



Planning Inspectorate

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

The Examining Authority's (ExA) schedule of proposed changes to the applicant's draft Development Consent Order (dDCO) (Revision C) [\[REP5-005\]](#)

Issued on: Monday 30 March 2026

The ExA must send a recommended DCO to the Secretary of State along with its report, no matter what its recommendation is about the project. This schedule has therefore been prepared on a 'without prejudice' basis and should not be seen as an indication of the ExA's final recommendation. Further amendments to the draft DCO may be suggested by parties or made by the applicant before the close of the examination.

Please note that some aspects of the dDCO, such as agreement of protective provisions, are still the subject of examination, active discussion or disagreement between parties. As such, the non-inclusion of any recommended changes on these matters should not be taken to indicate what the ExA's recommendation might be on those matters.

Comments on this schedule should be submitted by **deadline 6: Wednesday 8 April 2026**

No.	Article / Schedule	ExA's proposed changes Deletions shown as strike through (for example) Insertions shown in bold (for example)	ExA's reasoning and comments
	Content		
1		The application was examined by a panel of 2 members appointed by the Secretary of State pursuant to Chapter 2 3 of Part 6 of the 2008 Act and carried out in accordance with Chapter 4 of Part 6 of the 2008 Act and the Infrastructure Planning (Examination Procedure) Rules 2010(c).	To improve legibility and to ensure correct references to sections of acts.



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		<p>The panel, [having considered the representations made and not withdrawn] and the application together with the accompanying documents, and the representations made and not withdrawn, has, in accordance with section 83 74(2)(d) of the 2008 Act, has submitted a report and recommendation to the Secretary of State.</p> <p>The Secretary of State has considered, [having considered the representations made and not withdrawn], and the recommendations and report of the panel, and has taken into account the environmental information in accordance with regulation 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(a) and, as a national policy statement has effect in relation to the proposed development, has had regard to the documents referred to in section 104(2) of the 2008 Act.</p> <p>The Secretary of State, having decided the application, has decided determined to make an Order granting development consent for the</p>	



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		<p>development described in the application [with modifications which in the opinion of the Secretary of State do not make any substantial changes to the proposals comprised in the application.] giving effect to the proposals comprised in the application on the terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.</p> <p>The Secretary of State, in exercise of the powers conferred by sections 114(b), 115(c), 117(d), 120(e), 122(f), 123(g), 127(h), 138(i), 140, 154 and 229 of, and paragraphs 1 to 5, 10 to 17, 26, 33, 36 and 37 of Part 1 of Schedule 5 to the 2008 Act, makes the following Order—</p>	
	Articles		
2	2 – Interpretation	<p>“outline LEMP” means the document certified by the Secretary of State as the outline landscape and ecological ecology management plan for the purposes of this Order in accordance with article 36 (certification of plans, etc);</p>	To match the full title of ES Appendix 7.14: Outline Landscape Ecology Management Plan [APP-116].
3	6 – Disapplication and modification of legislative provisions	(1) The following provisions do not apply in relation to the construction of any work or the carrying out of any operation required for the	(1) Noting that agreement with the Trent Valley Internal Drainage Board has not yet been reached, the ExA is unable to



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		<p>purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development— (a) section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991(a); (ba) section 32 (variation of awards) of the Land Drainage Act 1991(ba); and (c) the provisions of any byelaws made under section 66 (powers to make byelaws) of the Land Drainage Act 1991(c); and (db) in so far as they relate to the temporary possession of land, the provisions of the Neighbourhood Planning Act 2017(db).</p> <p>(2) Regulation 6 of the Hodgerows Regulations 1997(e) is modified so as to read for the purposes of this Order only as if there were inserted after paragraph (1)(j) the following— “(k) or for the carrying out development which has been authorised by the Steeple Renewables Project Order 202[•].”</p>	<p>include the disapplication of these provisions at this stage. Notwithstanding, recognising that the section 127/138 report [REP5-053] states that protective provisions have been agreed in principal but awaiting approval from the drainage board, the ExA will review the situation at the close of the examination.</p> <p>(2) The ExA has considered the applicant's response to Q9.2.11 in the ExA's first written questions [REP2-052] and comments made in issue specific hearing 3 [REP4-031] and is minded to take the view that, notwithstanding the precedents provided, given the provisions of article 34 the modification to regulation 6 does not seem necessary.</p>
4	7 – Defence to proceedings in respect of statutory nuisance	(1) Where proceedings are brought under section 82(1) (summary proceedings by a person aggrieved by statutory nuisance) of the	Removed as the text is only relevant to paragraph (g). If the applicant considers it necessary for the text to remain, then the



