7.0.4 at Deadline 2, with supporting information where necessary, and NGET will answer that material with its position in writing at Deadline 3. If an Issue Specific Hearing is then required by the Examining Authority on the subject in the week commencing 9 February, the written material from Deadlines 2 and 3 will form the basis of the issues to be addressed by the parties in that hearing.</p>	

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		NGET confirms that it considers that the two projects can co-exist with a suitable construction interface or co-ordination agreement in place, together with Protective Provisions, and will continue to engage with the Applicant to seek to reach an agreed position on these in the meantime.	
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**Table 2-6: UK Industrial Fusion Solutions Ltd**

ID	Theme	Verbatim Comment	Applicant Response
REP2-071/1	Q7.0.2	<p>We note that the STEP Fusion Project is identified in Appendix 1 of the Report, entitled 'Plan showing the order limits for the Proposed Development and the other nearby National Infrastructure projects'. However, there is no other reference to the STEP Fusion Project in the Report.</p> <p>As set out in the relevant representation submitted on behalf of UKIFS (RR-046), the Proposed Development includes underground cabling to the point of connection across the Site and the draft DCO includes powers of compulsory acquisition over parts of the Site.</p> <p>We note that protective provisions have been provided for UKAEA within the Part 9 of Schedule 10 of the draft DCO (the "Protective Provisions"). As set out in the relevant representation submitted on behalf of UKIFS protective provisions should also be included for UKIFS within the draft DCO in substantively the same form as</p>	<p>The Applicant continues to be in negotiation with UKIFS and is currently considering their proposed amendments to Part 9 of Schedule 10. The Applicant expects agreement to be reached within examination and to the extent that there is disagreement extant at Deadline 4 will provide its default position at that deadline for consideration.</p>

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		<p>were included in Schedule 15 Part 19 of The West Burton Solar Project Order 2025. UKIFS is supportive of the Proposed Development and wishes to maintain a strong working relationship with the Applicant, however these protective provisions are necessary to ensure the Proposed Development can be implemented satisfactorily without compromising the ability of UKIFS to develop the STEP Fusion Project on the Site.</p> <p>We are in the process of negotiating draft protective provisions for the protection of UKIFS with the Applicant's solicitors Womble Bond Dickinson (UK) LLP and we and the Applicant will keep the Examining Authority up to date on this point.</p>	
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**Table 2-7: Mr and Mrs Barlow**

ID	Theme	Verbatim Comment	Applicant Response
REP2-074/1	P1	A general comment is that the applicant's responses to date have been to repeat what is included in the application documentation verbatim and has not provided responses of substance to us.	The Applicant has engaged directly with Mr and Mrs Barlow to discuss their concerns, and in particular their concerns around compulsory acquisition. The questions raised in points a), b), c) and d) have all been responded to to the satisfaction of Mr and Mrs Barlow.
REP2-074/2	Q1.01.1 AI	AI (Chat GBT and Grok Free versions) have been used as a reference tool akin to Google. It has been used to assist in summarising our own words where our initial representations were in excess of 1500 words. It has not been used to create or alter any part of our documentation.	
REP2-074/3	Q8.0.	<u>Various CPO Powers Sort</u>	

	<p>The attached letter was sent to us individually at our home address. You will see that the communication does not refer to which parcels of land the CoP refers to, nor does it signpost to the Book of Reference or the powers sort for our particular land interest. The plan attached to the letter was on A3 paper, but due to the scale it was not clear what was and was not within the 'Red Line' boundary. To the layman it would appear that the whole of Sturton le Steeple Village is within the 'Red Line' on the map attached. This caused much distress.</p> <p>No other communication has been received from the applicant with regard to what powers are sort, whether they are temporary or permeant and no attempt made to negotiate access as or when required.</p> <p>After much searching through the document library, we did find the book of reference and the land we believe to be subject to the CPO, however we would seek written confirmation from the applicant that:</p> <ul style="list-style-type: none"><li>a) Our private residence in the village of Sturton Le Steeple is not affected</li><li>b) Our Land Holding shown by a "Magenta Star" on attached EN010163-000039-2.1 Land Plans Page 6 will not be affected in anyway and the 'Red-Line' will not be extended to include this land holding, and access to it will</li></ul>	
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		<p>not be impeded at any time. This land is farmed and provides our income.</p> <p>c) Our Land Holding shown the “Blue Stars” on attached EN010163-000039-2.1 Land Plans Page 2 will not be affected in anyway and the ‘Red-Line’ will not be extended to include this land holding, and access to it (“Blue Arrow”) will not be impeded at any time. This land is farmed and provides our income.</p> <p>d) the Power Sort are for as short a time as possible, f required are temporary, and do not prohibit and will not affect our ability to transfer or otherwise dispose of our land holdings in the future should it be required and will not impact its valuation.</p>	
REP2-074/4	Q9.2.4	<p><u>Site Preparation Works</u></p> <p>Subject to the clarifications above, we seek assurances that there will be no impact on our business from any Site Preparation Works and utility supplies to our land interests will not be interrupted and will be protected at all times (mains water for cattle) and they will not affect access to our land holdings at any time.</p>	

