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This is the consolidated Deadline 5 Submission from CVSAG
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CLIFF VILLAGES SOLAR ACTION GROUP (CVSAG)

Fosse Green Energy -
Deadline 5 - Cliff Villages
Solar Action Group





**PLANNING ACT 2008 (as amended)
THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017
OVERARCHING NATIONAL POLICY STATEMENT FOR ENERGY (EN-1) (2024)**

DEADLINE 5 SUBMISSION in respect of the proposed Fosse Green Energy Solar Farm (EN010154), submitted to the Examining Authority on behalf of members of the Cliff Villages Solar Action Group (CVSAG), an Interested Party group, in relation to the adequacy of the Applicant’s responses during the examination, the assessment of environmental effects, and the application of relevant policy and legal frameworks in the determination of the Development Consent Order.

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1. Introduction

- 1.1 This submission is made on behalf of the Cliff Villages Solar Action Group (CVSAG) in response to the Applicant's submissions at Deadline 4, including REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions, and other associated Examination Library documents.
- 1.2 The purpose of this submission is to assist the Examining Authority by identifying where concerns raised by CVSAG, statutory consultees and Interested Parties have not been adequately addressed by the Applicant, with particular regard to the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Overarching National Policy Statement for Energy (EN-1) [3][6].
- 1.3 This submission draws upon a review of:
- the Applicant's Environmental Statement and supporting documents;
 - the Applicant's responses to written representations and questions;
 - statutory consultee responses, including those of Lincolnshire County Council (REP4-011);
 - and detailed personal representations submitted by Interested Parties, including Anne Heard, Barry Smith, Andrew Keeling, Philip Heard, Marianne Overton and Alistair King [1][7].
- 1.4 The approach taken within this submission is to identify specific issues raised during the examination, set out the Applicant's response to those issues, and assess whether that response adequately addresses the concern raised.
- 1.5 In doing so, this submission applies the requirements of Regulation 21 of the EIA Regulations, which require the decision-maker to reach a reasoned conclusion on the likely significant effects of the development, based on sufficient and up-to-date environmental information [3].
- 1.6 Where the Applicant has failed to provide sufficient information to enable such a conclusion, this is identified as an evidential gap.
- 1.7 This submission also has regard to EN-1, which requires that decisions are based on robust and credible evidence, and that where uncertainty exists, a precautionary approach is applied [6].
- 1.8 The matters addressed within this submission include, but are not limited to:
- energy security and reliability;
 - energy generation assumptions, including overplanting and curtailment;
 - cumulative impacts;
 - socio-economic effects;

- land use and agricultural impact;
- landscape and visual impact;
- transport and construction effects;
- grid connection and deliverability;
- battery energy storage systems and associated risks;
- cyber security and operational resilience;
- and decommissioning and restoration.

- 1.9 These matters represent key components of the planning balance and are areas in which CVSAG and other Interested Parties have identified deficiencies in the Applicant's case.
- 1.10 This submission does not repeat earlier representations but instead focuses on assessing whether the Applicant's responses have resolved the issues previously raised.
- 1.11 Where issues remain unresolved, these are identified as material considerations for the Examining Authority in reaching its recommendation under section 104 of the Planning Act 2008 [2].
- 1.12 The overall purpose of this submission is therefore to assist the Examining Authority in determining whether the evidential base presented by the Applicant is sufficient to support a reasoned conclusion and a robust planning balance.
- 1.13 In the view of CVSAG, the Proposed Development is not supported by a full evidence base; key assumptions are not substantiated by detailed analysis or modelling. Furthermore, evidence from Interested Parties is ignored in the Applicants responses. Hence, the planning balance cannot be considered in favour of the Proposed Development on the basis of the information provided to the Examining Authority

2. Methodology and Approach to Assessment

- 2.1 This submission adopts a structured and evidence-based methodology to assess the adequacy of the Applicant's responses to matters raised during the examination.
- 2.2 The approach is grounded in the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, in particular Regulation 18, which requires the identification and assessment of likely significant effects, and Regulation 21, which requires the Examining Authority to reach a reasoned conclusion based on sufficient and up-to-date environmental information [3].
- 2.3 The assessment also has regard to the Overarching National Policy Statement for Energy (EN-1), which requires that decisions are based on robust and

credible evidence and that where uncertainty exists, a precautionary approach is applied [6].

- 2.4 The methodology applied within this submission is based on a consistent analytical framework across all topic areas.
- 2.5 For each issue considered, the following structure is applied:
- the concern raised by CVSAG, statutory consultees or Interested Parties is identified;
 - the Applicant's response to that concern is set out, with reference to relevant Examination Library documents, including REP4-018;
 - and an assessment is made as to whether the response adequately addresses the issue raised.
- 2.6 Where the Applicant's response does not directly engage with the issue, or fails to provide sufficient evidence to resolve it, this is identified as a failure to adequately respond.
- 2.7 This approach ensures that the assessment is transparent, traceable and aligned with the examination process.
- 2.8 The submission draws upon a range of sources within the Examination Library, including:
- the Applicant's Environmental Statement and supporting technical documents;
 - the Applicant's responses to Deadline 3 and 3A submissions (REP4-018);
 - statutory consultee responses, including Lincolnshire County Council (REP4-011);
 - and personal representations submitted by Interested Parties.
- 2.9 Personal representations are used to support and reinforce the issues identified by CVSAG. These include submissions by Anne Heard, Barry Smith, Andrew Keeling, Philip Heard, Marianne Overton and Alistair King, which provide both technical and local evidence of the concerns raised [1].
- 2.10 In accordance with the requirements of the examination process, personal representations are treated as independent evidence and are not attributed to CVSAG unless explicitly stated.
- 2.11 The purpose of referencing these representations is to demonstrate the consistency and materiality of the issues raised, rather than to rely on any single submission.

- 2.12 The assessment also considers the extent to which the Applicant has responded to matters raised by statutory consultees and, where relevant, questions posed during the examination.
- 2.13 Particular attention is given to whether the Applicant has provided new or additional evidence in response to concerns, or whether responses rely on repetition of previously submitted material.
- 2.14 Where key matters are deferred to post-consent stages, including through framework documents, this is identified as a limitation in the evidential base.
- 2.15 The submission does not seek to introduce new matters but focuses on evaluating whether existing concerns have been adequately addressed.
- 2.16 In doing so, it recognises that the role of the Examining Authority is not to fill gaps in the Applicant's case, but to assess the application based on the information provided.
- 2.17 Where information is missing, incomplete or insufficiently detailed, this is identified as an evidential gap.
- 2.18 The cumulative effect of such gaps is then considered within the overall planning balance.
- 2.19 The methodology therefore ensures that each issue is assessed consistently, with clear linkage between the concern raised, the Applicant's response and the resulting conclusion.
- 2.20 This structured approach is intended to assist the Examining Authority in identifying where matters remain unresolved and in determining the weight to be attributed to both benefits and impacts.
- 2.21 It also ensures that the submission aligns with the Planning Inspectorate's principles of fairness, openness and impartiality, by presenting a clear and evidence-based analysis of the material before the examination [5].

3. Energy Security, Reliability and Compliance with EN-1

- 3.1 CVSAG submissions raised specific concerns regarding the extent to which the Proposed Development has been demonstrated to contribute meaningfully to energy security, particularly in the context of the requirements of EN-1 to provide sufficient and reliable evidence of benefit [1][6].

