Summary of Changes

Old Wood Energy Park Appeal

Rushcliffe Borough Council App Ref: 24/00161/FUL

Date: October 2025

exagen

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TABLE OF CONTENTS

1 INTRODUCTION

1.1 Background

In January 2024 Exagen Development Ltd submitted a planning application to Rushcliffe Borough Council (RBC) for the construction, operation and subsequent decommissioning of a renewable energy park comprising ground mounted Solar Photovoltaics (PV) with co-located Battery Energy Storage System (BESS) at the Point of Connection (POC), together with associated infrastructure, access and landscaping.

The planning application was validated on the 16th February 2024, against reference number 24/00161/FUL, and refused by RBC with a decision notice issued on the 19th June 2025.

The Appeal Site is located to the west of Bradmore Road and north of Wysall Road, to the west of the village of Wysall, Nottinghamshire. The Appeal Site is split into two parcels connected via an electrical cable that would generally follow the shortest route between the two parcels beneath the public highway. The Northern Parcel of the Site includes ground mounted solar arrays and associated infrastructure while the Southern Parcel includes ground mounted solar arrays, the Battery Energy Storage System and substation allowing connection into the existing 132kV line which crosses the southern part of the Southern Parcel, operated by National Grid Electricity Distribution (NGED), the Distribution Network Operator (DNO). Significant landscaping and biodiversity enhancements are delivered as part of the Development. Collectively the project is referred to as 'Old Wood Energy Park'.

This document summarises the changes that have been made to the design of the Development since the refusal of the application. The changes have been made as part of a planning appeal which has been submitted to the Planning Inspectorate. The proposed changes are detailed and explained and cross references are made to supporting plans, drawings and technical information prepared to assess the effects of these changes.

The purpose of this document is to allow consultees and the public to clearly understand how the Appeal Proposals have changed from that which was subject to the original planning application considered by RBC, and so updated consultation comments can be provided on the changes as part of the appeal process.

1.2 Justification for Making the Changes

There is justification for amending the Appeal Proposal at this time, because:

- The changes are not substantive and there is no material change from that which was originally submitted i.e. the changes represent minor and beneficial amendments that do not change the nature of the proposal or the description of development; and
- Procedurally we are ensuring all consultees and interested parties are notified about the changes and have the opportunity to comment on the changes, in accordance with the Holborn principles[1].

1.3 Consultation

Consultation was undertaken with RBC in order to discuss the changes that were being made and agree the appropriate approach to allow meaningful consultation on the changes through the appeal process. There was also discussion over the interested parties that would be contracted regarding the consultation.

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[1] *in R (Holborn Studios Limited) v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin)

The formal information regarding the changes (i.e. this document and the technical reports and plans referenced within it) will be submitted to RBC as well as published on the project website. The wider consultation undertaken is set out in section 4 but includes a circa 5 week period ending on the 28th November 2025. At the end of the consultation period a report summarising the consultation carried out, and any responses received, will be prepared and submitted to the Planning Inspectorate for consideration as part of the appeal.

1.4 Summary of Updated Plans and Documents

The changes to the design have prompted the following updates/ new plans and reports which have been prepared alongside this document:

- Revised Layout Plan – WLL02A-EXG-04-00-D-K001-P07 replacing WLL02A-EXG-04-00-D-K001-P05.
- Revised Layout Plan with flood risk areas - WLL02A-EXG-04-00-D-K003-P07 (new plan).
- Enhanced Landscape Strategy Plan P25-1631_EN_02E replacing P21-2533_EN_06E.
- Summary of Changes Comparison Plan – P25-1631_03C, new drawing not previously submitted.
- Water Tank Elevations Plan - WLL02A-EXG-05-ZZ-D-K014-P01, new drawing not previously submitted.
- Summary of Changes document, prepared by Exagen, October 2025
- Updated Ecological Impact Assessment with updated Biodiversity Net Gain Assessment – Clarkson and Woods, October 2025 (replaces the original EcIA produced by Clarkson and Woods, last updated October 2024).
- Updated Flood Risk Assessment and Surface Water Drainage Strategy – Pegasus, October 2025 (replaces the original FRA and Drainage Strategy produced by Pegasus, January 2024).
- Flood Risk Sequential Assessment and Exception Test – Pegasus, October 2025 (new report).
- National Fire Chief Councils (NFCC) Compliance Report, ARC, August 2025 (new report submitted in addition to the original Outline Battery Safety Management Plan, Exagen, January 2024).

