

Having read transcripts of the hearings that took place in early January 2026 and seen the questions issued subsequently, I wish to comment on two subjects: Traffic & transport and decommissioning.

## 1. Traffic & transport.

The Examining Authority's first written questions and requests for information (ExQ1) issued on 14 January 2026 included question TT 1.26 on cumulative effects. This question asked specifically about the timing of the works on the A46 works in Newark and the A46 Hykeham relief road, and the assumption that they would be completed prior to this project and so ignored for cumulative impact assessment. However, the exclusion from cumulative impact assessment needs testing in further respects and I wish to cite several examples.

The Fosse Green Energy (FGE) construction phase is anticipated to be 2031- 33 (based upon a connection offer of 30 May 2033 to the proposed Navenby substation with that construction being completed in late 2029).

The applicant has made assumptions that allow the exclusion of other energy schemes from the cumulative assessment in paragraph 13.10.8 of Environmental Statement chapter 13 on traffic (APP 038). The assessments are based upon a peak year for construction traffic quoted as "2032" in paragraph 13.10.6 of that document.

The assumptions on which the exclusions are based are somewhat dubious. For example:

13.10.8.h relates to a BESS application (NKDC ref 25/0491/FUL) for land south of Green Man Road (note 13.10.8.h incorrectly refers to the site as being north of Green Man Road) and states "It is anticipated that the scheme would be fully operational by 2034. Therefore, this has been screened out of this cumulative assessment due to the lack of temporal overlap between the Proposed Development and the scheme". It is not clear why being fully operational by 2034 precludes an overlap with the NGE construction phasing of 2031-33. Furthermore, at the public consultation event for the BESS, in March 2025, it was stated that both projects shared parent companies and so would co-ordinate their works on Green Man Road to minimise construction costs.

13.10.8.o relates to Gorse Hill Lane, Wellingore BESS (NKDC ref 24/0075) and says "Based on the screening opinion decision dated May 2024, the scheme has been deemed as not an EIA Development and therefore does not require an Environmental Statement to assess its impact. It is anticipated that the scheme would be fully operational by 2032.

Therefore, it has been screened out of this cumulative assessment due to the lack of temporal overlap". It should be noted that the applicant said 24/0075 does not need an Environmental Statement and that may have led to an assumption that less time would be needed to secure planning permission and hence construction complete before FGE begins construction; in fact NKDC on 9 May 2024 said "the proposals are EIA development. An Environmental Statement will therefore be required in support of any future planning application."

13.10.8.q. relates to Leoda Solar Farm and states "Based on the information provided within the EIA Scoping Report (January 2025), the anticipated construction phase is expected to commence in 2028 and continue for a period of 24 to 36-months". Local residents now understand that timetables are slipping. One reason is that promoters of new energy projects are unlikely to commit to significant construction costs until there is certainty about the operational date of the National Grid Navenby Substation (NGNS) which is unlikely to be late 2029 - there is therefore likely to be slippage in the start date of schemes intending to connect to NGNS, like Springwell, with resultant "bunching" of construction periods. Commercial considerations mean that if NGNS is operational in 2029, it makes sense to bring forward FGE construction from the dates assumed in Chapter 13. Indeed, in paragraph 2.1.2 of Grid Connection Statement (APP 200), the applicant states an intention to negotiate an advancement in the connection queue. Whilst this advancement may or may not be granted, it fundamentally undermines the applicant's cumulative impact assessment.

Finally , the applicant asserted during ISH 1 session 4 at 13:39 "section 2.6 of en three sets out that where flexibility is sought, as is the case with the proposed development, applicants should assess the worst case, environmental, social and economic effects of the proposed development to ensure that the impact of the project as it may be constructed have been 6 properly assessed, as confirmed in chapter five, environmental impact assessment methodology of the environmental statement". There is no evidence that the applicant has applied this methodology to the cumulative traffic assessments.

My suspicion is that the assessment of the Highways Authority of a neutral cumulative traffic impact was based just on the applicant's scoping assumptions. If this is the case, then it would seem appropriate to ask Lincolnshire County Council to reappraise the cumulative traffic impacts based upon a range of plausible construction timings.

In the Environmental statement chapter 13 on traffic, there is a "Table 13-26: Construction Traffic Impact (2032) – Principal Site – Development Peak Hours". The table shows no development impact from construction traffic associated with the principal site at junctions J9/10/11/12 which I accept. However, there will be an impact at these junctions from the connection corridor but I can't find a similar table for the corridor. I queried this with the enquiry support team before the ISHs were held in the first week of January but was advised to contact the applicant which I have done but not as yet received a reply. Can I ask that a similar table be provided for the corridor impact?

## 2. Decommissioning.

The lack of any mechanism to ensure the return of the land to agriculture was raised by local authority representatives in ISH 1 session 5 and raised again in ISH 2.

Many developers of solar farms argue that an application for a solar farm based upon a temporary use means that the weight given to the loss of agricultural land should be discounted as a harm since it is only temporary (for example, in the case of Little Hale Drove in North Kesteven). However, this argument is meritless unless there is adequate financial provision secured for decommissioning and remediation after temporary use.

Solar farm applicants have different business models. Some have sold the undertaking immediately after securing a DCO or planning permission to an entity which has a greater appetite to deploy capital on the expensive task of constructing a solar farm. Some have been happy to have capital tied up whilst there is a predictable income stream (e.g. with a 15 year "Contract for Difference" from the government-owned Low Carbon Contracts Company). Other entities will seek to pay low prices for solar assets nearing the end of their useful life and run them for cash. It is therefore necessary that, throughout the life of the project, there is a requirement that secures funds for decommissioning and remediation at the end of temporary life, such as a performance bond. It has been argued that such bonds are not necessary as the scrap value proceeds would fund remediation; if correct, the cost of such a bond should be negligible to an operator. However, if such a bond is commercially unattractive during the early years of operation, funding should be set aside annually into an escrow account during the initial fifteen years of operation (as these are likely to be the most financially rewarding). It

would be appropriate for the applicant at the fifteenth year stage to be required to secure a bond to cover any shortfall between the cost of remediation and the valuation of the escrow account. Furthermore, should the applicant sell the undertaking to another entity, it would be appropriate to require the new owner to secure a bond at the point of sale if the sale is prior to the fifteenth year.