



By email to:

FosseGreenEnergy@planninginspectorate.gov.uk

████████████████████
Senior Infrastructure Officer
Planning Services
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Email:nsips@lincolnshire.gov.uk

Date : 31 March 2026

Dear Sir/Madam,

Application by Fosse Green Energy Park Limited for an Order Granting Development Consent for the Fosse Green Energy Park Project.

Deadline 4 Submissions for Lincolnshire County Council (LCC)

LCC Comments on Deadline 3 and Deadline 3A documents

Please see the below comments from LCC on Deadline 3 and 3A documents. Where no further comments have been made, LCC's position as stated at Deadline 3/3A stands. AAH's comments regarding landscape and visual matters on Deadline 3 documents have been attached at Appendix 1.

Applicants written summaries of issue specific hearing 3 [REP3-042]

With regard to the applicant's summary of Agenda item 3.2 (landscape and visual), and in particular the statements made on page 20 which read: *'...questioned the stark contrast to the previously agreed position and sought a precise explanation from AAH as to the areas of perceived disagreement and justification for the change in position..... that this did not reflect the currently agreed draft Statements of Common Ground'*, LCC would comment as follows.

Since Issue Specific Hearing 3, LCC has proactively sought to clarify and agree matters with the applicant in relation to the points raised at the hearings, including the applicant's statement regarding the suggestion that LCC's consultants, and therefore LCC, had altered their position on Landscape and Visual matters.

LCC have undertaken all actions the Council committed to following the hearings, including engaging constructively with the applicant and, importantly, providing evidence that LCC has not "rowed back", undertaken a "U-turn" or "changed position", a point which has been acknowledged by the applicant. LCC consider the misunderstanding may have arisen from a

misinterpretation of verbal exchanges between respective consultants. At no point has any written submission indicating a change of position been submitted to the Examination.

Applicant's response to the examining authorities second written questions [REP3-045]

LCC notes the applicant's response to REP2-043 GC.2.06 and the same text which is used in REP3A-025 GC.1.18, but as per LCC's response to the ExA Q1 (REP2-043 GC.1.18) it is considered that further thought should be given to minerals safeguarding and the relevant mineral site operators be contacted. It remains the case that the applicant has not contacted operators and their response solely focuses on potential extensions to existing sites. Reference in GC.1.18 to the Site Assessments Report published at the Preferred Approach Consultation stage for the emerging Lincolnshire Minerals and Waste Plan, may have discounted sites at this stage, but future plans may consider these proposed sites as a preferred option which could include a new or replacement quarry. For example, SG10 Swinderby Quarry Extension (Anson's Farm) was discounted as the additional allocation of mineral reserves for this site is considered premature. This however would not preclude it being considered for allocation for a future plan, once existing reserves in the current permissions are worked out. LCC would highlight that establishing a new quarry is a long-term, capital-intensive process and as such operators may have longer term commercial plans of which the Minerals Planning Authority is not aware. Fosse Green Solar Farm, having not spoken to operators, cannot make the assumption that there are significant constraints for expansion onto the solar farm footprint.

Framework Battery Safety Management Plan [REP3-031]

Lincolnshire Fire and Rescue have no further comments to make on the submitted documents at this stage. However, LFR would like to reiterate the importance of ensuring full compliance within the Battery Safety Management Plan with the NFCC Guidance for Battery Energy Storage Systems (BESS), NFPA 855, and providing evidence of appropriate fire testing such as UL 9540 / UL 9540A.

LFR emphasises the requirement for the development of a comprehensive Emergency Response Plan (ERP). This plan should be maintained as a live document, regularly reviewed and updated to reflect changes in site operations or risk, and must be shared with Lincolnshire Fire and Rescue throughout the entire lifetime of the site. It is noted at Paragraph 4.4.4 of the fBSMP the reference to the production of an ERP at the detailed design stage, this is welcomed.

Framework Construction Environmental Management Plan [REP3-017]

LCC notes and welcomes the additional information provided in Table 3, ECO-C1(b) in relation to measures that will be taken to restore Navenby Green Man Road Verges Local Wildlife Site.