2 SUMMARY OF CHANGES TO DESIGN

The following changes have been made to the design which are summarised below and then expanded in subsequent sub-sections:

- Re-location of some electrically sensitive/ vulnerable solar farm infrastructure in a number of isolated locations in response to the latest surface water flooding data published by the Environment Agency in March 2025. These have typically been microsited within 10-20 m in most cases to avoid potential areas of shallow surface water flooding. Specifically this includes 2 inverters towards the centre of field 1 which have moved west, the connection compound in field 9 which has moved northeast, an inverter in the west of field 12 which has been rotated 90 degrees and moved east and an inverter in field 15 which has been rotated 90 degrees and moved fractionally east. These changes have resulted in the loss of 72 solar panels.
- Provision of two dedicated above ground Fire Water Storage Tanks at the BESS compound;
- Inclusion of additional retained arable land managed for nesting skylark in fields to the east of fields 6 and 10 towards Bradmore Road. This land is outside the planning application boundary but within land under the control of the Applicant which has been shown by a blue line added to the Enhanced Landscape Strategy Plan.
- A number of changes with regards to landscape mitigation enhancement (further detail included in the Landscape Hearing Statement) but generally additional hedgerow, hedgerow trees or woodland copses and the alignment of a public right of way south of fields 5 and 6 was corrected to follow the definitive route and the route on-site, which is along the existing track. In addition a section of internal access track south of fields 5 and 6 was removed and access to field 6 is now proposed by a crossing of the footpath using existing gaps in the hedgerow.

These changes are clearly illustrated in this document and on the Summary of Changes Comparison Plan – P25-1631_03C, an extract of which is provided on the following page.

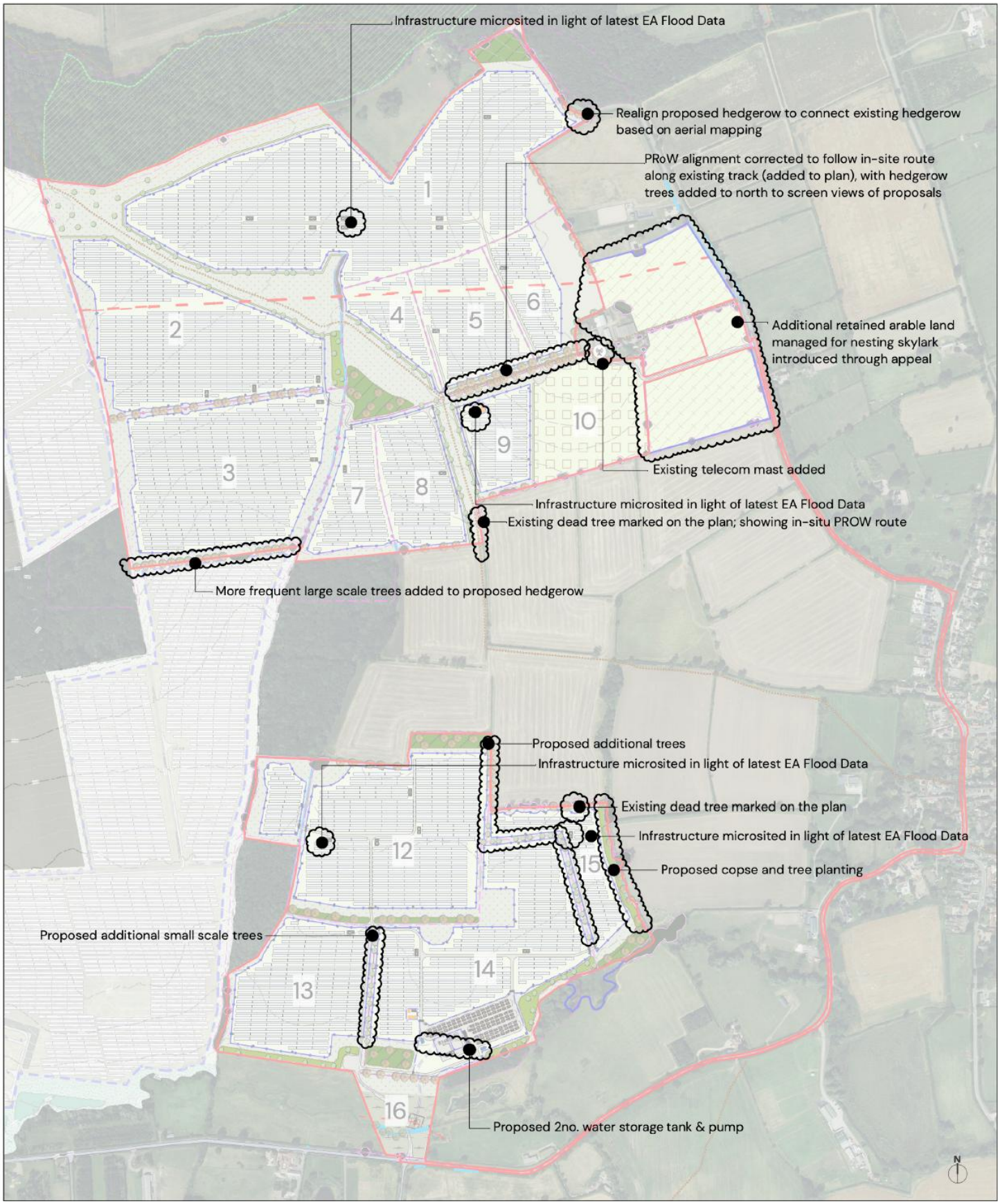

Figure 1 – Summary of Changes

2.1 Micro siting of some electrically sensitive/ vulnerable equipment

In March 2025 the Environment Agency published new flood data, this included for both pluvial flood risk and surface water flood risk and this has been included in the uodated Flood Risk Assessment and Drainage Strategy submitted as part of the appeal. Whilst the changes to fluvial flood risk have not required any design changes as the extents and areas of flooding have reduced from the previous modelled extents, there has been a need for some micrositing of vulnerable equipment in four locations over the Appeal Site which conflict with the new extent of surface water flooding. These areas are summarised in the following subsections; in most cases this has involve moving equipment a short distance of around 10-20 m and overall these changes have resulted in the loss of 72 solar panels.

