



By email to:  
FosseGreenEnergy@planninginspectorate.gov.uk

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

Date : 12 May 2026

Dear Sir/Madam,

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

**Deadline 5A submissions for Lincolnshire County Council (LCC)**

Comments on Deadline 5 documents

Please see LCCs comments on documents submitted into examination at deadline 5. Landscape and visual comments provided by AAH consultants have been attached as an appendix to this document.

**Framework Operational Environmental Management Plan [REP5-014]**

LCC is pleased to see the addition of paragraph 5.1.2 and welcomes the commitment to continue the Community Liaison Groups throughout the operational phase and the appointment of a Community Liaison Officer. Please see further comments below in relation to REP5-024.

**Biodiversity Net Gain Report [REP5-015]**

LCC welcomes the updates made in REP5-015 and confirms that most of the outstanding issues relating to BNG have now been resolved. This includes the correct application of Strategic Significance and the Trading Rules now being met.

At a meeting between the Councils and the Applicant on 06/05/2026, the Councils confirmed that the only outstanding issue in relation to BNG calculations relates to the use of an assumed baseline condition on two parcels of land proposed for partial enhancement. Given that the actual condition is currently unknown the Councils suggested that it would be preferable to treat the areas concerned as 'retained' post-development rather than 'enhanced'. The Applicant agreed that as the habitat involved on these parcels of land was of low-distinctiveness and the areas involved were small and would therefore not make a significant difference to the final BNG calculations, the metric will be updated to fit with the Council's suggestion.

## **Framework Landscape and Ecological Management Plan [REP5-018]**

Paragraph 7.1.9 - LCC has previously (REP4-020) stated its opinion that the membership of the proposed Ecological Advisory Group should include representatives of the Host Local Authorities alongside representatives of the Applicant's team and that a draft Terms of Reference for the Group should be included in the LEMP. The Council has provided additional comments on this issue below in response to REP5-025.

## **Health and Wellbeing Summary Statement [REP5-024]**

The Health and Wellbeing Summary Statement (Revision 2) demonstrates a clear effort to respond to examination feedback and Public Health comments. Overall, the updated submission represents a positive improvement in clarity; however, some limitations remain in the robustness of the conclusions and in how mitigation measures are applied and evidenced.

The revised statement includes a more detailed explanation of electromagnetic fields (EMFs), including specific reference, as requested, to extremely low frequency (ELF) EMFs. It also confirms compliance with International Commission on Non-Ionizing Radiation Protection (ICNIRP) exposure limits and explains the effects of shielding and distance decay. Importantly, the document now recognises that perceived risk can affect mental wellbeing regardless of actual exposure levels and commits to ongoing communication through measures such as the Community Liaison Group (CLG). This acknowledgement is welcomed.

However, the assessment continues to rely heavily on technical compliance as evidence of acceptability. While the recognition of perceived risk is welcomed, there is limited consideration of how such perceptions may persist across different population groups over time. In addition, there is no clear framework for monitoring or evaluating whether communication and engagement measures are effective in reducing concern or anxiety.

The explicit confirmation that solar photovoltaic components will be free from per- and polyfluoroalkyl substances (PFAS) is strongly welcomed and addresses a previously identified gap within the Statement.

Although there is some reference to nearby infrastructure such as NGET Substation near Navenby, the cabling works associated with Springwell Solar and Leoda Solar, and Brant BESS, in regards to air quality, the assessment of cumulative effects remains largely focused on individual environmental factors, with limited exploration of combined experiential impacts. The potential for multiple interacting changes to contribute to cumulative stress or reduced wellbeing at a community level is not fully addressed.

There is welcomed acknowledgement that significant visual effects may occur, particularly during construction and early operation and for the recognition of the subjective nature of landscape perception. However, the continued conclusion that these effects are not significant for health does not fully reflect the potential impacts on individuals or communities experiencing concentrated or prolonged visual change. Overall, there remains concern that the visual impacts are substantial, particularly when considered alongside the cumulative effects of other Nationally Significant Infrastructure Projects (NSIPs) in the local area, such as Springwell Solar Farm.

