FOSSE GREEN SOLAR PROJECT

DEADLINE 5 COMMENTS – BARRY SMITH: IP NUMBER [redacted]

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1. Executive Summary

1.1 This Written commentary is submitted in respect of the proposed Fosse Green (FGE) Solar Development.

1.2 It is respectfully submitted that the Applicant has failed to demonstrate, on the balance of probability, that the FGE Development complies with relevant policy, including the National Policy Statement EN-1 ("NPS EN-1"), National Policy Statement EN-3 ("NPS EN-3"), and the National Planning Policy Framework ("NPPF").

1.3 As set out in **Sections 5, 6 and 8 below**, and with specific reference to the Applicant's responses in **REP3A-025**, the Applicant's case is undermined by material inconsistencies in its technical and environmental evidence.

1.4 Furthermore, as detailed in **Sections 9 and 11**, and as evidenced in **REP3A-025 (Pages 54–56)**, the Applicant has failed to provide adequate assurance in respect of land use impacts and decommissioning obligations.

1.5 Accordingly, it is submitted that the Examining Authority ("ExA") cannot reasonably conclude that the Proposed Development accords with the requirements of a robust planning assessment.

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2. Introduction

2.1 This Written Representation provides a structured critique of the Applicant's submissions to date.

2.2 It identifies material deficiencies in the Applicant's evidence base and failures to comply with relevant policy and guidance.

2.3 It is submitted that these deficiencies materially affect the weight that can be attributed to the Applicant's conclusions.

3. Nature of the Proposed Development

3.1 The Applicant describes the Proposed Development as temporary (60 years).

3.2 However, it is submitted that, when considered alongside the permanent grid infrastructure referenced in **REP3A-025**, the development is effectively permanent.

3.3 In particular, the reliance on the Navenby substation (as discussed in **REP3A-025, Page 54**) indicates long-term infrastructure commitment.

3.4 This is inconsistent with the principles of reversibility set out in **NPS EN-1**, which requires consideration of long-term land use effects.

4. Approach to Assessment (Rochdale Envelope)

4.1 It is a fundamental requirement of Environmental Impact Assessment that a **Rochdale Envelope** approach is adopted.

4.2 The Applicant has failed to apply this approach consistently, particularly in **REP3A-025 (Pages 48–52)**.

4.3 For example:

- (a) greenhouse gas emissions are not assessed on a worst-case basis;
- (b) BESS risks are not modelled beyond a single container scenario;
- (c) land restoration assumptions are overly optimistic.

4.4 This is contrary to the precautionary principles embedded within **NPS EN-1 (assessment of environmental effects)**.

5. Technical and Engineering Matters

5.1 In **REP3A-025 (Page 19)**, the Applicant states that no Abnormal Indivisible Loads (AILs) will be required during operation.

5.2 However, the same submission acknowledges transformer delivery has to utilise AILs and a design life of 30–40 years for the on-site transformer.

5.3 It is therefore submitted that the Applicant has failed to reconcile these contradictory positions.

5.4 In **REP3A-025 (Page 52)**, the Applicant asserts a load factor between 15 and 19 %.

5.5 Independent calculation as well as government approved figures for solar production in the UK indicates a load factor closer to 10% should be used.

5.6 This discrepancy materially inflates the perceived benefits of the Proposed Development and is inconsistent with the requirement in **NPS EN-1** for evidence-based assessment.

6. Environmental and Climate Considerations

6.1 In **REP3A-025 (Page 48)**, the Applicant rejects panel-based greenhouse gas comparisons in favour of MW based scaling.

6.2 However, when compared to the Springwell Solar Farm data, this results in a significant discrepancy in emissions estimates.

6.3 It is submitted that the Applicant has failed to apply a worst-case (Rochdale Envelope) approach.

6.4 Furthermore, the Applicant's reliance on operational emissions alone is inconsistent with lifecycle carbon assessment principles.

6.5 This approach conflicts with the requirements of **NPS EN-1** and the climate objectives of the **NPPF**.

7. Energy Security

7.1 In **REP3A-025 (Page 51)**, the Applicant describes the Proposed Development as providing "secure energy".

7.2 It is submitted that this is not supported by evidence.

7.3 Solar generation is intermittent and cannot provide baseload supply.

7.4 This is acknowledged in UK Government policy and is inconsistent with the definition of energy security within **NPS EN-1**.

7.5 Furthermore, recent decisions by the SofS to prevent Chinese manufacturers from providing offshore wind turbines to the UK have acknowledged the cybersecurity risks associated with total reliance on a Chinese logistics chain. The expansion of the Network & Information Systems Regulations (2018) will provide Government with the opportunity to bring more elements of the energy sector into scope and introduce new security and resilience requirements. It is proposed that all Ofgem licensees meet a baseline cybersecurity standard to ensure the whole energy system is protected from the actions of a potentially hostile state. These standards are not discussed in the FGE proposal nor the impact on their procurement strategy. Hence, the project also fails within the cybersecurity domain to meet the requirements of energy security within **NPS EN-1**.