2.1.1 Field 1

Two field inverters have been moved slightly further west in the centre of field 1. By swapping the two inverters with two tables of solar panels the inverters are now outside the flood extent and whilst the solar panels are in the flood extent the depth of flooding is substantially below the lower end of the panels such that they remain above any flood water. The red arrows show the direction the two inverters have moved.

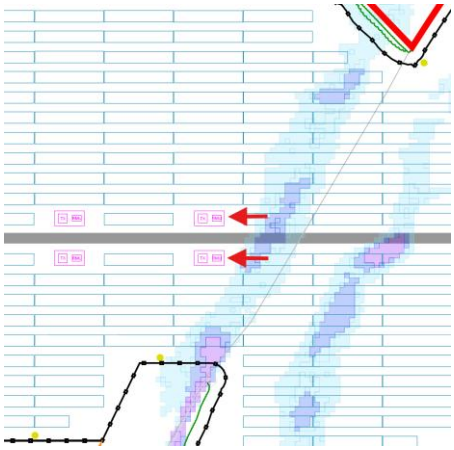

Figure 2a – Inverter re-location Field 2

2.1.2 Field 9

The solar connection compound in field 9 has been relocated slightly northeast removing some solar panels. Part of the area previously covered by the compound has been replaced with some solar panels. The revised location ensures the compound and its electrically sensitive/ vulnerable equipment is outside any modelled flood extent. The red arrow shows the direction the compound has moved.

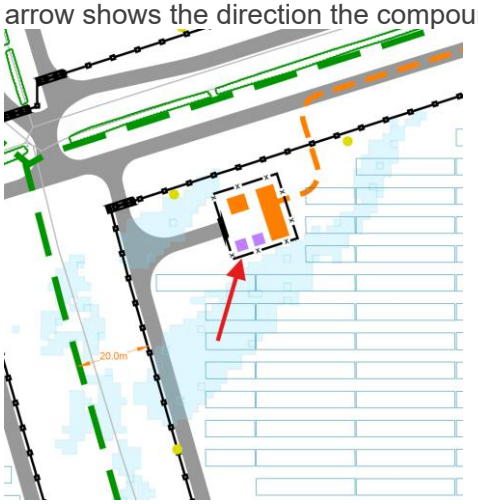

Figure 2b – Solar connection compound re-location Field 9

2.1.3 Field 12

One field inverter has been rotated 90 degrees and moved slightly further east in the west of field 12. The relocation of the inverter has resulted in the loss of a table of solar panels but the inverter is now outside the flood extent. The red arrows show the direction the inverter has moved.

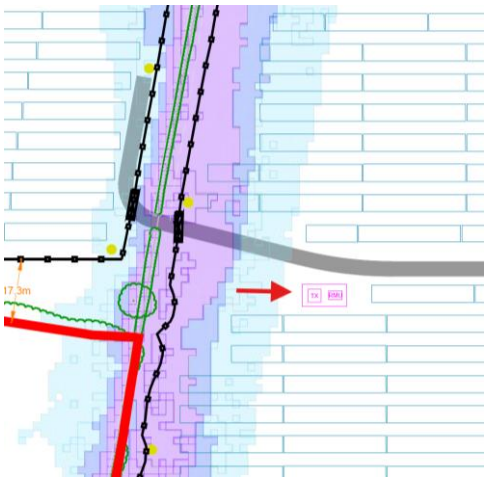

Figure 2c – Inverter re-location Field 12

2.1.4 Field 15

One field inverter has been rotated 90 degrees and moved slightly further east in the east of field 15. The relocation of the inverter has resulted in the loss of a half table of solar panels but the inverter is now outside the flood extent. The red arrow shows the direction the inverter has moved.

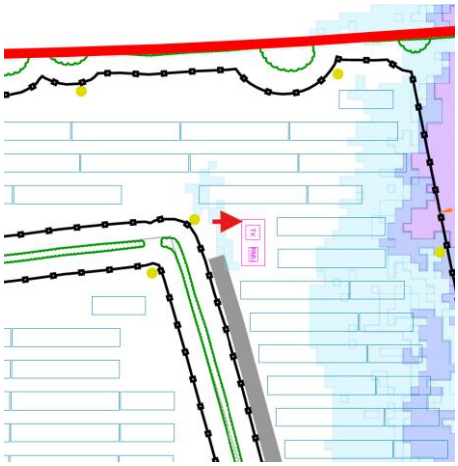

Figure 2d – Inverter re-location Field 15

2.2 Water Tanks

As part of the planning application the proposal for fire water was to hold sufficient volume to comply with NFCC requirements in a below ground fire water pipe in the south of the BESS. The intention would be for fire water to be pumped from this by the Fire and Rescue Service and no issues with this was raised during consultation on the planning application. This was detailed in the submitted Flood Risk Assessment and Drainage Strategy, Pegasus January 2024.