- 3.2 The issue raised was not whether solar energy contributes to national policy objectives in principle, but whether this specific development has been supported by adequate, project-specific evidence demonstrating its contribution to system reliability, including performance during peak demand periods and periods of low generation.
- 3.3 In response, the Applicant addressed these concerns within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response relies on general statements that renewable energy contributes to national supply and supports decarbonisation objectives [4].
- 3.4 However, the Applicant's response does not provide the specific evidence requested. In particular, it does not include:
- hourly or seasonal generation modelling;
 - analysis of generation during peak demand periods;
 - or quantified variability across the operational year.
- 3.5 This represents a failure to engage with the substance of the issue raised. The concern was explicitly directed at the absence of temporal modelling, yet the response reiterates general policy benefits rather than addressing the evidential gap.
- 3.6 The absence of temporal modelling is material. Without this information, the Examining Authority cannot determine:
- when electricity will be generated;
 - how consistent that generation will be;
 - or how it aligns with system demand.
- 3.7 This directly limits the ability to assess the contribution of the Proposed Development to energy security, which under EN-1 is not defined solely by installed capacity but by reliability and system value [6].
- 3.8 This concern is reinforced within personal representations. The Deadline 5 Written Representation by Philip Heard identifies a recurring pattern in which the Applicant's responses rely on high-level policy assertions without engaging with detailed evidential challenges [1].
- 3.9 Submissions by Philip Heard further identify that without quantified modelling of generation profiles, the claimed contribution to energy supply cannot be substantiated and may be overstated [1].
- 3.10 These representations align directly with the issue raised by CVSAG and demonstrate that the concern is consistent and evidence-based across multiple independent submissions.

- 3.11 The Applicant also relies on the inclusion of Battery Energy Storage Systems (BESS) as a mechanism to address intermittency. However, the parameters of these systems remain undefined.
- 3.12 CVSAG submissions specifically requested:
- storage capacity;
 - discharge duration;
 - operational strategy.
- 3.13 The Applicant's response within REP4-018 does not provide this information and instead states that detailed design will be determined at a later stage [4].
- 3.14 This represents a further failure to provide sufficient information at the point of examination. Without defined parameters, the contribution of battery storage to energy security cannot be assessed.
- 3.15 Submissions by Barry Smith reinforce this point, identifying that without defined storage characteristics, it is not possible to determine whether battery systems will materially improve reliability or reduce variability [1].
- 3.16 The combined absence of generation modelling and defined storage parameters means that the operational performance of the Proposed Development remains unquantified.
- 3.17 This is directly relevant to Regulation 21 of the EIA Regulations, which requires that the decision-maker reaches a reasoned conclusion on likely significant effects [3].
- 3.18 In this case, the absence of key operational data means that the benefits associated with energy security cannot be properly assessed.
- 3.19 This also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where core performance characteristics are not defined [6].
- 3.20 Furthermore, EN-1 paragraph 4.2.5 requires that uncertainty is addressed through a precautionary approach.
- 3.21 In this case, the uncertainty arises directly from the absence of evidence. It is therefore necessary to treat the claimed benefits with caution.
- 3.22 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the contribution of the Proposed Development to energy security remains unproven.

- 3.23 This is not a minor or technical issue. Energy security is a central component of the planning balance and is relied upon heavily by the Applicant in support of the development.
- 3.24 Where that benefit is uncertain, the weight that can be attributed to it must be reduced accordingly.
- 3.25 The persistence of this evidential gap at Deadline 5 indicates that the issue has not been resolved during the examination process.
- 3.26 As such, the matter must be treated as an unresolved issue for the purposes of the Examining Authority's recommendation and is directly relevant to the assessment under section 104 of the Planning Act 2008 [2].

4. Energy Generation, Overplanting, Load Factor and Curtailment

- 4.1 CVSAG submissions raised specific and technically focused concerns regarding the assumptions underpinning the Applicant's stated generating capacity, including the extent of overplanting, the treatment of load factor, and the absence of quantified analysis of curtailment [1].
- 4.2 The issue raised was that the headline installed capacity presented within the application does not, in itself, represent the amount of electricity that will be exported to the grid. CVSAG therefore sought clarification on how installed capacity translates into actual deliverable output.
- 4.3 CVSAG requested:
- confirmation of the extent of overplanting relative to grid export capacity;
 - the assumed load factor for the Proposed Development;
 - and quantified estimates of energy loss due to curtailment.
- 4.4 These parameters are essential in determining the real-world performance of the Proposed Development and directly affect the weight to be attributed to its benefits within the planning balance.
- 4.5 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response acknowledges that generation may exceed export capacity at certain times and that curtailment may therefore occur [4].
- 4.6 However, the response does not provide the quantified analysis requested. Specifically, it does not identify:

- the proportion of time during which curtailment is expected;
 - the volume of electricity likely to be curtailed;
 - or the impact of overplanting on overall system efficiency.
- 4.7 Instead, the Applicant relies on general statements that overplanting is standard industry practice and improves efficiency over time.
- 4.8 This does not address the substance of the issue raised. The concern was not whether overplanting is common, but how it affects the actual output of this development.
- 4.9 The absence of quantified analysis means that the Examining Authority cannot determine the extent to which installed capacity differs from exportable output.
- 4.10 This distinction is material. The planning balance must be based on the benefits actually delivered by the Proposed Development, not on theoretical or maximum capacity figures.
- 4.11 Personal representations reinforce this concern. The Deadline 5 Written Representation by Philip Heard identifies inconsistencies in the way generation figures are presented and questions whether headline capacity figures accurately reflect deliverable output [1].
- 4.12 Submissions by Barry Smith provide detailed technical challenge, identifying that without modelling of generation profiles and curtailment, the effective output of the Proposed Development cannot be verified [1].
- 4.13 In particular, Philip Heard's submissions highlight that where installed capacity exceeds export capacity, a proportion of generated electricity will be unused and therefore cannot contribute to the claimed benefits.
- 4.14 Other submissions raise related concerns regarding infrastructure constraints, identifying that local and regional grid limitations may further increase curtailment beyond that assumed within the Applicant's case [1].
- 4.15 Other submissions identify the cumulative dimension of this issue, noting that multiple developments connecting to the same network may increase competition for capacity and therefore increase the likelihood and extent of curtailment [1].
- 4.16 These representations demonstrate that the issue of overplanting and curtailment is not isolated but forms part of a broader concern regarding the realism of generation assumptions.
- 4.17 CVSAG submissions also raised concerns regarding the load factor applied within the Applicant's case.

- 4.18 The Applicant's response does not provide a detailed justification for the load factor used, nor does it include sensitivity analysis demonstrating how variations in assumptions affect overall generation.
- 4.19 This lack of transparency prevents the Examining Authority from testing the robustness of the generation figures presented.
- 4.20 The issue is further compounded by the lack of integration between generation assumptions and battery storage. As identified in Section 3, the operational parameters of battery storage have not been defined.
- 4.21 Without this information, it is not possible to determine whether battery systems will reduce curtailment or materially alter output profiles.
- 4.22 The Applicant's reliance on generalised statements, rather than detailed modelling, means that the evidential basis for the claimed generation benefits is incomplete.
- 4.23 This engages Regulation 21 of the EIA Regulations. Without quantified analysis of output and curtailment, it is not possible to reach a reasoned conclusion on the likely benefits of the Proposed Development [3].
- 4.24 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where core performance assumptions are not substantiated [6].
- 4.25 In accordance with EN-1 paragraph 4.2.5, uncertainty regarding the scale of benefits must be addressed through a precautionary approach.
- 4.26 In this case, the uncertainty arises directly from the absence of quantified evidence. The actual output of the Proposed Development may be materially lower than indicated by installed capacity.
- 4.27 It follows that the weight to be attributed to the generation benefits of the Proposed Development must be reduced accordingly.
- 4.28 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the relationship between installed capacity, overplanting and actual output remains unresolved.
- 4.29 This represents a significant evidential gap within the Applicant's case and is directly relevant to the assessment under section 104 of the Planning Act 2008 [2].

- 4.30 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

5. Cumulative Impacts and Evolving Baseline

- 5.1 CVSAG submissions raised specific concerns regarding the adequacy of the cumulative impact assessment, focusing on the scope of developments included, the failure to update the baseline during the examination, and the absence of quantified reassessment of combined effects [1].
- 5.2 The issue raised was that the cumulative baseline used within the Environmental Statement represents a fixed point in time and does not reflect the evolving planning context, particularly where additional solar developments within the region have progressed or been consented during the course of the examination.
- 5.3 CVSAG therefore requested that the Applicant provide an updated cumulative assessment reflecting the position at the point of determination, consistent with the requirement under Regulation 21 to reach a reasoned conclusion based on the most up-to-date environmental information available [3].
- 5.4 The Applicant's response to this issue is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. Within that document, the Applicant confirms that cumulative effects have been considered but does not provide an updated assessment [4].
- 5.5 Specifically, the Applicant does not provide:
- an updated schedule of cumulative developments;
 - revised modelling of combined impacts;
 - or reassessment of key receptors in light of the evolving baseline.
- 5.6 Instead, the response relies on the original Environmental Statement and general statements regarding the consideration of other schemes.
- 5.7 This does not address the substance of the issue raised. The concern was explicitly that the baseline has changed, yet the Applicant has not provided analysis reflecting that change.
- 5.8 This omission is material. Cumulative impact assessment is intended to capture the combined effects of multiple developments, and where the baseline changes, the assessment must be updated accordingly.
- 5.9 The failure to do so means that the cumulative assessment does not reflect the current position and may therefore understate the scale of impact.

