

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

**The Examining Authority's written questions and requests for information (ExQ2):
Response of Nottinghamshire County Council**

Q9.2.1 Community Liaison Group

The ExA notes comments by Sturton le Steeple Parish Council [REP4-003] and NCC's response to action point 15 from ISH 3 [REP4-001] expressing support for establishing a community liaison committee, where NCC would support any requirement being added to the dDCO requiring the owner of the consent to initiate or actively participate in a local community liaison group.

The ExA is aware that requirements relating to community liaison groups have been included on other made DCO's, such as but not limited to 'The Tillbridge Solar Order 2025' (requirement 4) and 'The West Burton Solar Project Order 2025' (requirement 4). The ExA requests the applicant liaise with the local authorities and the Parish Council to agree whether the imposition of a similar requirement would be appropriate for the proposed development and if so, provide appropriate wording for the dDCO.

If not, parties are to explain why such a provision would not be appropriate or necessary.

Response of Nottinghamshire County Council:

The applicant has not contacted the authority to date over this but has noted their response in the OCTMP to liaising over transport matters and linking with any wider group. NCC fully supports the need for the applicant to participate in local community liaison and given the number of schemes under consideration in the area, the scope of a local liaison group related to NSIPs must remain under review with each applicant committing to supporting any group established for the purpose of liaison with regard to a number of proposals.

Q9.2.3 Requirement 9 – Operational environmental management plan (OEMP)

Further to previous questions raised on the subject of maintenance, should provision be made in sub-paragraph (2) for the OEMP to set out details of a maintenance schedule to provide greater transparency on the type of maintenance works that the local authority and local residents can expect, and confirmation that the environmental effects that

are likely to arise as a result would not be materially worse than those report in the ES? If not, explain why not and if so, provide details of any additional wording.

Response of Nottinghamshire County Council:

The County Council has referred to the need for regular inspection and maintenance of landscaping in response to Q.13.0.3. It has provided some wording which could be included in the LEMP but it does agree that the wider issue of maintenance could be referred to in the Requirement 9 (2) with an additional clause which could read:

- *Proposals for regular walk over inspections and maintenance of landscaping, flood mitigation and other environmental measures during the lifetime of the development*

Q11.0.4 Post consent archaeological works

ES Appendix 9.5 [APP-126] paragraph 5.2 refers to the scope of proposed post-consent trial trenching, outside the areas already trenched during pre-determination, and states as part of these works it is proposed that trial trenches will be sited on areas within the east of the site which have potential for geoarchaeological deposits, including possible palaeochannel(s). Noting appendix 4 of NCC's response to ExQ1 11.0.11 [REP2-063] highlights wide areas of archaeological significance in the western part of the site, does this paragraph or the document in general require updating to refer to wider areas? If not, explain why not.

Response of Nottinghamshire County Council:

The paragraph does include that trial trenching areas 'will be agreed with the Archaeological Advisor(s)', however the scope for post consent evaluation trenching will be necessarily much greater than the east of the site and the potential geoarchaeological works on the palaeochannel. Given the current low level of trenching work and the large scale of potential post consent work to come, singling out a very small (but also important) part of it does not bring clarity to situation.

A useful revision might include: 'Given the substantial post consent commitment necessary to complete the evaluation work, trial trenching will include areas of high archaeological potential, high impact and areas where non-intrusive survey and desk-based assessment techniques have failed to adequately assess the archaeological potential or provide sufficient information on the character and significance of any archaeological remains present.'

Q11.0.5 Outline Written Scheme of Investigation

The ExA notes your comments in the SoCG with the applicant [REP4-032] (issue NCC 22) regarding stated shortcomings of the Outline Written Scheme of Investigation. Can NCC expand further upon what it considers are highly questionable statements and a reductive interpretation of policy? Can NCC advise further what it is seeking to improve the content of the document?

Response of Nottinghamshire County Council:

Section 2 (Policy Position) on Policy and the applicant's interpretation of it appears to have been designed to present a position that evaluation trenching is 'not a requirement'. This is flawed and incorrect and excludes paragraphs that do mention trenching such as (but not limited to):

'The results of pre-determination archaeological evaluation inform the design of the scheme and related archaeological planning conditions.' (Footnote 101 – EN-3); or

'In some instances, field studies may include investigative work (and may include trial trenching beyond the boundary of the proposed site) to assess the impacts of any ground disturbance, such as proposed cabling, substation foundations or mounting supports for solar panels on heritage assets.' Section 2.10.106 – EN-3).

