



Fosse Green Energy

EN010154

9.14 Schedule of Progress in Securing Other Consents (Tracked)

VOLUME

9

Planning Act 2008 (as amended)

Regulation 8(1)(k)

Infrastructure Planning (Examination Procedure)

Rules 2010

20 March 2026

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

Fosse Green Energy Development Consent Order 202[]

9.14 Schedule of Progress in Securing Other Consents

Regulation Reference	Regulation 8(1)(k)
Planning Inspectorate Scheme Reference	EN010154
Application Document Reference	EN010154/EXAM/9.14
Author	Fosse Green Energy Limited

Version	Date	Issue Purpose
Rev 1	06 February 2026	Deadline 2
Rev 2	20 March 2026	Deadline 3

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1.1 Introduction

- 1.1.1 This document has been prepared on behalf of Fosse Green Energy Limited (the Applicant) in relation to an application for a Development Consent Order (DCO) (the Application) for the construction, operation and maintenance, and decommissioning of Fosse Green Energy (hereafter referred to as the 'Proposed Development') to be made to the Secretary of State for the Department for Energy Security and Net Zero (Secretary of State), pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2 The Proposed Development comprises the construction, operation (including maintenance), and decommissioning of a ground-mounted solar photovoltaic (PV) electricity generating station with access provision, battery storage, Onsite Substation, underground cabling and associated infrastructure to generate and export and import electricity; and areas of landscaping and biodiversity enhancement. The Proposed Development will export and import electricity to the national electricity transmission network.
- 1.1.3 The Proposed Development also includes a 400kV underground Cable Route Corridor of approximately 10km in length connecting the Onsite Substation to the proposed National Grid substation near Navenby (that substation does not form part of this application but is being promoted by way of a separate consent by National Grid under the Town and Country Planning Act 1990). A full description of the Proposed Development is included in Chapter 3: The Proposed Development of the ES **[REP1-015]**.
- 1.1.4 This document is to be read alongside the Consents and Agreements Position Statement **[REP1-011]** which provides detailed information on the additional consents and licences that are, or may be, required to construct and operate the Proposed Development.
- 1.1.5 **Table 1-1** of the Consents and Agreements Position Statement **[REP1-011]** summarises the additional consents likely to be required, including details of the type of consent or licence, the relevant consenting body, its purpose in relation to the Proposed Development and the status of agreement with the relevant consenting body.
- 1.1.6 In line with the Examining Authority's request set out in Annex F to the Rule 6 Letter **[PD-008]**, the Applicant has produced this Schedule of Progress in Securing Other Consents to supplement the information set out in the Consents and Agreements Position Statement **[REP1-011]**. This document therefore provides:
- a. A summary of the up-to-date position in respect of obtaining the necessary consents and whether the Applicant has any reason to believe that any consent will not be granted;
 - b. Where the Environment Agency or Natural England would be the consenting authority, and without prejudice to their subsequent decision, written confirmation of whether they have any reason to believe that any consent would not be granted; and

- c. A summary of the progress made since the last update, any outstanding matters, the next steps to be taken and the progress anticipated by the next deadline and the close of the examination.

1.2 Summary of Up-to-date Position

- 1.2.1 This summary is to be read alongside **Table 1-1** of the Consents and Agreements Position Statement **[REP1-011]** and the "Nature of Consents" as set out in column 1 of that table are used as subheadings below for ease of navigation.
- 1.2.2 **Electricity Generation Licence** – In line with Office of Gas and Electricity Markets (OFGEM) best practice, an application for a generation licence will be sought post-consent, and therefore the position in relation to this remains unchanged.
- 1.2.3 **Bilateral Connection Agreement** – The Applicant accepted a grid connection offer on 24 November 2022 and further details are set out in the Grid Connection Statement **[APP-200]**. The position in relation to this remains unchanged.
- 1.2.4 **Permit for transport of abnormal loads for delivery by road of loads that fall outside standard practice** – The appropriate applications will be made at the relevant times post-consent and therefore, the position in relation to this remains unchanged.
- 1.2.5 **Section 171 Licence (Highways Act 1980)** – The appropriate applications will be made at the relevant times post-consent and therefore, the position in relation to this remains unchanged.
- 1.2.6 **European Protected Species Mitigation Licence** – The Applicant does not anticipate that any protected species licences will be required due to the proposed avoidance and mitigation measures embedded into the Proposed Development. This will be reviewed post-consent prior to the commencement of the Proposed Development, and Natural England will be consulted at the earliest opportunity, should any concerns arise. However, at this time, the position in relation to this remains unchanged.
- 1.2.7 **Environmental Permit – FR2 Licence** – The appropriate applications will be made at the relevant times post-consent and therefore, the position in relation to this remains unchanged.
- 1.2.8 **Environmental Permit – Water Discharge** – The appropriate applications will be made at the relevant times post-consent and therefore, the position in relation to this remains unchanged.
- 1.2.9 **Flood Risk Activity Permit (FRAP)** – Flood Risk Activity Permits will be obtained from the Environment Agency, if required, at the appropriate time post-consent, prior to commencement of construction of the Proposed Development. Therefore, at this time the position in relation to this remains unchanged.
- 1.2.10 **Environmental Permit – Abstraction / Impounding Licence** – A temporary water impoundment licence will be required in connection with the laying of