However to mitigate any potential concerns the fire service may have with recycling fire water, and to maintain a flexible design, two above ground water tanks with associated pump housing are now included on the site layout plan, as shown the extract below (ringed

in red). The tanks have the following dimensions – 8 m x 5 m x 3 m (h) with a small adjoining housing for a pump of 2 m x 2 m x 2 m.

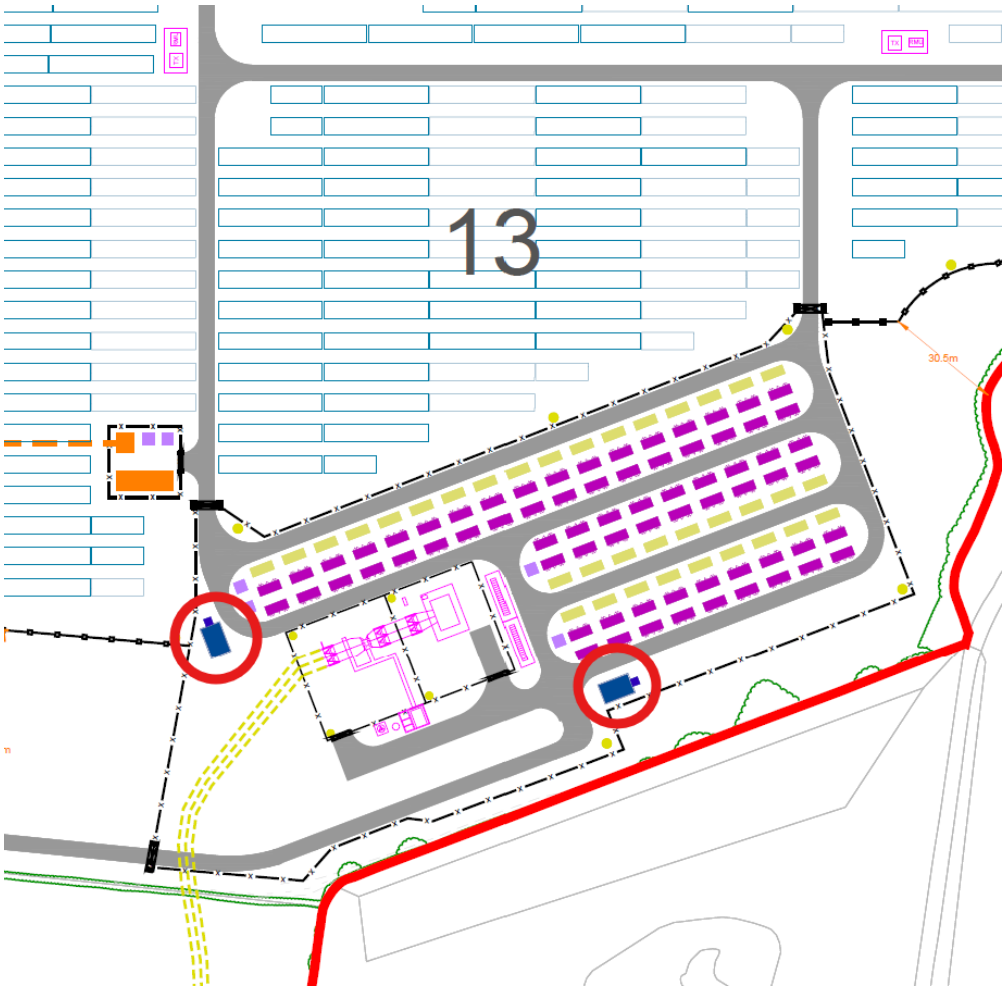

Figure 3 – Water Tank Locations

Each tank (shown as blue rectangular boxes with small squares on an end on Figure 3), would have a capacity of circa 120,000 litres so together water capacity of 240,000 litres. The NFCC guidance requires a minimum of 1,900 litres per minute for 2 hours, totalling 228,000 litres. The pump houses allow for water to be pumped into and out of the tanks.

The water tanks could be painted a sympathetic colour, like dark green, and are similar/ slightly lower height than that the battery containers and inverter housing. Given this they are unlikely to give rise to any material increase in visual impact above the remainder of the infrastructure that was originally assessed.

The inclusion of the water tanks ensures that adequate supplies of fire water are stored on site, in compliance with the requirements of the NFCC guidance. Having two tanks in the locations they are proposed provides sufficient water capacity and ensures that fire fighters have a water supply within 120 m (two 60 m hoses joined together, not requiring a further pump) of all BESS units.

2.3 Additional Skylark Mitigation

Additional retained arable land to be managed for nesting skylark in fields to the east of fields 6 and 10, towards Bradmore Road (to the northeast, east and southeast of Lodge Farm), are included. This land is outside the planning application boundary but within land under the control of the Appellant which has been shown by a blue line added to the

Enhanced Landscape Strategy Plan. An extract of this additional mitigation land is included in Figure 4, shown by the green shaded area with a diagonal hatching.

