



Fosse Green Energy

EN010154

9.7 Schedule of Changes to the
Draft DCO

VOLUME

9

Planning Act 2008 (as amended)

Regulation 5(2)(q)

The Infrastructure Planning (Examination
Procedure) Rules 2010

20 January 2026

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Fosse Green Energy

Development Consent Order 202[]

9.7 Schedule of Changes to the Draft DCO (Clean)

Regulation Reference	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	EN010154
Application Document Reference	EN010154/EXAM/9.7
Author	Fosse Green Energy Limited

Version	Date	Issue Purpose
Rev 1	20 January 2026	Deadline 1 Submission

1. Schedule of Changes to the draft Development Consent Order [EN010154/APP/3.1]

1.1 The following table has been prepared by Fosse Green Energy Limited (the Applicant) to set out the changes made to the draft Development Consent Order from that submitted with the application to the Planning Inspectorate on 18 July 2025. The table below does not detail minor changes in relation to typographical errors and updates in cross-referencing.

Table 1.1. Schedule of Changes to the draft Development Consent Order

Reference	Change	Reason for Change	Deadline
Article 6 (Application and modification of statutory provisions)	Article 6(1)" (e) regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016(e) in respect of a flood risk activity only; "	This wording has been removed as the Applicant has now agreed with the Environment Agency that it will not be seeking to disapply the requirement to obtain an environmental permit under Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016.	Deadline 1
Schedule 2 (Requirements), 4 (Approved details and amendments to them)	Insert a new paragraph (2) " (2) In determining whether to approve any amendments to any of the approved Documents, Plans, Details or Schemes, the relevant planning authority must re-consult all consultees that were required to be consulted on those Documents, Plans, Details or Schemes "	Included in response to National Highways' relevant representation [RR-201].	Deadline 1

when those Documents, Plans, Details or Schemes were originally approved. "

Schedule 2 (Requirements), 10 (Surface and foul water drainage)	(1) "No part of the authorised development may commence until written details of the surface water drainage scheme and (if any) foul water drainage system has been submitted to and approved by the lead local flood authority and the relevant planning authority, <u>in consultation with Anglian Water and the Environment Agency.</u> "	In response to a request from the Environment Agency in [RR-089] and Anglian Water in [RR-024] .	Deadline 1
Schedule 2 (Requirements), 12 (Construction environmental management plan)	(1) "No part of the authorised development may commence until a construction environmental management plan for that part has been submitted to and approved by the relevant planning authority such approval to be in consultation with Lincolnshire County Council (as the local highway authority and waste planning authority), <u>National Highways</u> and the Environment Agency."	Amendment made in response to request from National Highways in [RR-201] .	Deadline 1
	<u>"(4) for the purposes of sub-paragraph (1), "commence" includes remedial work in respect of any contamination."</u>	Amendment made in response to a request from the Environment Agency at [RR-089] .	Deadline 1
Schedule 2, (Requirements), 13 (Operational environmental management plan)	(1) "Prior to the date of final commissioning for any part of the authorised development, an operational environmental management plan for that part must be submitted to and approved by the relevant planning authority such approval to be in consultation with Lincolnshire County	Amendment made in response to request from National Highways in [RR-201] .	Deadline 1

	Council (as the local highway authority and waste planning authority), National Highways and the Environment Agency."	
Schedule 2, (Requirements), 14 (Construction traffic management plan)	(1) "No part of the authorised development may commence until a construction traffic management plan for that part has been submitted to and approved by the relevant planning authority in consultation with National Highways ."	Amendment made in response to request from National Highways in [RR-201] . Deadline 1
Schedule 2, (Requirements), 15 (Soil management plan)	(1) "No part of the authorised development may commence until a soil management plan for that part has been submitted to and approved by the relevant planning authority, in consultation with Lincolnshire County Council and Natural England ."	Amendment made in response to request from Natural England in [RR-202] . Deadline 1
Schedule 2, (Requirements), 20 (Decommissioning)	(2) "(2) Prior to the commencement of any decommissioning works for any part of the authorised development, the undertaker must submit to the relevant planning authority for approval, in consultation with Lincolnshire County Council (in its capacity as the local highway authority and waste planning authority), National Highways and the Environment Agency, a decommissioning environmental management plan for that part."	Amendment made in response to request from National Highways in [RR-201] . Deadline 1

