



# Fosse Green Energy

EN010154

9.7 Schedule of Changes to the Draft  
DCO (Tracked)

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Planning Act 2008 (as amended)

Regulation 5(2)(q)

Infrastructure Planning (Examination Procedure)

Rules 2010

6 February 2026

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## Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

Fosse Green Energy  
Development Consent Order 202[ ]

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#### 9.7 Schedule of Changes to the Draft DCO

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Regulation Reference	Regulation 5(2)(q)
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
Rev 2	06 February 2026	Deadline 2

# 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
<u>Article 2 (Interpretation)</u>	<u>Article 2(1) "date of final commissioning" means in respect of each part of the authorised development the date on which each part of the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing;</u>	<u>Amendment made to provide clarity with regards to the date of decommissioning in relation to Requirement 20 (Decommissioning) of Schedule 2. Consequential amendments have also been made to Articles 29 and 30, Requirements 5, 9, 13 and 17 and paragraph 18 of Part 3 of Schedule 14.</u>	<u>Deadline 2</u>
Article 6 (Application and modification of statutory provisions)	<del>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;"</del>	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

<u>Article 17 (Discharge of water)</u>	<u>Article 17(8) "If a person who receives an application for consent or approval fails to notify the undertaker of a decision within 28 days of receiving an application for consent under paragraph (3) or approval under paragraph (4)(a) that person is deemed to have granted consent or given approval, as the case may be."</u>	<u>Correction of a minor typographical error. Deadline 2</u>
<u>Article 40 (Trees subject to tree preservation orders)</u>	<u>Article 40(1) "The undertaker may fell or lop any tree within or overhanging land within the Order limits subject to a tree preservation order which was made after <del>1</del>30 June 2025 if the undertaker reasonably believes it to be necessary to do so to prevent the tree or shrub—"</u>	<u>The placeholder in this Article has been removed and the 30 June 2025 inserted. The provision is intended to deal with any TPOs which have been made since the submission of the application for development consent. This approach mirrors that of the Springwell Solar Farm (EN010149).</u>
<u>Article 40 (Trees subject to tree preservation orders)</u>	<u>Article 40(1)(c) "the undertaker must give consult the relevant planning authority 14 days' notice prior to that activity taking place except in relation to dead or dangerous trees, where only 5 days' notice is required. "</u>	<u>Amendment made in response to submissions from North Kesteven District Council. Deadline 2</u>
<u>Article 47 (Guarantees in respect of payment of compensation)</u>	<u>Article 47(2) "(2) The provisions are— (a) article 19 (compulsory acquisition of land); (b) article 22 (compulsory acquisition of rights); (c) article 23 (private rights); (d) article 26 (power to override easements and other rights);"</u>	<u>Amendment made to address a comment from NKDC as compensation is payable under Article 26(4). Deadline 2</u>
<u>Schedule 1 (Authorised development) paragraph 2 (Authorised development)</u>	<u>" <b>Work No. 5A</b>— works to lay underground high voltage electrical cables, access and temporary construction compound laydown areas for the electrical cables, to connect to the National Grid Navenby substation including—"</u>	<u>Amendment made to address the Examining Authority's written question DCO.1.13 [EN010154/PD/0.11]. Deadline 2</u>