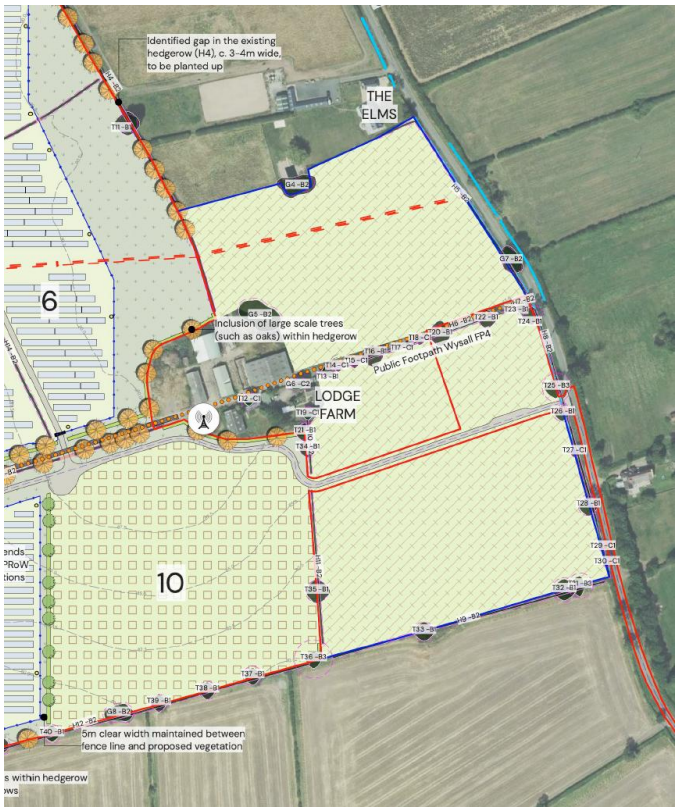

Figure 4 – Additional Skylark Mitigation Land

2.4 Landscape Enhancement

A number of changes have been made with regards to landscape mitigation enhancement, with further detail included in the Landscape Hearing Statement, but generally include additional hedgerow, hedgerow trees or woodland copses and the alignment of a public right of way south of fields 3 and 4 has been corrected. Further detail is included below and these areas are identified on the Summary of Changes Comparison Plan:

- Public Right of Way alignment corrected to follow the definitive route and on-site route along the existing track, with hedgerow and hedgerow trees added to the north to screen views in fields 5 and 6. Because of this change a section of internal access track south of fields 5 and 6 was removed and instead a crossing of the footpath included to provide access into field 6. See Figure 5.

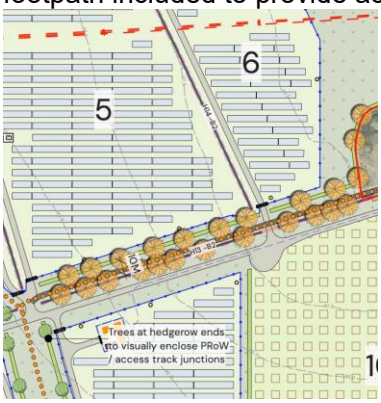

Figure 5

- More frequent large scale trees added to the proposed hedgerow south of field 3. See Figure 6.

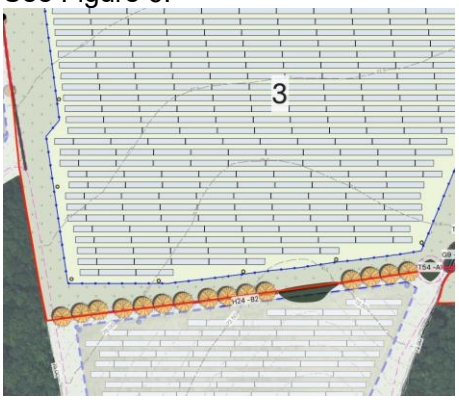

Figure 6

- Proposed copse and tree planting to the east of field 15. See Figure 7.
- Proposed additional trees to the northeast of field 12 and the vegetation belt between fields 14 and 5. See Figure 7.
- Additional small scale trees added to the vegetation belt between fields 13 and 14. See Figure 7.

Figure 7

3 UPDATED TECHNICAL INFORMATION COVERING THE CHANGES

The following updates or additional information are included as a result of the changes and the findings are summarised in the subsections below:

- Updated Ecological Impact Assessment, including Biodiversity Net Gain Assessment – Clarkson and Woods, October 2024.
- Updated Flood Risk Assessment and Surface Water Drainage Strategy – Pegasus, October 2025, encompassing the changes to the design to reflect the latest EA flood data.
- Flood Risk Sequential Assessment and Exception Test – Pegasus, October 2025 (new report).
- NFCC Compliance Report, ARC, August 2025, encompassing the new water tanks included in the revised design. This report is provided in addition to the Outline Battery Safety Management Plan that was submitted with the planning application.

Given the limited nature of the changes there is no specific requirement to update the following assessments that were submitted with the planning application:

- Landscape and Visual Impact Assessment - The additional landscaping introduced as part of the Enhanced Landscape Strategy Plan are included in the Landscape Hearing Statement submitted as part of the appeal;
- Heritage Statement – The effects arising from the amendments are considered in the Heritage Hearing Statement submitted as part of the appeal;
- Transport Statement and Construction Traffic Management Plan;
- Noise Assessment;
- Glint and Glare Assessment;
- Arboricultural Assessment;
- Agricultural Land Classification Report;
- Planning Statement;
- Design and Access Statement.