Framework Operational Environmental Management Plan [REP3-019]

LCC note that, as referenced in REP3-045/GC.2.05 the applicant has added further detail to the specification for providing an 'annual planned maintenance schedule'. Whilst welcomed, this still does not secure the requested pre-development arisings forecasts.

As highlighted within LCC's response to DL2 documents, all Management Plans should include adequate measures to deal with developmental impacts which could damage or destroy currently surviving archaeology. These measures include archaeological mitigation, such as preservation in situ areas to ensure they will be protected through to the end of the lifetime of

the scheme, and for sufficient evaluation to inform reasonable fit for purpose mitigation for those areas where the archaeological potential has not been determined which will be subject to developmental ground impacts. The Management Plans should therefore be agreed with Lincolnshire County Council. An Archaeological Clerk of Works will also be necessary and the Archaeological Management Plan will need to include any mitigation required during the decommissioning process and subsequent reversion to arable land.

Framework Construction Traffic Management Plan [REP3-033]

LCC note and welcome the added clarity in the CTMP that any damage to highway/verges by development will be made good, paragraph 7.3.2.

Biodiversity Net Gain Report [REP3-025]

The Council notes the updates made in REP3-025 and has the following comments to make:

The Council welcomes the clarification of the approach to translation of Phase 1 habitat surveys to UKHab classification provided at 2.3.2 and considers the stated approach acceptable.

The Council welcomes the confirmation of the approach taken to condition assessment where access was not available at 2.3.4 and considers the stated approach acceptable.

The Council welcomes the confirmation at 2.3.5 that the Applicant is not aware of any purposeful degradation of habitats since 30th January 2020.

The Council welcomes the clarification at 2.5.2 that differences between fixed and tracker panel types are considered negligible in respect of their likely impact on the BNG results and that the shading effects on grassland are considered to represent a worst-case scenario.

The Council notes the Applicant's update in relation to Strategic Significance at 2.6.2. The Council has previously stated that the Applicant's application of Strategic Significance does not align with North Kesteven District Council's identification of documents to determine Strategic Significance. In relation to the assessment of Strategic Significance, Table 8 of the Statutory Biodiversity Metric User Guide states that Medium strategic significance "*... can be applied when the LPA has not identified a suitable document for assessing strategic significance.*" In the absence of a published LNRS, North Kesteven District Council has identified the Lincolnshire Biodiversity Opportunity Mapping as a suitable document and therefore the Medium strategic significance category should no longer be used. Habitats should therefore only be assigned to either High or Low strategic significance. The Applicant will need to update their Statutory Biodiversity Metric to address this point.

The Council notes the Applicant's confirmation of the Minimum Mappable Unit used in the BNG calculations at 2.8.8 and considers this acceptable. However, The Council has previously pointed out that areas of on-site habitats lost should be equal the area of habitat created in the Statutory Biodiversity Metric. There is still a discrepancy in these figures in the latest version of the Applicant's Metric. Area lost is 681.48 whereas Area created is 682.22

The Applicant's BNG submissions do not currently meet the Statutory Biodiversity Metric Trading rules. This particularly relates to the loss of a lined agricultural reservoir. The Applicant has stated that it is anticipated that the loss of the reservoir would be avoided at the detailed design stage. The Council therefore encourages the Applicant to update the BNG calculations to recognise this fact and meet the Trading Rules.

The Council notes the Applicant's assertion at 4.1.1 that the satisfaction of the trading rules is not a requirement for DCO projects, however the Council is of the opinion that if positive weight is to be afforded to the delivery of BNG, the methodology and guidance for calculating BNG should be followed fully including meeting the trading rules.

Framework Landscape and Ecological Management Plan [REP3-028]

The Council notes the updates made in REP3-028 and has the following comments to make:

The Council welcomes the confirmation of the area of arable field margin habitat to be delivered each year at 4.1.19.

The Council notes the updated predicted BNG figures at 4.2.5 in line with the updated BNG report (REP3-025).