- 5.10 Personal representations reinforce this concern. The Deadline 5 Written Representation by Philip Heard identifies that the cumulative context has materially evolved during the examination and that the Environmental Statement no longer reflects the scale of development within the area [1].
- 5.11 Submissions by Alistair King similarly identify that the cumulative presence of multiple solar developments has the potential to alter landscape character at a regional scale, and that this has not been reassessed in light of recent changes [1].
- 5.12 Submissions by Barry Smith highlight the implications of cumulative development for energy generation and grid capacity, noting that multiple schemes may compete for limited export capacity, thereby increasing curtailment and reducing effective output [1].
- 5.13 Other submissions identify cumulative impacts at a local level, including the combined effect of construction traffic and infrastructure demand arising from overlapping development programmes [1].
- 5.14 These representations demonstrate that cumulative impacts are multi-dimensional, affecting landscape, infrastructure, energy performance and socio-economic conditions.
- 5.15 The concern is also reflected in statutory consultee responses. Lincolnshire County Council, within REP4-011 Comments on Deadline 3 and 3A Submissions, identifies concerns regarding cumulative transport impacts and the capacity of the highway network to accommodate multiple developments [7].
- 5.16 The Applicant's response does not provide detailed modelling of cumulative traffic scenarios or reassessment of network capacity in light of other schemes.
- 5.17 This represents a failure to engage with a specific issue raised by a statutory consultee.
- 5.18 The Environmental Statement does not include modelling of concurrent construction scenarios, nor does it assess the combined effect of multiple developments on key receptors such as landscape, agricultural land and local communities.
- 5.19 The Interrelationships Report (EN010154-001028 Interrelationships Report) identifies general connections between environmental topics but does not provide a quantified reassessment of cumulative impacts.
- 5.20 As a result, the cumulative effects of the Proposed Development are likely to be greater than those identified within the Environmental Statement.

- 5.21 This has direct implications across multiple topic areas. In relation to land use, cumulative development may result in a significant reduction in agricultural land availability.
- 5.22 In relation to landscape, the combined presence of multiple developments may fundamentally alter character and perception, beyond the level assessed for the Proposed Development alone.
- 5.23 In relation to transport, overlapping construction phases may give rise to traffic levels which exceed those assessed within the Environmental Statement.
- 5.24 In relation to energy generation, competition for grid capacity may increase curtailment and reduce overall system efficiency.
- 5.25 The failure to update the cumulative assessment means that these combined effects have not been quantified or assessed in a structured manner.
- 5.26 This engages Regulation 21 of the EIA Regulations. Without an updated cumulative assessment, the decision-maker cannot reach a reasoned conclusion on the likely significant cumulative effects of the Proposed Development [3].
- 5.27 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where the assessment is based on an outdated baseline [6].
- 5.28 In accordance with EN-1 paragraph 4.2.5, uncertainty arising from incomplete assessment must be addressed through a precautionary approach.
- 5.29 In this case, the absence of updated analysis means that cumulative impacts may be materially greater than presented.
- 5.30 It follows that the weight to be attributed to the Applicant's assessment of cumulative effects must be reduced accordingly.
- 5.31 The Applicant's failure to provide a revised cumulative assessment in response to concerns raised during the examination means that this issue remains unresolved.
- 5.32 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].
- 5.33 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

6. Socio-Economic Effects, Local Economy and Visitor Impacts

- 6.1 CVSAG submissions raised specific concerns regarding the adequacy of the socio-economic assessment, focusing on the absence of quantified local economic benefits, the lack of assessment of adverse effects on the visitor economy, and the failure to consider accommodation pressures during the construction phase [1].
- 6.2 The issue raised was that the Environmental Statement presents economic benefits at a high level, without providing sufficient detail to enable the Examining Authority to determine the actual net socio-economic effect of the Proposed Development.
- 6.3 CVSAG therefore requested:
- a quantified breakdown of employment benefits, including the proportion of jobs expected to be sourced locally;
 - detailed assessment of impacts on tourism and the visitor economy;
 - and analysis of accommodation demand and potential displacement effects during construction.
- 6.4 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. Within that document, the Applicant reiterates that the Proposed Development will generate employment and economic activity [4].
- 6.5 However, the response does not provide the level of detail requested. In particular, it does not include:
- a quantified estimate of local versus non-local employment;
 - detailed supply chain analysis;
 - or a breakdown of economic benefits over the construction and operational phases.
- 6.6 Instead, the Applicant relies on general statements regarding economic benefit, without providing evidence to substantiate those claims at a local level.
- 6.7 This does not address the substance of the issue raised. The concern was not whether economic benefits exist in principle, but whether those benefits have been demonstrated in a robust and quantifiable manner.

- 6.8 The absence of detailed evidence limits the ability of the Examining Authority to determine the scale and distribution of economic benefits and therefore the weight that should be attributed to them within the planning balance.
- 6.9 CVSAG submissions also raised concerns regarding adverse socio-economic effects, particularly in relation to the visitor economy.
- 6.10 The Environmental Statement does not include a detailed assessment of tourism within the local area. It does not quantify the contribution of the visitor economy, nor does it assess how changes in landscape character may affect visitor behaviour.
- 6.11 The Applicant's response does not provide additional analysis on this matter and does not engage with the potential for adverse effects on tourism.
- 6.12 This represents a failure to assess a material component of the local economy.
- 6.13 Personal representations reinforce this concern. The Deadline 5 Written Representation by Anne Heard identifies that the Environmental Statement does not engage with available research on the relationship between landscape change and tourism, and highlights the potential for adverse impacts on visitor numbers and associated businesses [1].
- 6.14 Submissions by Alistair King similarly identify the importance of landscape character to the local economy and raise concerns that large-scale solar development may reduce the attractiveness of the area to visitors [1].
- 6.15 Submissions by Andrew Keeling provide localised evidence, identifying specific businesses and community concerns regarding the potential impact of the Proposed Development on the perception of the area and its role as a destination [1].
- 6.16 These representations demonstrate that the potential impact on the visitor economy is a material consideration which has not been adequately assessed.
- 6.17 CVSAG submissions further raised concerns regarding accommodation demand during the construction phase.
- 6.18 The issue raised was that a large construction workforce may place pressure on local accommodation, potentially displacing tourists and affecting local businesses.
- 6.22 Submissions by Andrew Keeling and other local Interested Parties identify that accommodation within the area is limited and that increased demand from construction workers may lead to displacement on Monday, Tuesday and Wednesday nights [1].