3.1 Updated Ecological Impact Assessment

As a result of the changes to the design, and the time lapsed since some original ecology surveys were carried out, an update survey was conducted by Clarkson and Woods in August 2025. The changes are reported in an updated Ecological Impact Assessment prepared by Clarkson and Woods, October 2025, which also includes an updates to the previous Biodiversity Net Gain Assessment. The updates to the EcIA are shown by blue text in that report to make it easy to identify where changes have been made.

A local records data search was not updated as existing data had been obtained relatively recently (in 2022) and the update survey did not identify any notable changes in habitats or ecological conditions at the Site which could alter the likely presence or potential presence of important ecological features.

The update to the EcIA did not result in any changes to predicted impacts or mitigation for any protected species surveys.

During the August 2025 update survey, with the exception of fallow margins adjacent to Bunny Old Wood in the Northern Parcel, fields comprised recently harvested barley cereal. In the Southern Parcel established maize (approx. 2 – 2.5m in height) was recorded in previously arable fields. Two fields of modified grassland remained. As part of the survey the baseline habitat condition was reviewed for the purposes of the BNG assessment.

A new version of the BNG metric has been completed using the information collected during the update habitat survey in 2025 and considering the changes made via the Revised Layout (WLL02A-EXG-04-00-D-K001-P07) and Enhanced Landscape Strategy

(Ref: P25-1631_EN_02E dated 29/09/2025). Changes to the landscape plan include additional large-scale tree planting, additional hedgerows with standard trees, additional small-scale tree planting of hazel and hawthorn in hedgerows and 0.32ha of additional scrub planting. Removal of an access track adjacent to H6 has also minorly decreased the approximate area of developed land to be proposed, which is instead replaced with further grassland habitat creation. The new version of the Statutory Metric (v3.0, 30/09/2025) has been completed to reflect changes in both baseline and proposed habitats.

The Development results in the loss of 94.89ha of arable land, 3.97ha of modified grassland and 2.5ha of ruderal habitat and the loss of approximately 31m of hedgerow to accommodate the new access routes. This is offset by incorporating new species-rich wildflower meadow grassland outside of the solar security fencing, wet meadow planting within the southern most field and a grazing grassland mixture within the security fencing. Several new sections of copse and woodland planting will also take place throughout both parcels. Additionally, approximately 2.64km of new, species-rich hedgerow will be planted and existing hedges will be enhanced. This will result in a gain of 159.14 Habitat Units, or an overall net gain of 73.69% (previously 168.44 units and 81.94% gain). The Development will result in a gain of 43.93 Hedgerow Units, or an overall net gain of 60.77% (previously 45.65 units and 66.24% net gain). The Development has a gain of 0.34 watercourse units, leading to an overall gain of 14.40% within the BNG metric, in line with previous calculations under the Metric calculation v2.0.

Using the latest metric calculation, the net gain in habitat and hedgerow units has decreased since the previous calculation. The increase in the number of habitat units present at baseline (from 205.57 to 215.94) is associated with the greater extent of ruderal/ephemeral habitat in good condition recorded during the update 2025 survey. The increase in the number of hedgerow units (from 68.91 to 72.28) is predominantly attributed to the increase in condition of several hedgerow features from moderate to good. Whilst the number of habitat and hedgerow units delivered as a result of the Development has minorly increased through additional planting measures, the proportion of deliverable units in comparison to the elevated baseline is scaled down which has resulted in a small decrease in overall percentage net gain. Additionally, where hedgerows were previously recorded to be in moderate condition but have been updated to good, the scope for enhancement in BNG condition is eliminated as the features have already reached the highest achievable condition class.

Although the overall percentage net gain for the Development has decreased due to an elevated baseline, the Development seeks to deliver further habitat enhancements under the Enhanced Landscape Strategy (Ref: P25-1631_EN_02E). Despite the changes in percentages the Development can still be expected to deliver a considerable net gain for biodiversity which far exceeds the mandatory 10% target.

3.2 Updated Flood Risk Assessment and Surface Water Drainage Strategy

The Appeal Site is entirely greenfield and used for arable farming with some smaller areas of modified grassland and generally located in Flood Zone 1, with small areas of Flood Zone 2 and 3 at the southern end of the Southern Parcel, associated with Kingston Brook. Flood Zone 2 and 3 are generally left undeveloped with the exception of the proposed access and brook crossing in the Southern Parcel.

Areas of surface water flood risk are also predicted on site and the publishing of the latest flood data by the Environment Agency in March 2025 has resulted in 4 items of electrically sensitive infrastructure being microsited to be outside of the modelled flood extent (see Section 2.1 for details). The original design, when considering the previous surface water flood data published by the Environment Agency identified flood depths in some parts of the Appeal Site where solar panels were proposed which meant that the lowest edge of some solar panels needed to be raised higher off the ground to be above the modelled flood depth plus a 300mm free board allowance. This is now not required with all modelled

flood depths in areas where solar panels are proposed being lower than the lowest edge of the panels even when considering the 300mm freeboard. All solar panels will now have a maximum height above ground of 3.1m.