On this basis, LCC does not agree with the statement that “overall it is concluded that there would be no likely significant effects on health and wellbeing regarding landscape character and visual amenity”.

Regarding planting and screening, there is now a more realistic description of mitigation, acknowledging that planting will filter rather than eliminate views and is intended to manage, rather than remove, visual impacts. Despite this, the implications of residual effects are not fully considered. There is limited assessment of how unmet expectations regarding screening may affect wellbeing over the longer term, particularly given that new planting will not be fully established until approximately year fifteen.

The strengthened commitment to ongoing engagement, including continuation of the CLG into the operational phase and the use of a dedicated liaison officer, represents an improvement. Though, it would be helpful to understand how engagement will be evaluated and how concerns will be addressed or resolved over time. Without measurable outcomes, there is a risk that engagement remains process-based rather than outcome-focused.

In summary, the revised Statement demonstrates an improvement, with stronger explanation of electromagnetic fields and the inclusion of hazardous materials considerations. However, key weaknesses remain. The assessment continues to conclude that there are “no significant effects” without fully addressing localised impacts, cumulative lived experiences, and perception-driven risks. In the absence of sufficient evidence, no conclusive statements can be made either way regarding the presence or absence of impacts on human health and wellbeing.

#### **Applicant's Response to Deadline 4 Submissions [REP5-025]**

##### Mineral Safeguarding

LCC notes that the applicants response remains as set out within REP2-029 and REP3A-025. LCCs previous comments stand, and LCC has nothing further to add at this stage.

##### Waste arisings

LCC note and welcome the clarification from the applicant on where to find the waste arising figures provided by the applicant.

##### Ecology

LCC notes and disagrees with the Applicant’s response to the Council’s Deadline 4 submission (REP4-020) in relation to the membership of the proposed Ecological Advisory Group. The Council maintains its opinion that in order to be effective in providing independent scrutiny of the monitoring work being undertaken by the Applicant, the membership of the group should include representatives of the host Local Authorities.

At 7.1.9 of (REP5-017) the Applicant proposes that “*The monitoring reports for surveys during operation will be sent to the host authorities and the Lincolnshire Wildlife Trust for their information, along with a summary of any changes to management set out in the approved detailed LEMP.*” The Council considers that this proposal is inadequate and that a mechanism which ensures regular two-way communication between the Applicant and the host Local Authorities is required to ensure that the ecological mitigation is delivered effectively and that enhancement works deliver the maximum possible benefits.

##### Health and wellbeing statement

Please see comments above.

### Development Consent Order – Permitted Preliminary Works

The Applicant's statement that '*above ground works which do not require the ground to be broken and therefore do not include excavations or potential for impacts upon archaeological remains*' is incorrect.

As stated in our response to Deadline 1 for this scheme: Archaeology is known to survive here less than 30cm from the ground surface as seen in the evaluation trenching. Machine tracking alone will destroy archaeological deposits where there is insufficient depth of soil to protect the remains from compaction and wheel ruts without allowing archaeology to be identified or recorded.

Topsoil is usually stripped prior to building construction compounds reducing the depth of protection for surviving archaeology. Care will need to be taken to ensure that temporary construction methods do not subsequently require loosening or ripping to restore soil texture as again this would damage or destroy any surviving archaeology without identification or recording.

These areas will therefore need to have adequate evaluation to understand whether any surviving archaeology would be detrimentally impacted which would require adequate mitigation, for example by relocating proposed temporary compounds.