<p><u>Schedule 1</u> <u>(Authorised development)</u> <u>paragraph 2</u> <u>(Authorised development)</u></p>	<p><b>" <u>Work No. 6</u>— works to lay underground electrical cables up to 33 kV connecting Work No. 1 to Work No. 2 or Work No. 3 and Work No. 4 including—."</b></p>	<p><u>Amendment made to address the Examining Authority's written question DCO.1.13 [EN010154/PD/0.11].</u></p>	<p><u>Deadline 2</u></p>
<p><u>Schedule 1</u> <u>(Authorised development)</u> <u>paragraph 2</u> <u>(Authorised development)</u></p>	<p><u>Paragraph 2,</u> <u>"In connection with and in addition to Work Nos. 1 to 9 further associated development within the Order limits comprising such other works or operations as may be necessary or expedient for the purposes of or in connection with the authorised development and insofar as they do not give rise to any materially new or materially different environmental effects from those assessed in the environmental statement, including—</u> <u>(a) fencing, gates, boundary treatments and other means of enclosure;</u> <u>(b) bunds, embankments, trenching and swales;</u> <u>(c) works, improvements or extensions to the existing drainage and irrigation system and works to alter the position and extent of such irrigation system;</u> <u>(d) irrigation infrastructure, surface water drainage systems, runoff outfalls, SuDs Ponds, storm water attenuation systems including storage basins, oil water separators, including channelling and culverting and works to existing drainage networks;</u> <u>(e) electrical, gas, water, foul water drainage and telecommunications infrastructure</u></p>	<p><u>This text has been removed as it duplicates the provision at the start of the list of associated development.</u></p>	<p><u>Deadline 2</u></p>

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connections, diversions and works to, and works to alter the position of, such services and utilities connections;  
(f) works to alter the course of, or otherwise interfere with, non-navigable rivers, streams or watercourses;  
(g) works for the provision of security and monitoring measures such as CCTV columns, lighting columns and lighting, cameras, lightning protection masts, weather stations, storage containers, communication infrastructure, and perimeter fencing;  
(h) improvement, maintenance, repair and use of existing streets, private tracks and access roads;  
(i) laying down, maintenance and repair of new internal access tracks, ramps, means of access, footpaths, permissive paths, cycle routes and roads, signage and information boards;  
(j) temporary footpath diversions and closures;  
(k) landscaping;  
(l) temporary storage of materials prior to installation;  
(m) site establishments and preparation works including site clearance (including vegetation removal, demolition of existing buildings and structures); earthworks (including soil stripping and storage and site levelling) and excavations; the alteration of the position of services and utilities; and works for the protection of buildings and land; and

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	<u>(n) tunnelling, boring and drilling works.</u>		
	<u>and further associated development comprising such other works or operations as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the authorised development which are within the Order limits and fall within the scope of work assessed in the environmental statement."</u>		
<u>Schedule 2 (Requirements), 1 (Interpretation)</u>	<u>""date of final commissioning" means in respect of each part of the authorised development the date on which each part of the authorised development commences operation by generating electricity on a commercial basis but excluding the generation of electricity during commissioning and testing."</u>	<u>This wording has been removed as it duplicates the definition at Article 2.</u>	<u>Deadline 2</u>
Schedule 2 (Requirements), 4 (Approved details and amendments to them)	Insert a new paragraph (2)  " <u>(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 when those Documents, Plans, Details or Schemes were originally approved. "</u>	Included in response to National Highways' relevant representation <b>[RR-201]</b> .	Deadline 1
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</u>	In response to a request from the Environment Agency in <b>[RR-089]</b> and Anglian Water in <b>[RR-024]</b> .	Deadline 1

[with Anglian Water and the Environment Agency.](#)"

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), <a href="#">National Highways</a> and the Environment Agency."	Amendment made in response to request from National Highways in <b>[RR-201]</b> . Deadline 1
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<a href="#">"(4) for the purposes of sub-paragraph (1), "commence" includes remedial work in respect of any contamination."</a>	Amendment made in response to a request from the Environment Agency at <b>[RR-089]</b> . Deadline 1
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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 Council (as the local highway authority and waste planning authority), <a href="#">National Highways</a> and the Environment Agency."	Amendment made in response to request from National Highways in <b>[RR-201]</b> . Deadline 1
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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 <a href="#">in consultation with National Highways</a> ."	Amendment made in response to request from National Highways in <b>[RR-201]</b> .	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 <a href="#">and Natural England</a> ."	Amendment made in response to request from Natural England in <b>[RR-202]</b> .	Deadline 1
<u>Schedule 2, (Requirements), 17 (Permissive paths)</u>	<u>"(1) Prior to the construction of a permissive path, the undertaker must submit details of that permissive path to the relevant planning authority for approval in consultation with North Kesteven District Council."</u>	<u>To reflect agreement with North Kesteven District Council.</u>	<u>Deadline 2</u>
<u>Schedule 2, (Requirements), 18 Public rights of way)</u>	<u>"(1) No part of the authorised development may commence until a public rights of way management plan for any sections of public rights of way shown to be permanently or temporarily closed on the streets, rights of way and access plans for that part has been submitted to and approved by the relevant planning authority in consultation with North Kesteven District Council."</u>	<u>To reflect agreement with North Kesteven District Council.</u>	<u>Deadline 2</u>
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	Amendment made in response to request from National Highways in <b>[RR-201]</b> .	Deadline 1