8. Battery Energy Storage System (BESS)

8.1 In **REP3A-025 (Page 67)**, the Applicant relies on the "Unplanned Emissions Assessment".

8.2 However, insufficient design detail has been provided to support a robust assessment.

8.3 The failure to model propagation beyond a single BESS container fire is a significant omission. Concerns remain about the proximity of battery containers and whether a single explosion could lead to a catastrophic chain reaction across the site as has been evidenced in BESS fires both in the UK and worldwide.

8.4 This is inconsistent with the precautionary approach required under **NPS EN-1**.

8.5 A major area of concern is the Applicant's water storage calculations for fire suppression are inadequate for a major lithium battery fire which could burn for weeks. There is also a lack of detail on how contaminated water from a fire event would be contained and treated to prevent it from entering local watercourses.

9. Land Use and Agriculture

9.1 In **REP3A-025 (Page 56)**, the Applicant justifies the use of BMV land on the basis of maximising grid output.

9.2 It is submitted that this does not constitute sufficient justification under **NPPF policy on agricultural land**.

9.3 Furthermore, the Applicant fails to adopt the precautionary assumption that land beneath infrastructure will be permanently lost. In addition, there is a gap in the evidence regarding soil recovery times following compaction and potential soil contamination from piles and beams.

9.4 This is inconsistent with recent Secretary of State decisions viz Springwell and Mallard Park.

10. Grid Connection and Grid Infrastructure

10.1 In **REP4-018**, the Applicant asserts that a Gate 2 connection has been secured.

10.2 However, no documentary evidence has been provided and the official NESO TEC Register does not reflect this assertion.

10.3 It is submitted that, in the absence of such evidence, the ExA cannot be satisfied that the FGE Development is deliverable.

10.4 The major critical risk to the project is that it relies on a substation that does not yet exist and is not part of the current DCO application. This external dependency is recognised in the February 2026 statement by NGET that, if the substation is not built or fails to get planning permission, " the deliverability of the proposed solar farm" is a matter the Applicant must clarify. Such clarity has not been provided.

11. Decommissioning and Financial Provision

11.1 In **REP3A-025 (Page 54)**, the Applicant states that decommissioning costs are included.

11.2 However, no detailed financial mechanism has been provided.

11.3 It is submitted that this fails to meet the requirements of **NPS EN-1**, which requires confidence in mitigation measures.

12. Environmental and Safety Risks

12.1 In **REP3A-025 (Page 61)**, the Applicant refers to PFAS-free panels.

12.2 However, no assessment is provided regarding other contaminants (e.g. heavy metals). Recent severe storms in the UK have led to significant damage to the solar panels over a large area of the array causing exposure to the environment of these materials.

12.3 This represents an incomplete environmental assessment contrary to **NPS EN-1** requirements.

12.4 The applicants claims regarding “minimal impact” on field runoff have also been challenged as not being a true reflection of their cited research (Cook & McCluen , 2013) which relied on modelling rather than empirical field data.

13. Prax/PBA Oil Pipeline Risks

13.1 The proposed cable corridor must cross or run parallel to high-pressure aviation fuel pipelines managed by Prax (Lindsey Oil Refinery) and BPA.

13.2 The statement of common ground with Prax has indicated that agreement has not been reached on several key safety and procedural matters. Specific concerns have been raised about the adequacy of “Protective Provisions” in the DCO. More granular detail has also been requested rather than the current high level management plans.

13.3 Crossing these pipelines with high voltage underground cables represents a major risk to the project and it is submitted that this issue fails to meet the requirements of **NPS-EN-1** which requires confidence in mitigation measures.

14. Socio-Economic Effects

14.1 In **REP3A-025 (Page 60)**, the Applicant asserts that property values will not be affected.

14.2 It is submitted that this assertion is unsupported and contrary to available evidence.

14.3 This approach is inconsistent with the requirement in the **NPPF** to consider impacts on communities.

15. Public Rights of Way (PROW)

15.1 In **REP3A-025 (Page 71)**, the Applicant states that PROWs are not noise receptors.

15.2 It is submitted that this is an unduly narrow interpretation of policy.

15.3 The **NPPF** and noise guidance require consideration of amenity and tranquillity.

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16. Conclusion

16.1 For the reasons set out above and with specific reference to the inconsistencies and large number of incomplete detailed responses to issues raised by both statutory authorities and Interested Parties, it is respectfully submitted that the Applicant has failed to demonstrate that the FGE Development is acceptable in planning terms. Furthermore, the decision on 8 April 2026 by the SofS to approve the Springwell solar Farm (a massive adjacent project) has made understanding the Interrelational Report (Revision 1 dated 1 April 2026) and how the projects will coordinate during their construction and connection phases a significant challenge and requires robust scrutiny of the technical complexities regarding their cumulative impacts. The hypothetical over-saturation of solar infrastructure in a relatively small area of N Kesteven could become a reality and creates a “material change in circumstances”.

16.2 In the absence of further clarification, it is submitted that limited weight should be given to the Applicant’s case.