Section 2.1.2 illustrates the degree of potential impact in 9.27 Permitted Preliminary Works Environmental Management Plan (Revision 1) ([REP5-026](#)): '*The above works may include the use of some, limited heavy construction equipment, such as bringing in (or when levelling ground for) temporary facilities for the use of contractors, or for vegetation clearance, or diverting existing apparatus for example.*'

The use of heavy construction equipment and ground levelling may be for temporary construction works but their impact upon any surviving archaeology will be permanent.

As such, LCCs comments stand regarding the wording of requirement 11, that LCC considers any permitted preliminary works which may impact surviving archaeology should be included within 11(3). LCC consider (b), (c), and (e) as referenced in the dDCO, part 1, interpretation, should also be included.

### **Permitted Preliminary Works Environmental Management Plan [REP5-026]**

LCC is still of the opinion that PPW should not commence until the Navenby substation has been granted development consent as highlighted throughout LCCs submissions, as such LCCs preference would be for a Grampian style requirement to be added to the dDCO. It is LCCs position that a Grampian requirement is necessary to prevent any abortive work being carried out in the event of Navenby substation planning not being secured, thereby preventing any environmental harm from occurring in the first instance rather than relying on retrospective restoration works to remedy any harm caused.

However, the inclusion of the Permitted Preliminary Works Management Plan is welcomed.

LCC notes at paragraph 1.1.9 that the document will be shared with NKDC whenever there is substantial change to the document. LCC acknowledges that NKDC are the discharging

authority for requirement 6, however LCC wish to be included within this statement and to be informed of any updates to the PPWEMP.

It is noted, as stated in paragraph that the *'final design of the PPW will not give rise to materially greater environmental effects than those assessed and established within the ES'*. LCC notes this point, however our main concerns surrounding PPW, as stated above is them occurring before the granting of consent of Navenby substation. Resulting in the environmental harms of the PPW without the benefits of the proposed solar scheme coming to fruition.

Please see comments above in relation to paragraph 2.1.2 and 2.1.3. LCCs comments in relation to deadline 3/3A documents [REP4-020] still stand regarding this matter.

LCC welcome the inclusion of requirement 6(8) as stated within [REP4-020], however it has come to light whilst reviewing the PPWEMP submitted at deadline 5 that there is no mechanism for approval by the relevant planning authority for this document. LCC would highlight the Outer Dowsing Offshore Wind DCO which requires the submission and approval of onshore preparation management plans as an example of what LCC considers would be an appropriate approach to agree the scope of pre-commencement surveys/activities with relevant consultees. Please see the screenshot below with reference to 12(2) for example wording.

#### **Ecological management plan**

**12.—(1)** No stage of the onshore transmission works may commence until for that stage a written ecological management plan (which accords with the outline landscape and ecological management strategy) reflecting survey results, and the ecological mitigation measures included in the environmental statement and including—

- (a) a protected species mitigation management plan;
- (b) a nesting birds management plan; and
- (c) a non-native invasive species management plan,

has been submitted to and approved by Lincolnshire County Council in consultation with the relevant statutory nature conservation body and the relevant planning authority.

(2) Onshore preparation works may not be carried out until a written ecological management plan (which accords with the outline landscape and ecological management strategy) for those

---

works reflecting survey results and the ecological mitigation measures included in the environmental statement has been submitted to and approved by Lincolnshire County Council in consultation with the relevant statutory nature conservation body and the relevant planning authority.

(3) The ecological management plan(s) must include an implementation timetable and must be carried out as approved.

LCC would draw the ExAs attention to three heritage assets, Hall Close, Morton Manor and Morton Grange and Corner Farmhouse and their settings.

- Hall Close: There is clear intervisibility with the fields to the south proposed for solar development. These field form part of a coherent medieval landscape setting and their change would result in harm to the monument's significance.
- Morton Manor and Morton Grange: Development to the east in the direction of Househam Wood would alter their rural agricultural setting and result in harm to significance.
- Corner Farmhouse: Adjacent fields contribute to its setting and approach; their retention as open land (within the order limits) is important to preserving significance, however its long-term retention as grassland is not secured, creating uncertainty.