Beyond Policy alone, there is a professional expectation established over decades of commercial archaeological work that trial trench evaluation is a key element to understanding the character and significance of the archaeological resource within a site. Desk-based assessment and non-intrusive survey alone cannot provide the evidential basis for this and must be supplemented with field evaluation before an effective assessment on impact can be made.

There is clearly an expectation that trial trenching will be undertaken and the applicant's assertion that it is not a requirement should be revised.

Q11.0.8 Use of ballasted foundations for preservation in situ

Paragraph 4.4.13 of ES chapter 4 [APP-062], ES Appendix 4.5 [APP-093] and section 9 of ES Appendix 9.5 [APP-126] refer to the use of ballast slab foundations where archaeology constraints have been identified and areas of 'no dig' construction. Provide further details explaining how the use of such foundations would preserve any archaeological sensitive areas or assets of archaeological significance in perpetuity,

how these would be secured as part of the detailed design process and the extent to which such foundations could affect assets that are located at shallow depths. NCC is also asked to submit comments on the suitability of using ballast slab foundations in areas of high archaeological significance and the potential effects to assets.

Response of Nottinghamshire County Council:

The use of ballast slab foundations as a preservation technique can be problematic. Primarily, the use as a preservation technique has not been tested sufficiently to establish its efficacy. In addition, this technique often requires ground preparation which in itself can be damaging to archaeological deposits, especially remains at a shallow depth. There are also significant concerns around ground compaction beneath the concrete slabs which will also have a negative impact on sensitive and shallow remains.

The use of concrete slabs should always be informed by trial trench evaluation so that the depth, character and sensitivity of the remains being preserved can be properly understood and an assessment on the appropriateness of this technique presented as part of the mitigation strategy. For instance, it may be appropriate where sensitive archaeological remains are present at significant depth but would not be appropriate for shallow sensitive features such as those containing human or structural remains.

Further assessment of the site-specific circumstances and details of the construction and implementation (including detail on decommissioning) would be required to assess the appropriateness of this mitigation strategy.

Q13.0.3 Landscape mitigation

Your position in the SoCG [REP4-032] (issue NCC 25) considers that any DCO should secure robust landscape mitigation, long-term management (for a minimum of 15 years), and post-establishment monitoring. Confirm the additions or alterations you are seeking to the dDCO, or application documentation, to address your concerns and whether this has been incorporated in other solar schemes.

Response of Nottinghamshire County Council:

The LVIA is assessed based on the successful establishment of mitigation planting at year 15. Without a robust regime of maintenance in place to ensure this outcome, it is likely the effects of the proposals will have a higher significance, and be more adverse, than the assessment claims.

It is our position that the applicant should commit to long term inspections and replacement planting for the duration of the development. This obligation should be secured as part of the DCO process and described in the LEMP.

These example clauses (below) have been used in other NSIP solar projects:

'A post-construction monitoring programme will be formalised, agreed and included within the detailed LEMP. Walkover surveys of the DCO Site will be undertaken between April and June in years 2, 4, 6, 10 and 15 then every 5 years post-construction until decommissioning.'

'All existing and proposed mitigation planting will be managed and maintained for the operational duration of the Proposed Development. In the unlikely event of external factors causing significant losses to the mitigation planting during the lifetime of the Proposed Development, such that the purpose of screening the development is no longer achieved, as a result of gaps in the planting, replacement planting will be undertaken to infill gaps that may arise. This approach will ensure commitments are fulfilled in respect of providing screening of the scheme and enhancing biodiversity.'

These obligations are usually defined in the LEMP and could be part of the Ecological surveys of the site that are also required over the design life of the project.

Any failed planting should be replaced to ensure that the mitigation is fit for purpose and achieves the level of visual containment expected by the assessment. The species re-planted should be agreed with the LA or other monitoring group in response to the cause of failure. It may be appropriate to re-plant with more drought or disease resistance species for example.

Q17.0.2 Emergency access to the BESS from Common Lane

In response to action number 3 from ISH 2 [REP4-031], the applicant has stated that “any route required for access from Common Lane to the BESS is a public highway, is not gated and is not subject to a weight restriction. The Applicant is aware that there may be gates, or weight restrictions along Common Lane further along the lane, but there are no such restrictions before the point at which the Applicant will take access into its site. The Applicant has been engaging with Nottinghamshire Fire and Rescue Service to confirm that they are content with the access arrangements and understand that NCC as local highway authority will be making representations to confirm the status of Common Lane.” Please confirm you are content or otherwise with these arrangements.

Response of Nottinghamshire County Council:

It was confirmed following the Issue Specific Hearings 2/3 that the County Council as Highway Authority has removed weight restrictions on Common Lane following improvements to bridges over drainage channels and confirms it is content with arrangements for access from Common Lane to the BESS.