<p>Schedule 4 (Streets subject to street works)</p>	<p>Lincolnshire County Council</p>	<p>Those parts of the A46 that are within the limits of deviation of Work No. 6</p>	<p>Street works to facilitate underground cable installation works for the length of the A46 shown in green patterned hatching on Sheet 4 of the streets, rights of way and access plans.</p>	<p>The inclusion of this new row has been agreed with National Highways. The Streets, Rights of Way and Access Plans [EN010154/APP/2.3] have been updated accordingly.</p> <p>Deadline 1</p>
<p>Schedule 14 (Protective Provisions)</p>	<p>After Paragraph 16, insert:</p> <p style="text-align: center;">"PART 3 FOR THE PROTECTION OF LINCOLNSHIRE FIRE AND RESCUE</p> <p>Interpretation</p> <p>17. –</p> <p>(1) For the protection of Lincolnshire Fire and Rescue as referred to in this Part of this Schedule the following provisions have effect, unless otherwise agreed in writing between the undertaker and Lincolnshire Fire and Rescue.</p> <p>(2) In this Part of this Schedule –</p>		<p>To include protective provisions agreed with Lincolnshire Fire and Rescue.</p> <p>Deadline 1</p>	

“Index Linked” means an increase in the sums payable on an annual basis or pro rata per diem in accordance with the most recent published figured for the Consumer Price Index, or during any period when no such index exists the index which replaces it or is the nearest equivalent to it; and

“Lincolnshire Fire and Rescue” means Lincolnshire County Council in its capacity as a fire and rescue authority pursuant to section 1(2)(a) of the Fire and Rescue Services Act 2004(a).

Site Visits

18. –

(1) The undertaker must, prior to the date of final commissioning of Work No. 2 or Work No. 3, use reasonable endeavours to facilitate a site familiarisation exercise in connection with Work No. 2 or Work No. 3 of the authorised development for Lincolnshire Fire and Rescue for the purposes of providing the necessary assurance to Lincolnshire Fire and Rescue that all the required systems and measures are in place in accordance with the battery safety management plan.

(2) Following the first anniversary of the date of final commissioning of Work No. 2 or Work No. 3 of the authorised development, the undertaker must use reasonable endeavours to facilitate an annual review of Work No. 2 or Work No. 3 by Lincolnshire Fire and Rescue at the reasonable request of Lincolnshire Fire and Rescue, up until

the year in which the undertaker commences decommissioning of Work No. 2 or Work No. 3.

Costs

19. –

(1) Pursuant to the provision set out at sub-paragraph 2, the undertaker must pay to Lincolnshire Fire and Rescue—

(a) £16,665 in the first year of operation of the authorised development for, or in connection with Lincolnshire Fire and Rescue's attendance at the site familiarisation exercise facilitated by the undertaker pursuant to paragraph 18(1), such sum to be paid within 30 days following the date of the site familiarisation exercise; and

(b) £1,530 in each subsequent year of operation of the authorised development until the date of decommissioning of Work No. 2 or Work No. 3, such sums to be paid within 30 days of the date of the annual review for that year, if in that year an annual review has taken place pursuant to paragraph 18(2).

(2) The costs payable under sub-paragraph (1)(b) are to be Index Linked.

Arbitration

20. Any difference or dispute arising between the undertaker and Lincolnshire Fire and Rescue under this Part of this Schedule must be determined by arbitration in accordance with article 43 (arbitration)."

Schedule 15 (Procedure for discharge of requirements), 2 (Application made under requirement)	(5) "Where an application has been made to the relevant planning authority for any discharge, the undertaker will also submit a copy of that application to any requirement consultee <u>and the requirement consultee will be given no less than 15 working days in which to respond to the relevant planning authority.</u> "	Additional wording included in response to a request from the Environment Agency [RR-089] .	Deadline 1
--	---	--	------------