- 6.23 These concerns are not addressed within the Applicant's responses, which rely on general assumptions rather than detailed local analysis.
- 6.24 CVSAG submissions also identified that the Environmental Statement does not assess indirect socio-economic effects, including changes in land use patterns, reduced agricultural activity and cumulative impacts from multiple developments.
- 6.25
- 6.26 These representations demonstrate that the socio-economic effects of the Proposed Development extend beyond direct employment and include broader economic interactions.
- 6.27 The failure to assess both positive and negative effects in a balanced and evidence-based manner means that the net socio-economic impact of the Proposed Development cannot be clearly established.
- 6.28 This engages Regulation 21 of the EIA Regulations. Without a complete assessment of socio-economic effects, it is not possible to reach a reasoned conclusion on the likely significant impacts [3].
- 6.29 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where economic benefits are not quantified and adverse effects are not assessed [6].
- 6.30 In accordance with EN-1 paragraph 4.2.5, uncertainty regarding both benefits and impacts must be addressed through a precautionary approach.
- 6.31 In this case, the absence of detailed analysis means that the economic benefits may be overstated and the adverse effects understated.
- 6.32 It follows that the weight to be attributed to the claimed socio-economic benefits must be reduced accordingly.
- 6.33 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the socio-economic effects of the Proposed Development remain unresolved.
- 6.34 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].
- 6.35 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

7. Land Use, Agricultural Impact and Soil Resource

- 7.1 CVSAG submissions raised specific concerns regarding the scale and duration of land use change associated with the Proposed Development, the classification and loss of agricultural land, and the reliance on assumptions that land can be fully restored following several decades of solar use [1].
- 7.2 The issue raised was that the Environmental Statement characterises the development as temporary, yet the operational lifespan extends over multiple decades, during which the land will not be available for conventional agricultural production.
- 7.3 CVSAG therefore requested:
- clarification on how “temporary” is defined in the context of long-term land use change;
 - evidence demonstrating that agricultural productivity can be fully restored following decommissioning;
 - and assessment of the cumulative loss of agricultural land within the wider area.
- 7.4 The Applicant’s response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant’s Response to Deadline 3 and 3A Submissions. The response reiterates that the land will be restored following decommissioning and that the impact is therefore reversible [4].
- 7.5 However, the response does not provide the evidence requested. It does not include:
- empirical data from comparable developments demonstrating successful restoration;
 - quantified timelines for recovery of soil structure and fertility;
 - or measurable criteria for determining restoration success.
- 7.6 This represents a failure to engage with the substance of the issue raised. The concern was not whether restoration is intended, but whether it has been demonstrated to be achievable in practice.
- 7.7 The absence of evidence means that the assumption of full restoration remains unproven.
- 7.8 Personal representations reinforce this concern. The Deadline 5 Written Representation by Anne Heard identifies that recent decision-making has treated claims of reversibility with caution, particularly where long-term soil change is involved [1].

- 7.9 Submissions by Marianne Overton similarly raise concerns regarding the long-term impact on land quality, noting that extended periods of solar use may alter soil structure, compaction and biological processes in ways which are not easily reversible [1].
- 7.10 Submissions by Marianne Overton provide local context, identifying the importance of agricultural land within the area and raising concerns regarding the long-term implications for farming operations and land management [1].
- 7.11 Submissions by Barry Smith highlight the relationship between land use and energy efficiency, noting that where land is removed from agricultural production without delivering reliable energy output, the overall efficiency of land use is reduced [1].
- 7.12 These representations demonstrate that concerns regarding land use are both site-specific and strategic in nature.
- 7.13 CVSAG submissions also identified that the Environmental Statement does not provide a detailed assessment of soil management and restoration outcomes.
- 7.14 While the application includes a Framework Soil Management Plan (EN010154-001025 Framework Soil Management Plan (Rev 5)), this document sets out general principles rather than site-specific detail.
- 7.15 The plan does not define:
- measurable restoration targets;
 - monitoring requirements over the operational period;
 - or criteria for determining whether soil has been successfully restored.
- 7.16 The Applicant's response does not provide additional detail on these matters and relies on general statements regarding adherence to best practice.
- 7.17 This introduces uncertainty into the assessment, as the effectiveness of restoration cannot be evaluated without defined parameters.
- 7.18 CVSAG submissions further raised concerns regarding the classification of agricultural land affected by the Proposed Development.
- 7.19 The Environmental Statement identifies land classification within the site but does not assess the cumulative loss of agricultural land across the wider area.
- 7.20 As identified in Section 5, multiple solar developments within the region may result in a significant cumulative reduction in agricultural land availability.

- 7.21 Submissions by Barry Smith highlight the broader implications of this cumulative loss, including potential impacts on regional agricultural capacity and food production [1].
- 7.22 The Applicant's response does not provide a cumulative assessment of land loss and does not quantify the scale of this effect.
- 7.23 This represents a failure to address a material cumulative issue.
- 7.24 CVSAG submissions also identified that the Environmental Statement does not assess the economic impact of land use change on farming businesses.
- 7.25 The removal of land from agricultural production may affect farm income, operational viability and supply chains.
- 7.26 Submissions by Andrew Keeling provide localised evidence of these impacts, identifying potential effects on individual farms and the wider agricultural community [1].
- 7.27 The Applicant's response does not provide additional analysis on these matters, leaving a gap in the socio-economic assessment of land use change.
- 7.28 The combined absence of:
- evidence of restoration;
 - cumulative land use assessment;
 - and economic impact analysis

means that the full implications of land use change have not been assessed.

- 7.29 This engages Regulation 21 of the EIA Regulations. Without a complete and evidence-based assessment of land use impacts, the decision-maker cannot reach a reasoned conclusion [3].
- 7.30 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where core assumptions regarding restoration are not substantiated [6].
- 7.31 In accordance with EN-1 paragraph 4.2.5, uncertainty regarding land use impacts must be addressed through a precautionary approach.
- 7.32 In this case, the absence of evidence means that the impact on agricultural land may be greater and more long-term than presented.
- 7.33 It follows that the weight to be attributed to the Applicant's assessment of land use impacts must be reduced accordingly.

- 7.34 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the impact on land use and agricultural resources remains unresolved.
- 7.35 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].
- 7.36 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

8. Landscape Character, Visual Impact and Perception of Change

- 8.1 CVSAG submissions raised specific concerns regarding the adequacy of the Landscape and Visual Impact Assessment (LVIA), focusing on the reliance on mitigation planting, the absence of quantified assessment of its effectiveness, the treatment of seasonal variation, and the failure to reassess cumulative landscape effects in light of an evolving baseline [1].
- 8.2 The issue raised was that the LVIA, as presented within the Environmental Statement, underestimates the scale and duration of visual and landscape effects by relying on assumptions regarding mitigation without providing sufficient evidence to demonstrate how and when such mitigation will be effective.
- 8.3 CVSAG therefore requested:
- quantified assessment of the timeframe required for mitigation planting to establish;
 - analysis of visual effects during early operational years prior to establishment;
 - assessment of seasonal variation in screening effectiveness;
 - and an updated cumulative landscape assessment reflecting the current baseline.
- 8.4 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response reiterates that mitigation planting will be implemented and will reduce visual effects over time [4].
- 8.5 However, the response does not provide the detailed evidence requested. It does not include:

- quantified growth rates or establishment timelines;
 - assessment of visual effects prior to mitigation maturity;
 - or modelling of seasonal variation in screening effectiveness.
- 8.6 This represents a failure to address the substance of the issue raised. The concern was not whether mitigation will be implemented, but whether its effectiveness has been demonstrated through evidence.
- 8.7 The absence of such evidence means that the extent and duration of visual impacts cannot be reliably assessed.
- 8.8 Personal representations reinforce this concern. The Deadline 5 Written Representation by Anne Heard identifies that reliance on mitigation without robust evidence may result in impacts being understated, particularly during the early years of operation [1].
- 8.9 Submissions by Alistair King highlight the scale of the Proposed Development within a predominantly rural landscape and identify that mitigation planting will not offset visual effects for a significant period following construction [1].
- 8.10 Submissions by Andrew Keeling provide localised evidence, identifying specific viewpoints, routes and receptors where the Proposed Development would be highly visible and where the LVIA may not reflect the actual experience of users of the landscape [1].
- 8.11 These representations demonstrate that concerns regarding visual impact are grounded in both technical assessment and lived experience.
- 8.12 CVSAG submissions also raised concerns regarding seasonal variation. Deciduous planting will provide reduced screening during winter months, when vegetation is not in leaf.
- 8.13 The Environmental Statement does not include a detailed assessment of winter visibility, nor does it quantify how visual effects vary throughout the year.
- 8.14 The Applicant's response does not address this issue in detail, leaving a gap in the assessment of year-round impacts.
- 8.15 This omission is material, as visual impact is experienced continuously and not solely under optimal screening conditions.
- 8.16 CVSAG submissions further identified that the LVIA relies on a series of static viewpoints and does not adequately assess the experience of receptors moving through the landscape.