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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."

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Schedule 2  
(Requirements), 20  
(Decommissioning)

" (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.

Consequential amendments following the Deadline 2 amendments to the definition of "date of final commissioning" at Deadline 2 to provide clarity that there will be one date for the commencement of decommissioning works.

(3) The decommissioning environmental management plan submitted and approved under sub-paragraph (2) must be substantially in accordance with the relevant part of the framework decommissioning environmental management plan.

(4) No decommissioning works must be carried out until the relevant planning authority has approved the plan submitted in relation to such works.

(5) The plan submitted and approved pursuant to sub-paragraph (2) must be implemented as approved for the works required to

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decommission that part of the authorised development.

(6) This requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development. "

Schedule 4 (Streets subject to street works)

<a href="#"><u>Lincolnshire County Council</u></a>	<a href="#"><u>Those parts of the A46 that are within the limits of deviation of Work No. 6</u></a>	<a href="#"><u>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.</u></a>
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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.

Deadline 1

Schedule -6 (Streets "Articles 12 and 13" and public rights of way)

The reference to Article 13 has been removed as Schedule 6 does not relate to this article.

Deadline 2

<p><u>Schedule 6 (Streets and public rights of way), Part 3 (Permanent use of motor vehicles on public rights of way)</u></p>	<p><u>Lincolnshire County Council</u></p>	<p><u>LL NoDi 4/1</u></p>	<p><u>Permanent use of motor vehicles under the direction of the undertaker between PRow 09/02 and PRow 09/04 as shown on Sheet 9 of the streets, rights of way and access plans to facilitate the construction of the authorised development."</u></p>	<p><u>Updated to address discrepancies identified in ExQ1 DCO.1.09 [EN010154/PD/0.11] and reflect amendments to updated plans.</u></p>	<p><u>Deadline 2</u></p>
<p><u>Schedule 6 (Streets and public rights of way), Part 4 (Temporary management of public rights of way)</u></p>	<p><u>Lincolnshire County Council</u></p>	<p><u>LL ThuN 1/1</u></p>	<p><u>Public Right of Way between points PRow 07/07 and PRow 07/08 as shown on Sheet 7 of the streets, rights of way and</u></p>	<p><u>Updated to address discrepancies identified in ExQ1 DCO.1.09 [EN010154/PD/0.11] and reflect amendments to updated plans.</u></p>	<p><u>Deadline 2</u></p>

			<u>access plans to be managed during construction of the authorised development.</u>
<u>Lincolnshire County Council</u>	<u>LL ThuN 5/1</u>		<u>Public Right of Way between points P<sub>RoW</sub> 07/09 and P<sub>RoW</sub> 09/01 as shown on Sheets 7 and 9 of the streets, rights of way and access plans to be managed during construction of the authorised development.</u>
<u>Lincolnshire County Council</u>	<u>LL NoDi 4/1</u>		<u>Public Right of Way between points P<sub>RoW</sub> 09/02 and P<sub>RoW</sub> 09/04</u>