cables and a full or temporary abstraction licence may be required in specific circumstances. The appropriate applications will be made at the relevant times post-consent and therefore, the position in relation to this remains unchanged.

- 1.2.11 **Environmental Permit – Water Activity Permit(s)** – The appropriate applications will be made at the relevant times post-consent and therefore, the position in relation to this remains unchanged.
- 1.2.12 **Land Drainage Consents** – The appropriate application will be made post-consent, prior to the commencement of construction of the Proposed Development and therefore, the position in relation to this remains unchanged.
- 1.2.13 **Internal Drainage Board Consent** – The appropriate application will be made post-consent, prior to the commencement of the relevant works and therefore, the position in relation to this remains unchanged.
- 1.2.14 **Trade Effluent Consent** – The appropriate application will be made post-consent, prior to the discharge of trade effluent from welfare facilities and therefore, the position in relation to this remains unchanged.
- 1.2.15 **Health and Safety Related Consents** – The appropriate applications will be made as appropriate post-consent, prior to the commencement of construction of the Proposed Development and therefore, the position in relation to this remains unchanged.
- 1.2.16 **Section 61 Consent (Control of Noise on Construction Sites)** – Any applications would be made post-consent, prior to the commencement of specific construction activities outside of the standard construction hours. Therefore, at this time, the position in relation to this remains unchanged.
- 1.2.17 **Building Regulations Approval** – If necessary, Building Regulations Approval is to be sought, post-consent, prior to and during construction of the Proposed Development. Therefore, at this time, the position in relation to this remains unchanged.

1.3 Environment Agency as Consenting Authority

- 1.3.1 The Environment Agency is the consenting authority for the following consents;
 - a. Environmental Permit – FR2 Licence;
 - b. Environmental Permit – Water Discharge;
 - c. Flood Risk Activity Permit;
 - d. Environmental Permit – Abstraction / Impounding Licence; and
 - e. Environmental Permit – Water Activity Permit.

1.3.2 In relation to the above listed consents, the Environment Agency has, without prejudice to its subsequent decisions, provided written confirmation that although it has not raised any showstopping issues which would prevent the granting of any required permits throughout the DCO process for the Proposed Development, the Applicant should not assume that a permit will automatically be forthcoming if a DCO application has been granted, and accordingly

recommend consultation with the Environment Agency at the earliest opportunity. The reason the Environment Agency cannot provide such reassurance is because it cannot be seen to pre-determine any permit applications. It is for the Applicant to decide on the timing of the submission of its permit application(s) to ensure that the Examining Authority and Secretary of State have all the information they require to enable full examination of the proposal.

~~4.3.21.3.3~~ The Applicant has been engaging with the Environment Agency and the Statement of Common Ground (SoCG) between the Applicant and the Environment Agency is to be submitted at Deadline 3A of the Examination (24 March 2026) in with the Examination Timetable set out in Annex A to the Rule 8 Letter **[PD-010]**.

1.4 Natural England as Consenting Authority

- 1.4.1 Natural England is the consenting authority for a European Protected Species Mitigation Licence. Although it is not anticipated that any such licences would be required, as part of discussions with Natural England in relation to a SoCG, Natural England has advised that, where further survey reveals the need for any Protected Species Mitigation Licences, further consultation will be required and these will need to be applied for in the usual manner. Natural England is unable to provide a position on the likelihood of a licence being granted without having reviewed a draft application for a licence.
- 1.4.2 The SoCG between the Applicant and Natural England is to be submitted at Deadline 3A of the Examination (24 March 2026) in line with the Examination Timetable set out at Annex A to the Rule 8 Letter **[PD-010]**.