- 8.17 The issue raised was that users of roads, footpaths and public rights of way experience a sequence of views, and that cumulative exposure along these routes may be greater than indicated by individual viewpoint assessments.
- 8.18 The Environmental Statement does not include detailed sequential analysis, and the Applicant's response does not provide additional assessment in this regard.
- 8.19 This represents a limitation in the methodology used and may result in underestimation of visual effects.
- 8.20 CVSAG submissions also raised concerns regarding cumulative landscape impacts. As identified in Section 5, the baseline has evolved during the examination due to additional developments within the region.
- 8.21 The Environmental Statement has not been comprehensively updated to reflect this evolving baseline.
- 8.22 The Applicant's response within REP4-018 does not provide an updated cumulative landscape assessment or revised visualisations [4].
- 8.23 Personal representations reinforce this concern. Anne Heard identifies that the cumulative presence of multiple developments may fundamentally alter landscape character beyond that assessed for the Proposed Development alone [1].
- 8.24 Alistair King similarly identifies that the scale and distribution of developments may result in a loss of openness and a change in rural character which is not fully captured within the LVIA [1].
- 8.25 These concerns demonstrate that cumulative landscape effects are both material and insufficiently assessed.
- 8.26 CVSAG submissions also identified that the LVIA provides limited assessment of perceptual aspects of landscape character, including tranquillity, openness and rural identity.
- 8.27 The Environmental Statement focuses primarily on visual receptors and does not provide detailed analysis of these broader characteristics.
- 8.28 The Applicant's response does not address this gap, leaving an incomplete assessment of landscape character effects.
- 8.29 The combined absence of:
- quantified mitigation effectiveness;
 - seasonal analysis;

- sequential assessment;
- and updated cumulative evaluation

means that the LVIA does not provide a complete or robust assessment of landscape and visual impacts.

- 8.30 This engages Regulation 21 of the EIA Regulations. Without a complete assessment, the decision-maker cannot reach a reasoned conclusion on likely significant effects [3].
- 8.31 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where key assumptions regarding mitigation are not substantiated [6].
- 8.32 In accordance with EN-1 paragraph 4.2.5, uncertainty must be addressed through a precautionary approach.
- 8.33 In this case, the absence of evidence means that landscape and visual impacts may be greater and more prolonged than presented.
- 8.34 It follows that the weight to be attributed to the Applicant's assessment of landscape effects must be reduced accordingly.
- 8.35 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the landscape and visual impact of the Proposed Development remains unresolved.
- 8.36 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].
- 8.37 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

9. Transport, Construction Traffic and Highway Network Effects

- 9.1 CVSAG submissions raised specific concerns regarding the adequacy of the transport assessment, focusing on the absence of clearly defined peak traffic scenarios, insufficient detail on construction phasing, lack of cumulative assessment with other developments, and reliance on framework mitigation without defined parameters [1].

- 9.2 The issue raised was that the Environmental Statement presents construction traffic impacts based on general assumptions, without providing sufficient detail to enable the Examining Authority to assess the worst-case impact on the local highway network.
- 9.3 CVSAG therefore requested:
- quantified peak daily traffic movements;
 - clear identification of peak construction periods and durations;
 - assessment of overlapping construction phases;
 - and cumulative modelling including other developments within the area.
- 9.4 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response reiterates the overall traffic management approach and confirms that mitigation measures will be implemented [4].
- 9.5 However, the response does not provide the detailed analysis requested. It does not include:
- quantified peak traffic scenarios;
 - sensitivity testing of different construction phasing assumptions;
 - or modelling of concurrent construction activity with other schemes.
- 9.6 This represents a failure to address the substance of the issue raised. The concern was explicitly directed at the absence of worst-case assessment, yet the response relies on generalised statements rather than quantified evidence.
- 9.7 The absence of peak scenario modelling is material. Without this information, the Examining Authority cannot determine the maximum level of impact on the highway network, which is a fundamental requirement of Environmental Impact Assessment.
- 9.8 This concern is reinforced by statutory consultee responses. Lincolnshire County Council, within REP4-011 Comments on Deadline 3 and 3A Submissions, identifies concerns regarding network capacity and the cumulative impact of multiple developments on the highway system [7].
- 9.9 The Applicant's response does not provide detailed modelling addressing these concerns and does not demonstrate that the network can accommodate combined traffic flows.
- 9.10 This represents a failure to engage with a specific issue raised by a statutory authority.

- 9.11 Personal representations further reinforce this concern. Submissions by Andrew Keeling identify specific local road constraints, including narrow rural roads and junction limitations, and highlight the potential for disruption and safety risks arising from increased construction traffic [1].
- 9.12 Submissions by Barry Smith identify broader infrastructure implications, including the interaction between construction traffic and overall project delivery, particularly where multiple developments are active simultaneously [1].
- 9.13 Other submissions raise concerns regarding the cumulative impact of traffic on rural roads, including deterioration of road condition, increased accident risk and changes to the character of the area [1].
- 9.14 The Deadline 5 Written Representation by Anne Heard also identifies deficiencies in the cumulative assessment of transport impacts and highlights the absence of detailed analysis of combined traffic effects [1].
- 9.15 These representations demonstrate that concerns regarding transport impacts are consistent across multiple submissions and are supported by both technical and local evidence.
- 9.16 CVSAG submissions also raised concerns regarding the reliance on the Framework Construction Environmental Management Plan (EN010154-001023 Framework Construction Environmental Management Plan (Rev 5)).
- 9.17 The issue raised was that this document sets out general principles rather than defined mitigation measures and does not provide sufficient detail to assess effectiveness.
- 9.18 The Environmental Statement does not define:
- specific routing controls;
 - enforcement mechanisms;
 - or monitoring procedures for compliance.
- 9.19 The Applicant's response does not provide additional detail and relies on the assumption that appropriate measures will be developed post-consent.
- 9.20 This approach introduces uncertainty into the assessment. Without defined mitigation measures, it is not possible to determine whether impacts can be effectively managed.
- 9.21 CVSAG submissions further identified that the Environmental Statement does not provide detailed assessment of impacts on sensitive receptors, including residential areas, schools and local access routes.

9.22 The Applicant's response does not provide location-specific analysis and does not demonstrate how impacts will be mitigated in these areas.

9.23 This represents a failure to assess foreseeable and potentially significant effects.

9.24 The combined absence of:

- worst-case traffic modelling;
- cumulative assessment;
- and defined mitigation measures

means that the transport impacts of the Proposed Development have not been fully assessed.

9.25 This engages Regulation 21 of the EIA Regulations. Without a complete assessment of likely significant effects, the decision-maker cannot reach a reasoned conclusion [3].

9.26 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where key assumptions regarding traffic impacts are not substantiated [6].

9.27 In accordance with EN-1 paragraph 4.2.5, uncertainty must be addressed through a precautionary approach.

9.28 In this case, the absence of detailed analysis means that transport impacts may be greater than presented.

9.29 It follows that the weight to be attributed to the Applicant's assessment of transport effects must be reduced accordingly.

9.30 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the impact of construction traffic on the highway network remains unresolved.

9.31 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].

9.32 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

10. Grid Connection, Associated Infrastructure and Deliverability

- 10.1 CVSAG submissions raised specific concerns regarding the extent to which the Proposed Development is dependent on associated grid connection infrastructure, and whether that infrastructure has been sufficiently defined, assessed and secured within the application [1].
- 10.2 The issue raised was that the ability of the Proposed Development to export electricity is contingent upon infrastructure which is not fully described within the Environmental Statement and may be subject to separate consenting processes.
- 10.3 CVSAG therefore requested:
- detailed identification of all infrastructure required to connect the development to the electricity network;
 - assessment of environmental effects associated with off-site infrastructure;
 - and evidence demonstrating that the grid connection is deliverable within the timescales and parameters assumed.
- 10.4 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response confirms that the development will connect to the grid and that detailed design is subject to ongoing development [4].
- 10.5 However, the response does not provide the level of detail requested. It does not include:
- a fully defined description of connection infrastructure;
 - a comprehensive assessment of associated environmental impacts;
 - or confirmation of the status of agreements with network operators.
- 10.6 Instead, the Applicant relies on general statements that connection will be achieved and that relevant processes will be followed.
- 10.7 This does not address the substance of the issue raised. The concern was whether the infrastructure required to enable the development has been fully assessed and demonstrated to be deliverable.
- 10.8 The absence of defined infrastructure is material. Where elements of a development are not clearly specified, it is not possible to assess their environmental effects or their interaction with other components of the scheme.