LCC notes that while setting is not designated, it contributes to the significance of these assets and harm to that setting results in harm to significance. LCC notes the applicants setbacks to help mitigate harm regarding these heritage assets, but requests clarity as to where this mitigation has been secured through the DCO.

Yours faithfully,

[Redacted Signature]

For [Redacted Name]

**Head of Planning**

Appendix 1 – AAH Consultants Landscape and Visual Comments.

## Technical Memorandum 8 (AAH TM08)

### Lincolnshire County Council and North Kesteven District Council, Fosse Green Energy: Deadline 5 document review

#### Introduction

AAH Consultants, on behalf of Lincolnshire County Council (**LCC**) and North Kesteven District Council (**NKDC**), have reviewed the Deadline 5 document responses. These include:

- Framework Construction Environmental Management Plan
- Framework Operational Environmental Management Plan
- Biodiversity Net Gain Report
- Framework Landscape and Ecological Management Plan (Revision7)
- Applicant's Response to Deadline 4 Submissions (Revision1)
- Permitted Preliminary Works Environmental Management Plan (Revision1)

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

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

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

AAH comments on the Deadline 5 documents are as follows:

#### **Framework Construction Environmental Management Plan**

P53 – LCC have requested that the establishment period for mitigation planting be extended to 15 years to ensure that the assessment outcomes at 15 years in the LVIA are accurate.

#### **Framework Operational Environmental Management Plan**

Reviewed – no further comment

#### **Biodiversity Net Gain Report**

Reviewed – no further comment

#### **Framework Landscape and Ecological Management Plan (Revision 7)**

Generally, a commitment to replacement planting, if failures are identified, could be more explicitly described throughout the LEMP. Lots of monitoring, but not much detail on the Applicant's obligations and the work that might result from this.

5.3.11 – still refers to 'matching' species – we would suggest this is replaced with 'suitable' species to allow some flexibility to respond to the reasons behind failures. There is no clarification that Establishment maintenance is 15 years.

In the Long-term maintenance (5.3.12 – f) describes monitoring of plant health - but there is no commitment to replacement planting stated. This issue is repeated for ‘Hedgerows with Trees’, ‘Individual Trees’ and ‘Community Orchard’.

Replacement planting is mentioned in 7.1.12 which is welcomed. However, 7.1.5 refers to a ‘5-year establishment aftercare’ period – LCC would like this to be extended for the planting to 15 years.

#### **Applicant’s Response to Deadline 4 Submissions**

Generally, there has been no change in the Applicant’s position since DL4 and no significant alterations to the reviewed documents. LCC maintain that the LEMP should be strengthened to be more specific and explicit about the Applicants obligations to establish and maintain mitigation planting for the duration of the project. 5-year establishment periods may have been appropriate 10 or 20 years ago, but climate change is driving a marked increase in plant failures. It is in no one interest that new planting fails, and LCC seek reassurance that the Applicant will take responsibility for ensuring that planting succeeds on their site.

P11 – AAH-TM06 – it is the Applicant’s position is that all provisions relating to the establishment and on-going management of planting are agreed in the SOCG. The Applicant refers to Row 4.7.5. The implication is that the Applicant will not extend the establishment period to 15 years to match the assessment, and they will not explicitly commit to undertaking replacement planting for the life time of the development as LCC has requested. Therefore, it remains LCC’s position that the assessment outcomes claimed can not be guaranteed and the development may be more visible in the landscape at year 15 than has been assessed.

LCC look forward to reviewing the species list in the detailed LEMP. The applicant states they wish to build resilience to future changes to climate, but continue to promote ‘matching’ species in 5.3.11. Paragraph 7.1.12 – ‘monitoring will feed into the management plan’ – ‘management may be amended accordingly’ –does not explicitly describe irrigation or the replacement of failed planting or changes to species in response to failures. LCC would suggest that more explicit explanation is required in the LEMP to make this clearer.