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		Environmental Protection Act 1990(c) in relation to a nuisance falling within paragraph (d), (fb), (g), or (ga) of section 79(1) of that Act (noise emitted from premises so as to be prejudicial to health or a nuisance) no order is to be made, and no fine is to be imposed, under section 82(2) of that Act if—	relevant titles of paragraphs (d), (fb) and (ga) should also be added.
5	9 – Application of the 1991 Act	<p>Remove and replace the full wording under 'Application of the 1991 Act' and associated references (wording not reproduced for conciseness) with the following:</p> <p>Application of the relevant permit scheme</p> <p>9.—(1) The relevant 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.</p> <p>(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 a moratoria;</p>	<p>The ExA has considered the respective positions between Nottinghamshire County Council (NCC), the applicant and interested parties who made have made observations on this matter.</p> <p>To ensure consistency of approach for NCC in managing works between different projects, and noting the inclusion of the relevant permit scheme on other made and similar proposed solar orders, the ExA is minded to take the view that such an approach would be the most appropriate mechanism to manage street works.</p> <p>The ExA notes the comments made by the applicant regarding the 'one stop shop' purpose of the DCO regime although the</p>



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		<p>(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; and</p> <p>(c) where the undertaker makes an application for a permit pursuant to a relevant permit scheme, the relevant highway authority for that scheme must issue its response within 5 working days of such application.</p> <p>(3) References to the moratoria in the subparagraph (2)(a) mean restrictions imposed under section 58 (restrictions on works following substantial road works) or section 58A (restrictions on works following substantial road works) or section 58A (restrictions on works following substantial street works) of the 1991 Act.</p> <p>(4) If the relevant highway authority fails to notify the undertaker of its response within</p>	<p>inclusion of the permit scheme in the draft order would adopt a similar approach to including application of the New Roads and Street Works Act 1991 Act, with the DCO providing powers to modify some of the provisions, such as those in paragraph (2).</p> <p>The ExA has, with modifications, included the timescales suggested by the applicant [REP5-047] (ID REP4-001/12) noting NCC's response to issue specific hearing 3 action point 3 [REP4-001] stating an application for a permit will be issued within 5 days for standard and major work.</p> <p>The ExA has not included the clause suggested by the applicant [REP5-047] (ID REP4-001/12) waiving the requirement to provide the necessary fee in the absence of sufficient justification for its inclusion.</p>



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		<p>the period stated at paragraph (2)(c), beginning with the next working day following that on which the application is received by the relevant highway authority, the works are deemed to be “immediate works” for the purposes of the relevant permit scheme.</p> <p>(5) Any application for a permit to which this article applies must include a written statement that the provisions of paragraphs 2(c) and (4) apply and where an application does not include such a statement, then the timescales in table 2 of the relevant permit scheme will apply.</p> <p>(6) Without restricting the undertaking recourse to any of the alternative appeal mechanism which may be available under the relevant permit scheme or to grant a permit 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 Part 2 of Schedule 2 (procedure for</p>	



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		<p>discharge of requirements) of this Order in the same way as if it were a requirement.</p> <p>"relevant permit scheme" means the Nottinghamshire County Council Permit Scheme Order 2020 as varied by the Nottinghamshire County Council (variation of a Permit Scheme) Order 2025 which are is made under Part 3 of the Traffic Management Act 2004, as applicable for the location of the relevant street works.</p>	
6	12 – Temporary stopping up of streets and public rights of way	<p>Insert new paragraph after paragraph (7) as follows:</p> <p>(8) An application for consent under paragraph (5)(b) must contain a written statement that the provisions of paragraph (7) apply to that application.</p> <p>(9) If an application for consent under paragraph (5)(b) does not include the written statement required under paragraph (8), then the provisions of paragraph (7) will not apply to that application.</p>	<p>To allow the relevant discharging authority to be fully aware of the deemed approval provision in paragraph (7) and to add clarity on the position if the required written statement is not submitted.</p>



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		Renumber existing paragraph (8) to paragraph (10).	
7	15 – Discharge of water	Insert new paragraph after paragraph (10) as follows: (11) If an application for consent under paragraph (3) or approval under paragraph (4)(a) does not include the written statement required under paragraph (10), then the provisions of paragraph (9) will not apply to that application.	To clarify the position if the required written statement is not submitted.
8	27 – Temporary use of land for carrying out the authorised development	(3) Not less than 44 28 days before entering on and taking temporary possession of land under this article the undertaker must serve notice of the intended entry on the owners and occupiers of the land. (7) Any dispute as to a person's entitlement to compensation under paragraph (56), or as to the amount of the compensation, must be determined, as if it were a dispute under Part 1 (determination of questions of disputed compensation) of the 1961 Act. (8) Nothing in this article affects any liability to pay compensation under section 152	The 14-day period is not justified in the Explanatory Memorandum [REP5-007] and the ExA's change to 28 days reflects the period used on other made solar orders, such as The Fenwick Solar Farm Order 2026, The Helios Renewable Energy Project Order 2025 and The Byers Gill Solar Order 2025. Changes to paragraphs (7) and (8) are to address a potential typographical error, noting that paragraph (6) refers to compensation to the owners and occupiers of land.