- 10.9 This concern is reinforced within personal representations. Submissions by Barry Smith identify the relationship between generation assumptions and grid capacity, noting that limitations within the network may constrain output and increase curtailment [1].
- 10.10 Other submissions identify localised concerns regarding the potential for additional infrastructure works, including cable routes and associated disruption, which have not been fully assessed within the application [1].
- 10.11 Other submissions highlight the cumulative implications of multiple developments connecting to the same network, including the potential for capacity constraints and associated environmental effects [1].
- 10.12 The Deadline 5 Written Representation by Anne Heard also identifies deficiencies in the treatment of associated infrastructure, noting that the Environmental Statement does not provide a comprehensive assessment of all elements required for the operation of the Proposed Development [1].
- 10.13 These representations demonstrate that concerns regarding grid connection are consistent and relate directly to the completeness of the assessment.
- 10.14 CVSAG submissions also raised concerns regarding the deliverability of the Proposed Development.
- 10.15 The issue raised was that reliance on third-party infrastructure introduces dependencies which are not fully within the control of the Applicant and which may affect whether the development can be delivered as proposed.
- 10.16 The application documents do not provide detailed evidence regarding:
- the status of grid connection agreements;
 - the capacity of the network to accommodate the development;
 - or the potential for delay or modification to connection arrangements.
- 10.17 The Applicant's response does not provide further detail on these matters and does not demonstrate that the development is deliverable within the parameters assessed.
- 10.18 This introduces uncertainty regarding the realisation of the claimed benefits.
- 10.19 The Environmental Statement also does not include a detailed assessment of the environmental effects of associated infrastructure beyond the immediate site boundary.
- 10.20 The Interrelationships Report (EN010154-001028 Interrelationships Report) identifies general connections between environmental topics but does not

provide a detailed assessment of how grid connection works may affect landscape, ecology, transport or other receptors.

10.21 This represents a limitation in the scope of the assessment.

10.22 The combined absence of:

- defined infrastructure;
- confirmed deliverability;
- and comprehensive environmental assessment

means that the full effects and feasibility of the Proposed Development have not been demonstrated.

10.23 This engages Regulation 21 of the EIA Regulations. Without a complete assessment of all elements necessary for the operation of the development, the decision-maker cannot reach a reasoned conclusion [3].

10.24 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where key infrastructure dependencies are not defined [6].

10.25 In accordance with EN-1 paragraph 4.2.5, uncertainty must be addressed through a precautionary approach.

10.26 In this case, the absence of evidence means that both the impacts and the deliverability of the development may differ from those presented.

10.27 It follows that the weight to be attributed to the claimed benefits of the Proposed Development must be reduced accordingly.

10.28 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the matter of grid connection and associated infrastructure remains unresolved.

10.29 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].

10.30 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

11. Battery Energy Storage Systems, Major Accident Risk and Environmental Hazard

- 11.1 CVSAG submissions raised specific concerns regarding the inclusion of Battery Energy Storage Systems (BESS) within the Proposed Development and the adequacy of the assessment of associated risks, including fire, thermal runaway, hazardous emissions and environmental contamination [1].
- 11.2 The issue raised was that the Environmental Statement identifies the presence of battery storage but does not provide sufficient technical detail to allow for a meaningful assessment of the risks associated with these systems.
- 11.3 CVSAG therefore requested:
- confirmation of battery chemistry and system configuration;
 - definition of unit layout and separation distances;
 - modelling of credible accident scenarios, including fire and thermal runaway;
 - and assessment of environmental effects, including firewater contamination and emissions.
- 11.4 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response confirms that battery systems will be designed in accordance with relevant standards and that detailed design will be developed post-consent [4].
- 11.5 However, the response does not provide the information requested. It does not include:
- confirmation of battery chemistry;
 - quantified accident scenario modelling;
 - or detailed environmental risk assessment.
- 11.6 This represents a failure to address the substance of the issue raised. The concern was not whether standards will be followed, but whether the risks associated with the specific system proposed have been identified and assessed.
- 11.7 The absence of technical detail is material. Different battery chemistries have significantly different risk profiles, particularly in relation to thermal runaway behaviour and fire characteristics.
- 11.8 Without this information, it is not possible to assess the likelihood, scale or consequences of potential incidents.
- 11.9 CVSAG submissions also raised concerns regarding the absence of modelling of credible accident scenarios.
- 11.10 The Environmental Statement does not include:

- modelling of fire duration or intensity;
- assessment of fire spread between units;
- or analysis of hazardous gas release and dispersion.

- 11.11 The Applicant's response does not provide this analysis and relies on general statements regarding safety systems.
- 11.12 This does not satisfy the requirement under Regulation 18 of the EIA Regulations to assess likely significant effects arising from major accidents and disasters [3].
- 11.13 CVSAG submissions further identified the absence of a detailed strategy for the management of firewater.
- 11.14 The issue raised was that in the event of a battery fire, contaminated water may be generated and could pose a risk to soil, groundwater and surface water.
- 11.15 The Environmental Statement does not include a detailed assessment of:
- containment measures;
 - drainage pathways;
 - or potential environmental impacts.
- 11.16 The Applicant's response does not address this issue in detail, leaving a gap in the environmental risk assessment.
- 11.17 Personal representations reinforce these concerns. The Deadline 5 Written Representation by Anne Heard identifies the lack of detailed assessment of battery-related risks and highlights the need for more robust analysis of potential accident scenarios [1].
- 11.18 Submissions by Barry Smith raise technical concerns regarding the integration of battery systems with generation infrastructure, including the potential for operational failures to give rise to safety risks [1].
- 11.19 Other submissions identify local concerns regarding proximity to sensitive receptors and the potential impact of a major incident on nearby communities [1].
- 11.20 Other submissions highlight the environmental implications of battery failure, including the potential for contamination and long-term effects on land and ecosystems [1].
- 11.21 These representations demonstrate that concerns regarding BESS are consistent across multiple submissions and relate to both safety and environmental impacts.

- 11.22 CVSAG submissions also identified that the application relies on a framework-based approach, with detailed design and mitigation measures to be developed post-consent.
- 11.23 The issue raised was that without defined design parameters, it is not possible to assess the effectiveness of mitigation measures or the residual level of risk.
- 11.24 The Applicant's response does not provide additional detail and relies on general statements regarding compliance with standards.
- 11.25 This introduces uncertainty into the assessment and prevents the Examining Authority from determining whether risks have been adequately mitigated.
- 11.26 The Interrelationships Report (EN010154-001028 Interrelationships Report) does not include detailed analysis of how a battery-related incident may interact with other environmental receptors.
- 11.27 As a result, the potential for cascading effects, including interactions with air quality, water resources and ecology, has not been assessed.
- 11.28 The combined absence of:
- defined technical parameters;
 - accident scenario modelling;
 - and environmental risk assessment

means that the risks associated with battery storage have not been fully assessed.

- 11.29 This engages Regulation 21 of the EIA Regulations. Without a complete assessment of likely significant effects, the decision-maker cannot reach a reasoned conclusion [3].
- 11.30 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where key risk factors are not defined [6].
- 11.31 In accordance with EN-1 paragraph 4.2.5, uncertainty must be addressed through a precautionary approach.
- 11.32 In this case, the absence of evidence means that the risks associated with battery storage may be greater than presented.
- 11.33 It follows that the weight to be attributed to the Applicant's assessment of BESS risks must be reduced accordingly.