The Appeal Site is not considered to be at significant risk of flooding from any other source.

Access and egress to the Northern Parcel is not predicted to be impeded during an extreme flood event. Flood risk to the Southern Parcel access has been assessed using the Site topographic survey information and the extent of Flood Zone 2 along the access route, as defined by the Flood Map for Planning. Based on this assessment, a 1 in 1,000 year flood level of 57.95mAOD has been estimated along the Southern Parcel access route.

Whilst the access and brook crossing to the Southern Parcel is subject to detailed design, at this stage, to ensure no loss of floodplain storage, the updated FRASWDS recommends that the access is constructed at current ground levels with the soffit of the brook crossing recommended to be at a minimum level of 57.95mAOD (the estimated 1 in 1,000 year flood level along the access route).

A maximum 1 in 1,000 year flood depth of 0.67m is predicted along the access. The Development's Fire Consultant (Jim Tough – Abbot Risk Consulting) has advised of a maximum flood depth that an emergency fire vehicle can pass of 0.75m to 1m. Based on the presented assessment, emergency fire access for the Southern Parcel would therefore not be restricted during a 1 in 1,000 year flood event if the access is constructed at existing ground levels.

To provide betterment over the existing situation, it is recommended that the existing culvert over Kingston Brook within the Appeal Site be removed. This would improve ecological connectivity, increase capacity of the Kingston Brook and reduce the risk of blockage.

3.3 Flood Risk Sequential Assessment and Exception Test

Although a Flood Risk Sequential Test was not submitted as part of the planning application, and one was not requested by RBC prior to the determination of the planning application, one has been prepared as part of the appeal.

As identified in Section 3.2 the Appeal Site is predominantly located within Flood Zone 1, with small areas of Flood Zones 2 and 3 situated at the southern end of the Southern Parcel, associated with Kingston Brook. These higher-risk flood zones are generally left undeveloped, except for the proposed access route and brook crossing to the Southern Parcel. Some areas of surface water flood risk are also predicted within the Appeal Site.

The updated FRASWDS concludes that whilst the Appeal Site is at a low risk of flooding from all sources and the design has ensured that the proposed infrastructure is located out of areas susceptible to flooding, there is a requirement to provide a flood risk sequential assessment, due to the proposed Southern Parcel access being located through a circa 100 m area of Flood Zone 2 and 3 around Kingston Brook. It is noted that this access will be designed to ensure that existing flow patterns and flood risk are not impacted.

The purpose of the report is to provide an assessment of the Development against the requirement of the National Planning Policy Framework (NPPF) with consideration of the Sequential and Exceptions test in order to demonstrate that the Development is acceptable in relation to flood risk.

The methodology for the Sequential Test has sought to identify whether there are any alternative, 'reasonably available sites', within a 3km buffer from the 132kV overhead line which is providing the point of connection for the Development. This 132kV overhead line crosses the southern parcel of the Appeal Site and provides a link between substations at Ratcliffe on Soar and Willoughby on the Wolds.

There were no potentially suitable brownfield sites. A review of land within the 3km buffer has identified significant constraints, particularly to the west. These include areas designated as Green Belt, proximity to existing settlements, Best and Most Versatile (BMV) agricultural land, and land subject to flood risk. While there are potential alternative sites, some have already come forward as renewable energy projects but others appear to be similar to the Appeal Site, no better or worse in terms of site constraints and development suitability. Furthermore there is no certainty on obtaining land agreements for these alternative sites and no certainty on receiving a financially viable grid connection that can allow connection of the project prior to 2030. Some alternative sites lacked suitable topography, being north facing, and were in more open landscapes closer to settlements with a greater number of visual receptors than the Appeal Site, which is generally well contained by landform and mature woodland blocks. When considering the cable length in the public highway many of these alternative sites were too far from the point of connection and so would be unviable. In conclusion, it is determined that there are no preferable, 'readily available' alternative sites within the 3km buffer.

Consideration was given to alternative access arrangements for the Southern Parcel that would avoid areas of Flood Zone 2 and 3, however no alternatives were available. The land between the Northern Parcel and the Southern Parcel is owned by a 3rd party landowner not involved with the wider project. When contacted with regards to the granting of an easement for both cabling and access tracks between the Northern and Southern Parcels the 3rd party landowner was not interested in granting rights of easement and a commercial agreement was not reached. Access options from the east are not possible as 3rd party land is required and the access would come from the settlement of Wysall. Any other access options from the south would involve the crossing of Kingston Brook which runs parallel with the southern boundary of the site. Access options from the west are not possible as this would need to be via the consented Highfields solar farm.

The Updated FRASWDS has demonstrated that all electrical aspects of the Development are located within Flood Zone 1 and outside of modelled surface water flood extents. The above demonstrates that there are no alternative access options for the Southern Parcel that do not involve crossing the area of Flood Zone 2/3. Overall this demonstrates a sequential approach to the design and the sequential test is considered to be passed.