The Council welcomes the addition of information at 5.3.13 to 5.3.16 relating to the provision of a 'Natural Regeneration Buffer' adjacent to Tunman Wood and Housham Wood. It is however unclear whether this addition has been accounted for in the updated BNG calculations.

The Council notes the addition of information relating to the proposed Ecological Advisory Group (EAG) at 7.1.9, The Council is of the opinion that the membership of the EAG should include representatives of the Host Local Authorities alongside representatives of the Applicant's team. This will help to enable more effective and efficient scrutiny of the monitoring work being undertaken by the Applicant, as well as support the identification of opportunities for synergies with other local schemes that may arise, for example through the emerging Greater Lincolnshire Local Nature Recovery Strategy.

Whilst the Council agrees that the final Terms of Reference for the EAG could be agreed at the first meeting of the group, the Council considers that a draft Terms of Reference setting out the purpose of the group, proposed membership and funding mechanism should be included in the LEMP. The Council has provided the Applicant with a draft Terms of Reference that could be adapted and included as an Appendix to the LEMP.

Further comments on the LEMP from AAH have been provided within Appendix 1. LCC note points have been raised on sections of the LEMP that were not updated within the last iteration of the LEMP. However, LCC consider review and inclusion of the suggestions would be beneficial, with the potential to be included within the finalised LEMP under Requirement 8.

Health and Wellbeing Summary Statement [REP3-047]

LCC welcome the inclusion of a Health and Framework Summary Statement but would highlight that the following should be included within the next iteration of the document to address LCC's concerns.

- An explanation of extremely low frequency Electromagnetic Fields
- Reference to cumulative effects across inter-related infrastructure e.g., the Navenby Battery Energy Storage System (BESS), other solar farms in the area, substations, and any overhead power cables crossing the solar farm.
- Reference to hazardous materials and chemical exposure (Per and polyfluoroalkyl substances (PFAS)) – though it was noted during ISH3 that these materials were not in use, reference to this would be useful in the Health and Wellbeing Statement

LCC consider there should be clear communication with residents regarding the perceived risk of EMFs (regardless of actual risk). Mitigation of the perceived risk of EMF should be considered, the Community Liaison Group should also continue during the operational phase of the proposed development. The below paragraph looks to recognise this which is pleasing to see:

“As noted in Paragraph 3.3.2, the Applicant has already set up a Community Liaison Group (CLG), with initial meetings in April 2025 and March 2026, which will continue to facilitate information sharing and community engagement during the construction and operation phases. Communication with local residents through this will serve to mitigate the perceived risk of EMFs within the community and provide information on the level of EMF that people will be exposed to.”

Draft Development Consent Order (Revision 4) [REP3A-004]

LCC appreciates the expanded definition of Permitted Preliminary Works and the reference to a Permitted Preliminary Works Environmental Management Plan that would be secured through Requirement 6 of the DCO.

LCC notes the changed wording to Requirement 11. With regard to 11(3), LCC considers any permitted preliminary works which may impact surviving archaeology should be included within 11(3). LCC consider (b), (c), and (e) as referenced in the dDCO, part 1, interpretation, should also be included here.

LCC welcomes the inclusion of Requirement 6(7) and 6(8) which requires a written scheme setting out the parts of the development to be submitted to LCC, and the inclusion stating that permitted preliminary works must be carried out in accordance with the provisions of the Permitted Preliminary Works environmental Management Plan. This approach goes a way to alleviating LCC’s concern regarding permitted preliminary works, notwithstanding the comments above with regard to requirement 11. However, LCC will reserve judgement until review of the PPW plan has been undertaken.

Applicant’s response to deadline 2 submissions [REP3A-025]

Please see LCC comments below with regard to waste matters;

Waste – Framework Environmental Management Plans (p34) – LCC welcomes the clarification here around waste arisings forecasts for each phase of the project. However, it is still a concern, particularly in light of our comments regarding the lack of recycling capacity for PV panels, that this is not summarised in a more formal context rather than separate figures given across multiple documents.