- 11.34 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the assessment of battery storage risks remains unresolved.
- 11.35 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].
- 11.36 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

12. Cyber Security, Digital Systems and Operational Resilience

- 12.1 CVSAG submissions raised specific concerns regarding the absence of any structured assessment of cyber security risks within the Environmental Statement, particularly in the context of a development that relies on digitally controlled systems for generation, storage and grid interaction [1].
- 12.2 The issue raised was that the Proposed Development will depend on integrated control systems, communications infrastructure and automated operational management, yet the application does not define these systems or assess the risks associated with their failure or compromise.
- 12.3 CVSAG therefore requested:
- a description of system architecture and control mechanisms;
 - identification of potential vulnerabilities within digital systems;
 - assessment of the consequences of system failure or external interference;
 - and evidence of resilience measures, including redundancy and fail-safe systems.
- 12.4 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response indicates that appropriate standards and industry practices will be followed [4].
- 12.5 However, the response does not provide the detail requested. It does not include:
- a defined system architecture;
 - identification of potential cyber vulnerabilities;
 - or assessment of operational failure scenarios.

- 12.6 This represents a failure to address the substance of the issue raised. The concern was not whether standards will be followed, but whether the specific risks associated with the Proposed Development have been identified and assessed.
- 12.7 The absence of this information is material. Digital control systems are integral to the operation of modern energy infrastructure, and their failure may have operational, environmental and safety consequences.
- 12.8 CVSAG submissions identified that potential consequences of system failure may include:
- loss of control over generation output;
 - malfunction of battery storage systems;
 - and failure of monitoring or safety systems.
- 12.9 The Environmental Statement does not include assessment of these outcomes, and the Applicant's response does not provide additional analysis.
- 12.10 This represents a failure to assess foreseeable and potentially significant effects.
- 12.11 Personal representations reinforce this concern. The Deadline 5 Written Representation by Barry Smith identifies the absence of any structured assessment of cyber security and highlights the increasing relevance of such risks within energy infrastructure projects [1].
- 12.12 Submissions by Barry Smith identify technical concerns regarding system integration, including the potential for instability where control systems are not fully defined or assessed [1].
- 12.13 Other submissions raise local concerns regarding the impact of system failure on nearby communities, particularly where automated systems may not respond as intended in the event of disruption [1].
- 12.14 Other submissions highlight the potential for cascading effects, where system failure interacts with environmental or safety risks, amplifying overall impact [1].
- 12.15 These representations demonstrate that concerns regarding cyber security and operational resilience are consistent across multiple submissions and relate directly to the operation of the Proposed Development.
- 12.16 CVSAG submissions also raised concerns regarding the absence of information on system redundancy and resilience.
- 12.17 The Environmental Statement does not describe:

- backup systems;
- manual override capabilities;
- or recovery procedures following system failure.

12.18 The Applicant's response does not provide further detail on these matters, leaving uncertainty regarding the ability of the development to operate safely under abnormal conditions.

12.19 CVSAG submissions further identified the absence of assessment of supply chain dependency.

12.20 The Proposed Development relies on components sourced from a global supply chain, including photovoltaic panels, inverters and battery systems.

12.21 The Environmental Statement does not assess:

- the resilience of this supply chain;
- the availability of replacement components;
- or the potential impact of component failure on long-term operation.

12.22 Submissions by Barry Smith highlight that system reliability is directly linked to component performance and availability, and that this has implications for the delivery of claimed benefits [1].

12.23 The Applicant's response does not address these issues in detail, leaving a gap in the assessment of operational resilience.

12.24 The Interrelationships Report (EN010154-001028 Interrelationships Report) does not include detailed analysis of how cyber security risks may interact with other environmental factors.

12.25 As a result, the potential for cascading impacts, including interactions between system failure, environmental risk and safety considerations, has not been assessed.

12.26 The combined absence of:

- defined system architecture;
- assessment of cyber risks;
- and analysis of operational resilience

means that the operational integrity of the Proposed Development has not been fully assessed.

- 12.27 This engages Regulation 21 of the EIA Regulations. Without a complete assessment of likely significant effects, including operational risks, the decision-maker cannot reach a reasoned conclusion [3].
- 12.28 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where key operational risks are not defined [6].
- 12.29 In accordance with EN-1 paragraph 4.2.5, uncertainty must be addressed through a precautionary approach.
- 12.30 In this case, the absence of evidence means that the operational risks associated with the Proposed Development may be greater than presented.
- 12.31 It follows that the weight to be attributed to the Applicant's assessment of cyber security and operational resilience must be reduced accordingly.
- 12.32 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that this matter remains unresolved.
- 12.33 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].
- 12.34 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

13. Decommissioning, Restoration and Long-Term Effects

- 13.1 CVSAG submissions raised specific concerns regarding the assumptions underpinning decommissioning and restoration of the Proposed Development, particularly whether the land can be returned to its original condition following several decades of altered use [1].
- 13.2 The issue raised was that the Environmental Statement characterises the development as temporary, yet the operational period extends over multiple decades, during which the land will be subject to sustained change in use,

including soil disturbance, compaction, drainage alteration and ecological change.

13.3 CVSAG therefore requested:

- evidence demonstrating that agricultural land can be fully restored following long-term solar use;
- defined restoration criteria and measurable outcomes;
- assessment of residual impacts following decommissioning;
- and clarification of mechanisms to secure delivery of decommissioning.

13.4 The Applicant's response to these concerns is set out within REP4-018 Fosse Green Energy Limited Applicant's Response to Deadline 3 and 3A Submissions. The response confirms that the development will be decommissioned and that the site will be restored in accordance with a decommissioning plan [4].

13.5 However, the response does not provide the evidence requested. It does not include:

- empirical data demonstrating successful restoration from comparable developments;
- quantified timelines for recovery of soil structure and productivity;
- or defined criteria against which restoration success can be measured.

13.6 This represents a failure to address the substance of the issue raised. The concern was not whether restoration is intended, but whether it has been demonstrated to be achievable.

13.7 The absence of evidence means that the assumption of full restoration remains unproven.

13.8 Personal representations reinforce this concern. The Deadline 5 Written Representation by Anne Heard identifies that claims of reversibility have been treated with caution in recent decision-making, particularly where long-term soil change is involved [1].

13.9 Other submissions similarly raise concerns regarding the long-term impact on land quality, noting that prolonged use for solar development may result in changes which are not fully reversible [1].

13.10 Other submissions provide local context, identifying the importance of agricultural land within the area and raising concerns regarding the long-term implications for farming operations and land management [1].

- 13.11 Submissions by Barry Smith highlight the relationship between long-term land use and energy efficiency, identifying that where land is occupied for extended periods without delivering consistent output, overall efficiency is reduced [1].
- 13.12 These representations demonstrate that concerns regarding decommissioning and restoration are consistent and relate directly to the long-term impact of the Proposed Development.
- 13.13 CVSAG submissions also identified that the Environmental Statement does not assess residual impacts following decommissioning.
- 13.14 The issue raised was that even if infrastructure is removed, changes to soil structure, compaction, nutrient balance and drainage may persist.
- 13.15 The Environmental Statement does not include detailed assessment of these potential residual effects, and the Applicant's response does not provide additional analysis.
- 13.16 This represents a failure to assess foreseeable long-term impacts.
- 13.17 CVSAG submissions further raised concerns regarding the reliance on framework-based decommissioning proposals.
- 13.18 The Environmental Statement does not define:
- detailed methodologies for removal of infrastructure;
 - monitoring requirements during restoration;
- 13.19 The Applicant's response does not provide further detail and relies on general statements regarding future plans.
- 13.20 This introduces uncertainty into the assessment. Without defined measures, it is not possible to determine whether restoration will be carried out effectively.
- 13.21 CVSAG submissions also identified the absence of clear financial mechanisms to secure decommissioning.
- 13.22 The issue raised was that without defined financial guarantees, there is a risk that decommissioning may not be completed to the standard assumed.
- 13.23 The Environmental Statement does not provide detailed information on financial security, and the Applicant's response does not address this issue in detail.
- 13.24 Other representations highlight local concerns regarding the long-term legacy of the development and the risk that restoration may not be achieved as assumed [1].

13.25 These concerns are not addressed within the Applicant's responses.

13.26 The combined absence of:

- evidence of restoration effectiveness;
- assessment of residual impacts;
- and defined delivery mechanisms

means that the long-term effects of the Proposed Development have not been fully assessed.