1.5 Next Steps and Anticipated Progress

- 1.5.1 This summary is to be read alongside **Table 1-1** of the Consents and Agreements Position Statement **[REP1-011]** and the "Nature of Consents" as set out in column 1 of that table are used as subheadings below for ease of navigation.
- 1.5.2 **Electricity Generation Licence** – As noted above, an application for a generation licence is not to be made until consent has been granted and therefore, no further action is required at this time. The Applicant has no reason to believe that such licence will not be granted.
- 1.5.3 **Bilateral Connection Agreement** – As noted above, and detailed in the Grid Connection Statement **[APP-200]**, the Applicant has secured a grid connection for the Proposed Development and no further action is required in this regard.
- 1.5.4 **Permit for transport of abnormal loads for delivery by road of loads that fall outside standard practice** – As noted above, applications for such permits will be made at the appropriate time post-consent and therefore, no further action is required at this time. The Applicant has no reason to believe that such permits will not be granted.

- 1.5.5 **Section 171 Licence (Highways Act 1980)** – As noted above, applications for such licence will be made at the appropriate time post-consent and therefore, no further action is required at this time. The Applicant has no reason to believe that such licence will not be granted.
- 1.5.6 **European Protected Species Mitigation Licence** – As noted, the Applicant does not anticipate that any protected species licences will be required. However, this will be reviewed post-consent, prior to the commencement of the Proposed Development, and the Applicant will consult with Natural England should the need arise. No further action is required at this time, and the Applicant has no reason to believe, should it be necessary to obtain such a licence, that it would not be granted.
- 1.5.7 **Environmental Permit – FR2 Licence** – As noted above, applications for such a licence will be made at the appropriate time post-consent and therefore, no further action is required at this time. The Applicant has no reason to believe that such a licence will not be granted.
- 1.5.8 **Environmental Permit – Water Discharge** – As noted above, applications for such a permit will be made at the appropriate time post-consent and therefore, no further action is required at this time. The Applicant has no reason to believe that such a permit will not be granted.
- 1.5.9 **Flood Risk Activity Permit (FRAP)** – As noted above, applications for Flood Risk Activity Permits will be made to the Environment Agency, if required, at the appropriate time post-consent, prior to commencement of construction of the Proposed Development. The Applicant has no reason to believe that such permits will not be granted.
- 1.5.10 **Environmental Permit – Abstraction / Impounding Licence** – As noted above, applications for such licences will be made as necessary, at the appropriate time post-consent and therefore, no further action is required at this time. The Applicant has no reason to believe that such licences will not be granted.
- 1.5.11 **Environmental Permit – Water Activity Permit(s)** – As noted above, applications for such a permit will be made at the appropriate time post-consent and therefore, no further action is required at this time. The Applicant has no reason to believe that such a permit will not be granted.
- 1.5.12 **Land Drainage Consents** – As noted above, the appropriate application for such consents will be made as necessary post-consent, prior to the commencement of construction of the Proposed Development and therefore, no further action is required at this time. The Applicant has no reason to believe that such consents will not be granted.
- 1.5.13 **Internal Drainage Board Consent** – As noted above, the appropriate application for such consent will be made post-consent, prior to the commencement of the relevant works and therefore, no further action is required at this time. The Applicant has no reason to believe that such consent will not be granted.

- 1.5.14 **Trade Effluent Consent** – As noted above, the appropriate application for such consent will be made post-consent, prior to the discharged of trade effluent from welfare facilities and therefore, no further action is required at this time. The Applicant has no reason to believe that such consent will not be granted.
- 1.5.15 **Health and Safety Related Consents** – As noted above, the appropriate applications for such consents will be made as required post-consent, prior to the commencement of construction of the Proposed Development and therefore, no further action is required at this time. The Applicant has no reason to believe that such consents will not be granted.
- 1.5.16 **Section 61 Consent (Control of Noise on Construction Sites)** – As noted above, the appropriate applications for such consents will be made as required post-consent, prior to the commencement of specific construction activities outside of the standard construction hours. Therefore, no further action is required at this time. The Applicant has no reason to believe, should the need arise to obtain this consent, that it would not be granted.
- 1.5.17 **Building Regulations Approval** – As noted above, if necessary, Building Regulations Approval is to be sought, post-consent, prior to and during construction of the Proposed Development and therefore, no further action is required at this time. The Applicant has no reason to believe that should it need to obtain such approval, it would not be successful in doing so.