Waste Management (GC.1.16) – Whilst LCC acknowledges that the IEMA Guidance indicates assessing impacts against landfill capacity, in light of the applicant’s assertions on their commitment to diversion from landfill, LCC still requests further details of their intended/preferred fate for each waste stream in line with the waste hierarchy.

Articles 2 and 5 – maintenance (DCO.1.04) – Whilst LCC welcomes that, as referenced in REP3-045/GC.2.05, the applicant has added further detail to the specification for providing an ‘annual planned maintenance schedule’, this still does not secure the requested pre-development arisings forecasts.

Framework Written Scheme of Investigation [REP3A-028]

LCC is currently reviewing the latest version of the fWSI and will respond in detail at deadline 5.

Heritage Technical Note [REP3A-026]

The technical note addressing the group value of historic farmsteads, together with Annex A (Designated heritage assets scoped out of detailed assessment at Step 1), has addressed the concerns previously raised by LCC on these matters.

In addition, the following assets referenced in the LIR are no longer considered to give rise to outstanding concerns:

- Church of St Germain and associated assets (NHLE 1061972; 1061973;1013082)
- Grange Cottage (NHLE 1061951)
- Hill Cottage (NHLE 1360507)
- Thurlby Hall and associated outbuildings (NHLE 1317332).

For non-designated heritage assets, including Tonge Farm, the Applicant identifies limited harm arising from changes to setting. LCC notes that embedded mitigation within the scheme design, including stand-off distances and retention of intervening agricultural land, reduces the degree of impact.

LCC also notes that the scheme design has introduced stand-offs around certain heritage assets, including the cluster at St Germain’s Church and Thurlby Hall. The retention of intervening fields currently provides separation between these assets and the array area. The extent to which this separation is maintained for the duration of the scheme is relevant to the assessment of effects.

LCC’s remaining concerns therefore relate to a limited number of assets where the Council considers the Environmental Statement understates the effects on significance arising from changes to their setting. These are reflected in the locations identified above to assist the Examining Authority during the Unaccompanied Site Inspection.

Technical Memorandum 6 (AAH TM06)

Lincolnshire County Council and North Kesteven District Council, Fosse Green Energy: Deadline 3 document review

Introduction

AAH Consultants, on behalf of Lincolnshire County Council (**LCC**) and North Kesteven District Council (**NKDC**), have reviewed the Deadline 3 document responses. These include:

- Framework Landscape and Ecological Management Plan (FLEMP) dated 20th March 2026.
- Written Summaries of Oral Submissions (IHS3) dated 20th March 2026.
- Applicant's Response to the Ex A Second Written Questions dated 20th March 2026.
- Framework Environmental Management Plans (Construction, Operation, Decommissioning)

Fosse Green Energy, which is proposed on 1,368 hectares of land within the administrative area of North Kesteven District Council, located approximately 9km south and south west of Lincoln City Centre, for the development of PV panels, substation, BESS, cable connection corridor, and associated infrastructure.

The Fosse Green Energy (Reference: EN010154) Application documents that have been accessed and reviewed are available on the Planning Inspectorate Website at:

<https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN010154/documents>

AAH comments on the Deadline 3 documents are as follows:

Framework Landscape and Ecological Management Plan (FLEMP)

5.3.6 – States that 'Native species will form the majority of the tree stock' but that '**non-natives**' may be used to build in resilience in the face of climate change. We would like to understand better what 'non-natives' could be used and why they are deemed more suitable than natives. While it is understood that some 'non-native' species can bring wildlife benefit, others can bring problems (invasive species) and may not be compatible (may out compete) with the native species also planted. Non-native species will also potentially alter the historical appearance of the countryside which was established using native species.

P20 - Table 1: indicative mix for proposed tree belts – contains relatively few species with only Tilia, Quercus, and Acer likely to reach heights above 20m. Beech, Hornbeam, Scots Pine, Willow, Poplar area all omitted. 'Tree belts' were often historically planted as wind breaks so would expect wind tolerant species like Hornbeam, Pine, Rowan and Birch. Some of these species like birch are short lived, fast growing 'shelter' species that help other longer-lived species establish. With regards to understorey species, Yew, Juniper, Spindle, Whitebeam, Blackthorn are omitted. Consequently, the mix is very reliant on a high percentage of a limited number of species.