**Table 2-8: Mr and Mrs Barlow**

ID	Theme	Verbatim Comment	Applicant Response
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REP2-073/1		We have a herd of 30 native, Original Population Lincoln Red Cattle (The Windmill Herd). This is a closed suckler herd with the main objective of Conservation Breeding.	It is common practice to withhold sensitive species information from the public domain, this is consistent with the British Standard: BS42020:2013 (Biodiversity — Code of practice for planning and development), quoted below.  <i>"6.11.3 In some situations, data might be identified as being sensitive (for example, geographical information with grid references for rare or threatened species, such as freshwater pearl mussels, badgers or golden eagles). This information should be clearly identified within the planning application and, where appropriate, be withheld by the decision-maker from release into the public realm."</i>
REP2-073/2		The Original Population consists of the few blood lines that remain pure, preserving the breed's historical traits. The cattle graze land and are housed over winter immediately adjacent to the proposed development.	
REP2-073/3	P1	<b>Lincoln Red Original Population – Rare Breed at Risk</b>  The Lincoln Red Original Population is one of the UK's rarest native cattle lineages. The Rare Breed Survival Trust class the Lincoln Red Original Population as rare and vulnerable, at risk and endangered. The breed is recognised by DEFRA on the Breeds at Risk (BAR) list. There are less than 10 herds of original population Lincoln Red cattle left in the UK today and the loss of even a few animals to TB could have a disproportionate impact on the national gene pool. This would be a policy conflict with the government's 2026 Native Breeds Support goals by endangering a vulnerable genetic pool. The Windmill Herd's biosecurity is required to maintain the 100% native bloodlines crucial to the breed's survival and to prevent the extinction of these rare genetic bloodlines.	The Applicant has sought to avoid the closure of setts where possible. Where potential impacts to a badger sett are unavoidable and risk to the sett cannot be controlled by precautionary methods of working, those setts will be temporarily closed under a Natural England badger development licence for the duration of the construction works.  The Badger Licence Application will include an assessment of biosecurity risks that may arise from interfering with a small number of setts, such as the potential spread of bovine TB. The assessment will consider the risk and propose mitigation measures to be implemented to control the potential spread of disease. These measures will be reviewed by the competent authority (Natural England) to ensure they are adequate. The draft Badger Licence Application is in preparation and is likely to remain confidential as it contains sensitive species information.
REP2-073/4	P2	<b>Bovine TB, Badger translocation and perturbation</b>  Sturton le Steeple and North Leverton are in an Edge Area for DEFRA bovine TB Testing. This requires testing on an annual basis.	

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		<p>Since the establishment of the Windmill Herd in 2007 there has never been any cases of Bovine TB or Inconclusive Reactors within the herd.</p> <p>The movement or disturbance of badger setts causes perturbation (displaced badgers roam further, significantly increasing the risk of TB transmission).</p> <p>It is documented (Dorset Wildlife Trust) that disturbing badgers can disrupt their stable social structures and territorial boundaries, causing them to range more widely and come into contact with other badgers and cattle herds they would not normally interact with.</p> <p>Stressed or displaced badgers may be more likely to frequent farm buildings or grazing areas, increasing the chances of direct or indirect contact with cattle.</p> <p>Badgers can transmit bovine TB via contaminated faeces and urine on pasture or in feed/water sources. Increased, uncharacteristic movement patterns can lead to new areas of contamination.</p>	
REP2-073/5	P3	<p><b>Proposed Landscape and Environmental Management Plan and Mitigation</b></p> <p>We note from EN010163-000100-6.3.7 Appendix 7.14 Outline Landscape and Environmental Management Plan 2.5, states that badgers are present throughout the site (of the proposed development) and we are in full agreement with this statement.</p>	

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		<p>Natural England in their response EN101063-00301 NE11 state “<i>The project design principles include the avoidance of impacts to protected species as far as possible, to avoid the need for mitigation &amp; protected species licencing, which is welcomed.</i></p> <p><i>It is noted that since our Section 42 comments, licences for bats and great crested newts are not likely to be required. As a result, the only species licence requirement reported in the ES appears to be for Badger: ‘A badger development licence is likely to be required for temporary impacts to a small number of setts’ (ES paragraph 7.8.165 &amp; P147 (Appendix 4: Table 7.9)).</i></p> <p><i>If avoidance and appropriate buffering of all setts is not possible, a licence will be required, and we would recommend that a draft protected species licence application is submitted to enable Natural England to issue a Letter of No Impediment (LoNI). This will provide the planning inspectorate with certainty during examination that impacts to badger can be mitigated.</i></p> <p><i>To date, Natural England have not received a draft protected species licence application for badger.</i></p> <p><i>A draft protected species licence application could be submitted to Natural England for Badgers. Cost incurred for this could be recouped from the existing DAS contract between Natural England and the Applicant.”</i></p>
REP2-073/6	P4	<b>Policy Conflict</b>

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		<p>The project potentially conflicts with the government's 2026 Native Breeds Support Framework by endangering a vulnerable genetic resource.</p> <p>Government (DEFRA TB Eradication Strategy, PINS Habitats Regulations Assessment, Protection of Badgers Act) and Natural England planning guidance specifically advise against translocation because of risk of spreading bovine TB.</p>	
REP2-073/7	P5	<p><b>Disclosure Request</b></p> <p>As an adjacent landowner with a concern about the TB risk, we would request formal access to the Applicant's confidential report to see what exactly is proposed for the setts bordering our land and the Natural England Draft Mitigation Licence.</p>	
REP2-073/8	P6	<p><b>Conclusion</b></p> <p>The re-location of badgers and their setts should not be permitted given the cumulative effect of this and other projects and the risks it poses to the Windmill Herd. Translocation must be avoided and as such mitigation should not include the moving of badgers as this could risk the spread of bovine TB.</p> <p>The priority should be that the badgers that are resident in the development area should be kept in-situ rather than re-location to protect our herd.</p>	

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		The displacement of wildlife (badgers in particular) poses an unacceptable and irreversible biosecurity threat to the Windmill Herd.	
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