As the Development is classified as Essential Infrastructure and the Appeal Site is partly located within Flood Zone 3, the exception test is required as outlined in Table 2 'Flood risk and coastal change' guidance.

It has been demonstrated that the Development will remain operational and safe during times of flood. No solar panels or associated infrastructure are located within areas designated as Flood Zone 2 or 3. Furthermore, none of the infrastructure classified as having greater vulnerability is positioned within Flood Zone 2 or 3, nor within areas identified as being at risk of surface water flooding according to the RoFSW dataset. In addition, a range of sustainable drainage methods have been incorporated into the design of the Development to manage surface water effectively and reduce flood risk.

The exception test is included in the Updated FRASWDS and the Flood Risk Sequential Assessment and Exception Test which conclude that the exception test is passed given the sustainability benefits (environmental, economic and social) clearly outweigh limited impact on flood risk.

3.4 NFCC Compliance Report

Battery safety was dealt with via an Outline Battery Safety Management Plan, prepared by Exagen, January 2024. Nottinghamshire Fire and Rescue Service were consulted on the planning application and raised no objection to the application subject to the imposition of a planning condition.

With regards to drainage provisions both the Environment Agency and the Lead Local Flood Authority were also consulted and both had no objection.

All BESS units have fire detection and suppression systems (FDSS) that activate when a flame is detected with in the BESS enclosure. However, the BESS cells and batteries are monitored 24/7 for temperature and voltage variations via a Battery Management System (one per battery and an overarching rack BMS controls each rack, providing a layered safety approach). The battery BMS also controls the charge rate in and out of the cells and balances the charge between cells. In the event of an incident outside the control of the BMS, a cell will initially off gas and this gas is detected by built-in gas sensors that will activate the BESS ventilation system and clear any gas build up in the enclosure. For day to day operation each BESS has a HVAC system that maintains the optimal environmental conditions for the batteries.

As part of the planning application the proposal for fire water was to hold sufficient volume to comply with NFCC requirements in a fire water pipe in the south of the BESS. The intention would be for fire water to be pumped from this by the Fire and Rescue Service and no issues with this was raised during consultation on the planning application. This was detailed in the submitted Flood Risk Assessment and Drainage Strategy, Pegasus January 2024. However to mitigate any potential concerns the fire service may have with recycling fire water, and to maintain a flexible design, two above ground water tanks with associated pump housing are now included on the site layout plan. This has also been updated where necessary in the Flood Risk Assessment and Surface Water Drainage Strategy – Pegasus, September 2025.

The original OBSMP has been supplemented by an independent report prepared by ARC, August 2025 which provides a review of compliance with the National Fire Chief Council's guidance for grid scale BESS.

This has concluded that, with the implemented safety management measures in place, the risk posed by the BESS is acceptable and within the bounds required by the HSE. The site design and layout has acknowledged and accommodated the requirements of the NFCC Guidance and the associated Factory Mutual (FM) Global Datasheet 5-33. The design and planning for the Development also acknowledges the guidance provided by the Department for Energy Security and Net Zero 'Health and Safety Guidance for Grid Scale Electrical Energy Storage Systems'.

The risk of fire is minimised by the implementation of the following measures:

- The procuring of components and using construction techniques that comply with all relevant and prevailing legislation.
- Including automatic fire detection systems as part of the design requirement.
- Designing the development to contain and restrict the spread of fire using fire-resistant materials and separation between elements of the BESS, conversant with the FM Global Datasheet 5-33 (Jan 2024 edition).
- Developing an Emergency Response Plan (ERP) with FRS to minimize the impact of an incident during construction, operation, and decommissioning of the facility.

The NFCC Compliance Report also includes vehicle tracking illustrating that a fire tender can reach and move around the BESS compound in forward gear without the need to turn around – this is presented at Appendix B of that report.

4 OTHER PROCEDURAL REQUIREMENTS

Given the negligible change to the development it is not considered necessary for the Council to provide an updated EIA Screening Opinion. The negligible changes made are introduced to reduce the potential environmental effects, and given the development was previously screened as not requiring EIA, including just prior to determination of the planning application, it is assumed the same conclusion would be reached on the slightly amended design.

Given minor changes are proposed to the design there is a necessity to ensure appropriate consultation is undertaken on the changes. There is no mechanism for this when undertaken in parallel with an appeal. As such the Appellant has given prior notification to RBC of the changes made and the approach proposed to allow meaningful consultation on the changes through the appeal process. The formal information regarding the changes (i.e. this document and the technical reports and plans referenced within it) will be submitted to RBC and also loaded onto the project website. The consultation on the changes included:

- Hosting documents on the project website and inviting comments through the project email address;
- A circa 5-week consultation period extending until 28th November 2025;
- Notification to all parties interested in the application (i.e. those who provided comments on the original application);
- Notification to all residential properties adjoining the red line boundary, some of which would be interested parties identified above;
- Notification to Wysall and Thorpe-in-the-Glebe Parish Council, Costock Parish Council, Rempstone Parish Council and Bunny Parish Council, and to all Councillors consulted on the original application and the MP James Naish;
- Newspaper advert in Nottinghamshire Live – physical paper and online versions;
- Site notices placed around the site (covering both site areas).