			<u>as shown on Sheet 9 of the streets, rights of way and access plans to be managed during construction of the authorised development.</u>
<u>Lincolnshire County Council</u>	<u>LL NoDi 1/2</u>		<u>Public Right of Way between points P<sub>RoW</sub> 09/013 and P<sub>RoW</sub> 09/024 as shown on Sheet 9 of the streets, rights of way and access plans to be managed during construction of the authorised development.</u>
<u>Lincolnshire County Council</u>	<u>LL NoDi 1/1</u>		<u>Public Right of Way between</u>

			<u>points P<sub>Ro</sub>W 09/04 and P<sub>Ro</sub>W 09/05 as shown on Sheet 9 of the streets, rights of way and access plans to be managed during construction of the authorised development.</u>	
<u>Schedule 6 (Streets and public rights of way), Part 5 (Temporary use of motor vehicles on public rights of way)</u>	<u>Lincolnshire County Council</u>	<u>LL TOTH 6A/2</u>	<u>Temporary use of motor vehicles under the direction of the undertaker between P<sub>Ro</sub>W 02/09 and P<sub>Ro</sub>W 02/11 as shown on Sheet 2 of the streets, rights of way and access plans to facilitate the</u>	<u>Updated to address discrepancies identified in ExQ1 DCO.1.09 [EN010154/PD/0.11] and reflect amendments to updated plans.</u>  <u>Deadline 2</u>

			<u>construction of the authorised development.</u>
<u>Lincolnshire County Council</u>	<u>LL ThuN 1/1</u>		<u>Temporary use of motor vehicles under the direction of the undertaker between PRow 07/07 and PRow 07/08 as shown on Sheets 7 and 9 of the streets, rights of way and access plans to facilitate the construction of the authorised development.</u>
<u>Lincolnshire County Council</u>	<u>LL ThuN 5/1</u>		<u>Temporary use of motor vehicles under the direction of the</u>

		<p><u>undertaker between PRow 07/09 and PRow 09/01 as shown on Sheets 7 and 9 of the streets, rights of way and access plans to facilitate the construction of the authorised development.</u></p>	
<p>Schedule 14 (Protective Provisions)</p>	<p><u>Protective provisions included for Lincolnshire Fire and Rescue at Part 3 of Schedule 14. After Paragraph 16, insert:</u>  <u>"PART 3</u>  <u>FOR THE PROTECTION OF LINCOLNSHIRE</u>  <u>FIRE AND RESCUE</u></p> <p><u><b>Interpretation</b></u>  <u>17.—</u>  <u>(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.</u>  <u>(2) In this Part of this Schedule —</u></p>	<p><u>The Applicant has included protective provisions for Lincolnshire Fire and Rescue. <del>e include protective provisions agreed with Lincolnshire Fire and</del> Rescue.</u></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 figure 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 —~~

~~(i) — £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~~  
~~(ii) — £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)(ii) 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)."~~

<u>Schedule 14 (Protective Provisions)</u>	<u>Protective provisions included for Cadent Gas Limited at Part 4 of Schedule 14.</u>	<u>The Applicant has included agreed protective provisions for Cadent Gas Limited. The latest status of negotiations between the Applicant and statutory undertakers can be found in the Schedule of Negotiations and Powers Sought [EN010154/EXAM/9.6]</u>	<u>Deadline 2</u>
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 <b>[RR-089]</b> .	Deadline 1
<u>Schedule 15 (Procedure for discharge of requirements), 4 (Appeals)</u>	<u>(11) "On application by the relevant planning authority or the undertaker, the appointed person may give directions as to the costs of the appeal parties and as to the parties by whom the costs of the appeal are to be paid. In considering whether to make any such direction and the terms on which it is to be made, the appointed person must have regard to advice on planning appeals and award costs published in <del>Planning Practice Guidance: Appeals (April 2014)</del> <del>March 2014</del> or any circular or guidance which may from time to time replace it."</u>	<u>To refer to the latest Planning Practice Guidance.</u>	<u>Deadline 2</u>