LCC’s position is simple – if the applicant is relying on vegetation to mitigation the impact of their development, they should be able to guarantee its establishment, and they should be prepared to maintain it for the complete duration of the development.

P12 – LCC maintain their position that the value of the ‘Stepping out’ walks has been under represented. The Applicant, apparently guided by GLVIA3 (which is ‘guidance’) has placed a greater value on national routes used seasonally by tourists, rather than local routes used daily by residents. LCC would argue that local routes have more mental health benefit and value to residents than national routes that may be used less frequently used by them.

P12 – LCC welcome the proposed variation in hedgerow heights to reflect their purpose.

P13 – AAH / LCC’s position has been consistent and has not been ‘subject to change’ as the applicant suggests. The Applicant has been unable to explain where LCC’s position has changed.

P13 – LCC welcome constructive engagement - but alterations to landscape maintenance have been limited and the wording of the SOCG and LEMP continue to reflect this.

P14 – the susceptibility of residents is under played in the assessment. It seems that because residents experience their surrounding more often on local PROWs, than visitors on national routes, they are judged to have a lower susceptibility to change. The implication seems to be that repeated exposure to your surroundings de-sensitises you to them. This is not the case as most residents (particularly those that use PROW regularly) care very deeply about their local surroundings and are arguably more susceptible to change. The environment experienced by local residents is often why they choose to live in that location. According to the Applicant’s assessment, residents are ‘less focused on views’ because they may be dog walking or engaging in some other daily activity. LCC would suggest this is not the case. The interpretation of GVLIA3 guidance is open to professional interpretation, and LCC think on this issue it is questionable.

P15 – Sequential cumulative impacts - the Applicant’s position seems to rest on the ‘visual relief’ between developments that will make them more acceptable. It seems unlikely that a receptor travelling through the landscape will have forgotten the solar farm they experienced 2 km away when they pass by the next one. LCC position remains that there will be a cumulative impact on this area from multiple developments that has been understated in the assessment.

P15 - Glint and glare – As it cannot be guaranteed that mitigation planting will prevent all views of the development, it also cannot be guaranteed that all ‘glint and glare’ will be prevented. Where there are views of the development there is potential for ‘glint and glare’.

P20 – It is noted that when the Applicant refers to the ‘The North Kesteven Active Planning Strategy’ in their Health and Wellbeing Summary Statement, they fail to mention ‘The Stepping out Walks’ which this strategy promotes for healthy lifestyle, activity, environmental and mental health benefits. This is consistent with the oversight of these routes in the LVIA.

P26 – It is noted that NKDC also state that they believe the susceptibility of receptors on ‘The Stepping out Walks’ has been understated. NKDC believe that the appreciation of the landscape and views is a major factor in the selection and promotion of these walks. The Applicant’s response is that, while they accept landscape appreciation is integral to the recreational experience, ‘this does not alter the conclusions of the Applicant’s Assessment’. In other words, the Applicant will not re-visit their original assessment and will not re-consider the susceptibility of receptors on ‘The Stepping out’ walks.

P45 – It is noted that Mr Heard feels that ‘mental health’ impacts have been minimised and that the proposed mitigation will not compensate for the loss of open countryside.

P49 – It is noted that Ms Heard feels that ‘the Solar panels in the landscape’ have not become an accepted part of rural areas and provides some evidence to support this position.

P67 – It is noted that Mr Smith believes the Applicant has failed to adequately consider sequential and cumulative impacts.

P71 – It is also noted that Mr Smith feels that assertions by the Applicant that some view solar farms as ‘important, sensitive, rural and even agricultural’ are poorly substantiated.

### **Permitted Preliminary Works Environmental Management Plan**

Reviewed – no further comment

**AAH Landscape**

[www.aahconsultants.co.uk](http://www.aahconsultants.co.uk)