5.3.11

b. Irrigation 'will be' required rather than 'may be' during periods of drought. Please clarify – is there a situation when planting might not be watered during a drought i.e. hose pipe ban?

g. Replace failed or defective plants – LCC / NKDC would suggest the wording 'with suitable alternative as determined by cause of failure' rather than 'matching'. This will allow lessons to be learnt from earlier failures.

5.3.18 – LCC / NKDC believe that hedgerows in the area are typically maintained at 2m and we would suggest this height where 'screening is not required'.

5.3.19 – How is this reflected in the species lists? More explanation required please.

5.3.27 – comments as 5.3.11 above

a.5.37 – comments as 5.3.11 above

Written Summaries of Oral Submissions (HIS3)

Ex A: Point 1 – LCC / NKDC to clarify nomenclature for labelling PRowWs.

Ex A: Point 2 – 'Appreciation of the view' is likely to be the primary interest of those using local routes daily for dog walking. The assessment underplays and undervalues the importance of local routes including the Stepping Out walks.

EX A: Point 3 – compatibility of Solar with Farmland – the assessment has understated the impact of the proposal on Landscape Character. The openness, seasonality and tranquillity of farmland will be lost.

EX A: Point 4 - LCC / NKDC to provide evidence of usage of PRowWs.

EX A: Point 5 – hedge heights – the hedges within the area are typically maintained much lower than the applicants propose. Hedging as a mitigation solution will be less effective than assumed by the assessment.

The submissions made by AAH (on behalf of LCC / NKDC) do align with our previous position. LCC have since asked the Applicant to specify where our position has changed. The Applicant was unable to specify.

EX A: Point 6: NCC / NKDC have met since ISH3 and made progress with the SOCG reducing disagreement where possible. However, Landscape Assessment results and Cumulative effects are 'not agreed'.

Applicant's Response to the Ex A Second Written Questions

LV 2.01 – plans – LCC / NKDC agree more clarity needed with information provided

LV 2.02 – LCC / NKDC believe that most hedgerows in the locality are maintained at 2m and this is a characteristic of the landscape. Taller hedging as proposed will be an alteration to the existing landscape character. Mitigation with hedging will have a more limited impact on views of the development than the applicant assumes. Views of the development will remain in many instances.

LV 2.03 – LCC / NKDC believe that solar farms constructed at an NSIP scale remain an unfamiliar sight and will have an adverse impact on landscape character and visual amenity. PV arrays will introduce man-made elements into the landscape that will be unchanging and lack seasonal variation like the existing landscape.

LV2.04 – The assessment incorrectly concludes that the sensitivity of receptors on long distance walking routes is higher than those using local walking routes. Stepping Out Routes have been omitted and undervalued in the assessment. The applicant tries to separate connecting with nature and healthy activity, from appreciating the landscape, when they are intrinsically linked. Local walking routes provide regular mental health benefits to local people and this comes from appreciating the landscape and the nature within it. Local routes are often used on a daily basis (by dog walkers), and have a very high value to those that use them.

LV2.05 – LCC / NKDC have concluded that if only Landscape and Visual impacts were of relevance in the planning decision, the consent for the application should be withheld.

LV2.06 – LCC / NKDC believe that sequential cumulative effects are underplayed in the LVIA and that repeated visual exposure to NSIP scale solar projects, even if kms apart during a journey through the landscape, will have negative adverse effects on the receptor's perception of the landscape that are significant.

LV2.07 – LCC / NKDC believe that as stated in LV 2.02, mitigation planting will not be able to prevent all views of the proposed development. Therefore, it can not be relied upon to prevent all possibility of Glint and Glare.

Framework Environmental Management Plans (Construction, Operation, Decommissioning)

Reviewed – no comments

John Brodie MLA

AAH Landscape

 [@aahplanning.com](mailto: [REDACTED]@aahplanning.com)

www.aahconsultants.co.uk

31st March 2026