13.27 This engages Regulation 21 of the EIA Regulations. Without a complete assessment of long-term effects, the decision-maker cannot reach a reasoned conclusion [3].

13.28 It also engages EN-1 paragraph 4.1.7, which requires sufficient evidence to support decision-making. That requirement is not met where key assumptions regarding restoration are not substantiated [6].

13.29 In accordance with EN-1 paragraph 4.2.5, uncertainty must be addressed through a precautionary approach.

13.30 In this case, the absence of evidence means that the impacts of the Proposed Development may persist beyond the operational period.

13.31 It follows that the weight to be attributed to the Applicant's assessment of decommissioning and restoration must be reduced accordingly.

13.32 The Applicant's failure to provide detailed, evidence-based responses to the issues raised means that the long-term effects of the Proposed Development remain unresolved.

13.33 This represents a significant evidential gap within the Applicant's case and is directly relevant to the overall planning balance under section 104 of the Planning Act 2008 [2].

13.34 The persistence of this issue at Deadline 5 indicates that it has not been resolved during the examination process and must therefore be treated as an outstanding matter for the Examining Authority's consideration.

14. Planning Balance, Conclusions and Summary

14.1 This submission has undertaken a structured and evidence-based review of the adequacy of the Applicant's responses to matters raised during the examination, drawing upon CVSAG submissions, Examination Library documents, statutory consultee responses and detailed personal

representations submitted by Interested Parties including Anne Heard, Barry Smith, Andrew Keeling, Philip Heard, Marianne Overton and Alistair King [1][4].

- 14.2 The purpose of this assessment has been to determine whether the evidential base presented by the Applicant is sufficient to enable the Examining Authority to reach a reasoned conclusion in accordance with Regulation 21 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 [3].
- 14.3 Across all topic areas considered, a consistent pattern has been identified in the Applicant's responses. This pattern is characterised by reliance on generalised statements rather than project-specific evidence, repetition of previously submitted material without substantive clarification, deferral of key matters to post-consent frameworks, and failure to engage directly with the substance of issues raised.
- 14.4 This pattern is material because it directly affects the ability of the Examining Authority to assess both the benefits and the impacts of the Proposed Development.
- 14.5 In relation to energy security, the Applicant has not provided temporal generation modelling or defined battery storage parameters. As a result, the contribution of the Proposed Development to system reliability remains unquantified and unproven.
- 14.6 In relation to energy generation, overplanting and curtailment, the Applicant has not provided quantified analysis of output loss. This means that the actual exportable electricity is uncertain and may be materially lower than headline capacity figures suggest.
- 14.7 In relation to cumulative impacts, the Applicant has not updated the cumulative baseline or reassessed combined effects in light of evolving development within the area. This means that the overall scale of impact may be understated.
- 14.8 In relation to socio-economic effects, the Applicant has not provided quantified local economic benefit analysis or assessed adverse effects on the visitor economy and accommodation. As a result, the net socio-economic impact is unclear.
- 14.9 In relation to land use and agriculture, the Applicant relies on assumptions regarding restoration which are not supported by evidence. The long-term impact on soil and agricultural productivity therefore remains uncertain.
- 14.10 In relation to landscape and visual impact, the Applicant relies on mitigation without demonstrating its effectiveness, does not assess seasonal variation or sequential views in sufficient detail, and has not updated cumulative

assessment. This means that impacts may be greater and more prolonged than presented.

- 14.11 In relation to transport, the Applicant has not provided worst-case traffic modelling, cumulative assessment or defined mitigation measures. This prevents a robust assessment of impacts on the highway network.
- 14.12 In relation to grid connection and associated infrastructure, key elements remain undefined and subject to separate processes. Deliverability and environmental effects have therefore not been fully assessed.
- 14.13 In relation to battery energy storage systems, the Applicant has not provided technical detail, accident modelling or environmental risk assessment. The potential for major accident and environmental harm has therefore not been adequately assessed.
- 14.14 In relation to cyber security and operational resilience, no structured assessment has been provided. The reliability and safety of operational systems therefore remain uncertain.
- 14.15 In relation to decommissioning and restoration, the Applicant has not provided evidence demonstrating that land can be restored to its original condition or that decommissioning will be secured and delivered as assumed.
- 14.16 These issues are not isolated. They demonstrate a systematic absence of detailed, evidence-based responses across multiple topic areas.
- 14.17 This pattern is corroborated by multiple independent personal representations that identify repeated reliance on high-level assertions in place of detailed analysis [1].
- 14.18 Submissions by Barry Smith provide technical challenge to generation and performance assumptions and identify deficiencies in modelling and system definition [1].
- 14.19 Submissions by Andrew Keeling provide localised evidence of impacts relating to transport, infrastructure and community effects which have not been addressed in detail [1].
- 14.20 Submissions by Alistair King identify concerns regarding landscape change, environmental impact and cumulative effects, reinforcing the issues identified within CVSAG submissions [1].
- 14.21 The consistency of these concerns across multiple independent representations demonstrates that the issues identified are substantive and have not been resolved during the examination process.

- 14.22 In accordance with EN-1, the decision-maker must weigh the benefits of the Proposed Development against its adverse impacts [6].
- 14.23 This requires that both benefits and impacts are clearly understood and supported by sufficient evidence.
- 14.24 Where such evidence is absent, the weight that can be attributed to claimed benefits must be reduced.
- 14.25 In addition, EN-1 paragraph 4.2.5 requires that uncertainty is addressed through a precautionary approach.
- 14.26 In this case, uncertainty arises not from inherent variability alone, but from the absence of evidence required to quantify key aspects of the Proposed Development.
- 14.27 This engages Regulation 21 of the EIA Regulations. Without a complete and evidence-based assessment of likely significant effects, the decision-maker cannot reach a reasoned conclusion [3].
- 14.28 The persistence of unresolved issues at Deadline 5 therefore raises a material question as to whether the statutory requirements of the EIA Regulations have been satisfied.
- 14.29 It also raises questions regarding whether the examination process has fully achieved the Planning Inspectorate's stated principles of fairness, openness and impartiality, in that material concerns raised by Interested Parties remain only partially addressed [5].
- 14.30 In these circumstances, the planning balance is materially affected.
- 14.31 The benefits of the Proposed Development are less certain than presented, while the potential for adverse impacts is greater.
- 14.32 It follows that the weight to be attributed to the Applicant's case must be reduced accordingly.
- 14.33 For the reasons set out in this submission, it is considered that the Applicant has not demonstrated, through sufficient and consistent evidence, that the benefits of the Proposed Development outweigh its adverse impacts, as required under section 104 of the Planning Act 2008 [2].
- 14.34 The issues identified represent material considerations which must be taken into account by the Examining Authority in reaching its recommendation.

- 14.35 In summary, the Proposed Development is supported by an evidential base which remains incomplete in key respects, and where critical assumptions have not been substantiated through detailed analysis or response.
- 14.36 As a result, the planning balance cannot be considered to be clearly or robustly in favour of the Proposed Development on the basis of the information currently available.

References

[1] **Personal Representations**

Anne Heard –Written Representation (Interested Party Ref: F88728215)

Barry Smith – Written Representations (Various Deadlines)

Andrew Keeling – Written Representations (Various Deadlines)

Philip Heard – Written Representations (Various Deadlines)

Marrienne Overton – Written Representations (Various Deadlines)

Alistair King – Written Representations (Various Deadlines)

[2] **Planning Act 2008**, Section 104

[3] **Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**, Regulations 18 and 21

[4] **REP4-018 – Fosse Green Energy Limited**, Applicant’s Response to Deadline 3 and 3A Submissions

[5] **Planning Inspectorate**, Core Values: Fairness, Openness and Impartiality

[6] **Overarching National Policy Statement for Energy (EN-1) (2024)**

[7] **REP4-011 – Lincolnshire County Council**, Comments on Deadline 3 and 3A Submissions

[8] **EN010154-001028 – Interrelationships Report**

[9] **EN010154-001023 – Framework Construction Environmental Management Plan (Rev 5)**

[10] **EN010154-001025 – Framework Soil Management Plan (Rev 5)**