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		(compensation in case where no right to claim in nuisance) of the 2008 Act or under any other enactment in respect of loss or damage arising from the carrying out of the authorised development, other than loss or damage for which compensation is payable under paragraph (56) .	
9	34 – Felling or lopping of trees or removal of hedgerows	34.—(1) The undertaker may fell or lop any tree, or shrub near any part of the authorised development within or overhanging the Order limits , or cut back its roots, if it reasonably believes it to be necessary to do so to prevent the tree, or shrub—	The ExA has considered the applicant's responses on this matter (action point 5 to ISH3 [REP4-031]) and is minded to take the view that 'near any part of the authorised development' is very broad and ambiguous. While there are controls within 34, this does not address the issue of limits as to where felling and lopping would be permitted to take place, beyond what the undertaker 'reasonably believes' to be necessary to prevent obstruction, interference, and danger. The alternatives of 'within or overhanging the authorised development' or 'within or overhanging the order limits' have precedent and would provide more certainty.
	Schedule 2 Requirements		
10	Requirement 3 – Detailed design approval	(2) The details submitted must accord with the— (a) site location plan;	To ensure that details proposed and thereafter approved under those



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		(b) works plans; and (c) outline design principles.; and (d) any details approved under paragraphs 6 (Landscape and ecological management plan), 15 (Fencing and other means of enclosure), 16 (Surface and foul water drainage) and 17 (Archaeology) of this Schedule.	paragraphs are properly incorporated into the detailed layout.
11	Requirement 9 – Operational environmental management plan (OEMP)	(2) The OEMP must include details of— (a) nuisance management including measures to avoid or minimise the impacts of operational works (covering dust, noise, lighting and vibration);	To ensure the measures to control effects from lighting are fully secured on the face of the order, also recognising the inclusion of paragraph (fb) of section 79(1) of the Environmental Protection Act 1990 in article 7.
12	Requirement 13 – Public rights of way diversions	(3) The plan must be implemented as approved unless otherwise agreed with the local planning authority in consultation with the highway authority and thereafter maintained in accordance with the details approved under sub-paragraph (1).	To ensure that the requirement to maintain the implemented measures are properly secured. The ExA has noted the applicant's response to ExQ2 Q9.2.4 [REP5-048] but considers the provisions in requirement 24 (amendments to approved details) provides the appropriate mechanism to seek any variations or amendments to previously approved details.



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13	Requirement 14 – Operational noise	<p>14.—(1) No phase of the authorised development can commence until an operational noise assessment containing details of how the design of the authorised development has incorporated mitigation to ensure the operational noise rating levels as set out in the outline OEMP tables 11.10 and 11.11 in chapter 11 of the environmental statement are to be complied with for that phase has been submitted to and approved by the local planning authority.</p> <p>(2) The design as described in the operational noise assessment must be implemented as approved and maintained throughout the operation of the relevant part of the authorised development to which the plan relates.</p> <p>(2) The mitigation measures described in the operational noise assessment for each phase of the authorised development must be implemented as approved and thereafter maintained throughout the operation of the relevant phase of the authorised development to which the plan relates.</p>	<p>(1) It does not appear that the outline OEMP [APP-092] (table 3.6) sets out noise rating levels, instead referring to table 12.8 of ES chapter 11 which appears to be an error. The ExA has therefore referred to tables 11.10 and 11.11 which contains noise rating levels.</p> <p>(2) To improve precision, the requirement should refer to implementation and maintenance of the measures set out in the operational noise assessment.</p>



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14	Requirement 17 – Archaeology	17.—(1) No phase within of the authorised development, and... 3) Any WSI prepared pursuant to this paragraph shall must —	For consistency with wording used on other requirements and to improve precision.
15	Requirement 18 – Permissive path	(3) The permissive path must be maintained and access by the public permitted for 264 364 days a year, except where closure is required for maintenance or in an emergency , (subject to closures for maintenance or emergencies) until commencement of decommissioning of the authorised development pursuant to paragraph 21 (decommissioning and restoration) of this Part of this Schedule.	<p>The ExA notes the applicant's response to ExQ1 Q9.6.16 [REP2-052] although has not been presented with substantive evidence that this is standard drafting.</p> <p>The ExA acknowledges that the permissive paths are proposed as an enhancement measure. However, paragraph 2.10.44 of National Policy Statement EN-3 states applicants should consider <u>and maximise</u> (ExA underlining) opportunities to facilitate enhancements to the public rights of way, which includes through the creation of permissive paths.</p> <p>The ExA notes the reference to the Oaklands Farm Solar Park Order 2025 but also notes the time periods stipulated in requirement 17 of the West Burton Solar Project Order 2025 (365 days) and</p>



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			<p>requirement 16 of the Tillbridge Solar Order 2025 (364 days).</p> <p>The ExA acknowledges the comments regarding the need for effective access for maintenance and repair but is not persuaded this is required for around 100 days per year. The ExA therefore considers that 364 days would better maximise the enhancement opportunity proposed with allowance provided for closure in the event of maintenance of emergencies.</p>
	Schedule 10 Protective Provisions		
	Part 12 Protective Provisions for the protection of National Grid Electricity Transmission PLC	Protective provisions to protect any future assets that may be comprised in the North Humber to High Marnham project.	The ExA is minded to include protective provisions for this project.