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Applicant

Our Ref: EN010154

Date: 19 May 2026

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Dear Sirs

## The Infrastructure Planning (Examination Procedure) Rules 2010 – rule 17

### Application by Fosse Green Energy Limited for an order granting development consent for the Fosse Green Energy

#### Request for further information

We are writing under rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 further to the various submissions you have made at Deadline 5A and seek further information/clarification with respect to the following matters:

#### 1) Overplanting

The Examining Authority (ExA) notes that various interested parties in their submissions, for example the Cliff Villages Solar Action Group [REP5-040], Mr Heard [REP5-047 and REP5A-066] and Barry Smith [REP4-033] have expressed the view that the proposed scale of overplanting exceeds what would be necessary to meet a maximum generating output of 240 megawatts (MW) alternating current (ac) (the export limit that has been secured under the terms of the extant grid connection offer [APP-200]) at the end of the anticipated 30 year lifetime for installed solar panels. In that regard it has been submitted *“The Applicant proposes an initial overplanting ratio of 1.6, but a ratio of 1.17–1.20 is sufficient to meet Year-30 performance. Mixing STC and NOCT data is methodologically invalid. ...”* ([section 9 in the summary included in REP4-031]).

Allowing for panel performance degradation, it appears to the ExA that Table 5-2 in the Solar Technology Technical Guide (STTG) [REP3-036] seeks to demonstrate if standard test conditions (STC) are used as the measure for solar panel performance that yields an overplanting ratio that should be expressed in STC terms. However, if nominal operating cell temperature (NOCT) is used as the measure of performance that results in a different overplanting ratio that should be expressed in NOCT terms.

For the proposed development, based on 'candidate' solar panels rated at 670 watts peak (Wp) (paragraph 3.3.6 in [APP-028]) an initial STC overplanting ratio of the order of 1.6 has been calculated by the applicant as being required to achieve a maximum output of 240MW(ac) by the end of each 30 year period of operation. However, if NOTC is used as the measure of panel performance then the effective panel rating would be approximately 502wp, equating to an initial overplanting ratio of around 1.2 required to achieve a maximum output of 240MW(ac) by the end of each 30 year period of operation.

Whilst STC and NOCT are distinctive measures of performance, if one or the other of those performance measures is used to determine an overplanting ratio for a solar farm in the same location a matching number of solar panels would need to be installed to achieve the same level of generating output in MW(ac) for any given year of operation.

Accordingly, if the ExA's understanding of section 5.3 of the STTG (including Table 5-2) [REP3-036] is correct, whether STC or NOCT is used as the means of expressing the overplanting ratio for the proposed development, the number of solar panels to be installed would remain the same.

The applicant is requested to clarify:

- a) Whether the ExA's understanding of section 5.3 of the STTG, outlined above, is correct or incorrect.
- b) If the ExA's understanding of section 5.3 of the STTG is incorrect, explain why that is the case and provide any fully worked calculations, as necessary, to assist with the understanding of section 5.3 of the STTG.

## 2) Assessment of cumulative traffic effects

Mr Gallagher has raised a concern about the robustness of the cumulative assessment for traffic and transport at various points during the examination. Mr Gallagher's view is that a worst-case cumulative assessment has not been presented in the submitted environmental statement (ES). Mr Gallagher's concerns are summarised in [REP5A-063].

Chapter 13 of the ES [REP3-010] explains why certain developments have been excluded from the cumulative assessment. That mainly relates to the anticipated construction periods, with those not overlapping with the expected construction period for the proposed development being screened out. Some of the schemes referred to in the cumulative assessment section in Chapter 13 of the ES have anticipated construction periods close to that expected for the proposed development. That is, construction starting in 2031, with a peak of construction activity in 2032, and becoming operational by 2033. For example:

- Springwell: Construction beginning in 2027 and peaking in 2028, becoming operational by 2032.
- The proposed battery energy storage system (BESS) south of Hill Rise to the west of Coleby (subject to planning application 25/0533/FUL), with construction anticipated to begin in 2028 and becoming operational by 2032.

For the above mentioned BESS, North Kesteven District Council (NKDC) has identified [REP5A-046] that the earliest expected committee date for the determination of application 25/0533/FUL would be 1 September 2026, which is almost a year later than anticipated in Chapter 13 of the ES. Mr Gallagher in [REP3-083] has highlighted that in the Grid Connection Statement it is stated "*The applicant intends to negotiate an advancement in*

*the connection queue post consent*” [paragraph 2.1.2 in APP-200]. In other words, there are factors which could change the anticipated delivery timetables for both the proposed development and other nearby consented or proposed developments.

Furthermore, while it may be the case that only one scheme would be able to undertake connection works at the proposed Navenby substation at any one time [REP4-018], as noted by Mr Gallagher in [REP5A-063], it does not follow that the absence of temporal overlap at the point of connection to the substation means that there would be no temporal overlap in the wider construction programmes.

Consequently, the ExA requests the applicant provides:

- a) a table showing the proposed development and Springwell cumulative peak traffic flows (two-way) in the same format as Tables 13-40 to 13-44 in Chapter 13 of the ES
- b) an update to Table 13-45 in Chapter 13 of the ES to include Springwell
- c) any relevant commentary

### 3) Certified Documents

The ExA queried the reference to “design commitments” in paragraph 2(a) of Requirement 6 through ExQ1 DCO.1.19 [PD-011]. While acknowledging that “design commitments” is defined in Article 2(1) of the draft development consent order (dDCO) [REP5A-006] and is included as a document to be certified in Schedule 12, there is no document with that name. “Design commitments” have been included in Appendix A in the “Design Approach Document” [APP-186].

In the interests of clarity, the ExA requests that the definition for “design commitments” in Article 2(1) is amended to make it clear precisely where the “design commitments” can be found, namely within Appendix A of the “Design Approach Document”, the latter being the document title that should be quoted for document EN010154/APP/7.3 listed in Schedule 12, thus replacing “design commitments”.

### 4) Ecological Advisory Group (EAG)

Lincolnshire County Council (LCC) in responding to the ExA’s third written questions (ExQ3) [REP5A-043] has commented that the outline Landscape and Ecological Management Plan for Springwell sets out the terms of reference for an ecological steering group. The applicant considers that the Framework Landscape and Ecological Management Plan (FLEMP) [REP5A-022] already sets out information akin to a draft set of Terms of Reference [REP5A-037].

While the FLEMP does provide some information relating to the function of the EAG, it is not as comprehensive as that suggested in LCC’s response to ExQ3. For example, it does not include any information on when it would become operational, how long it would be in place for, how frequently it would meet, and how it would be funded. Nor does it make an explicit reference to its role with respect to biodiversity net gain (BNG) monitoring.

Binding BNG levels are stated in Requirement 8 of the dDCO and so would be enforceable. NKDC would have responsibility for ensuring compliance with Requirement 8, including delivery of the stated levels of BNG. Yet in responding to ExQ3, NKDC has

commented that it considers that the FLEMP lacks clarity around BNG monitoring [\[REP5A-046\]](#).

The applicant considers that substantial positive weight should be given to the ecological enhancement measures (paragraph 7.3.6 of [\[AS-098\]](#)). The Council's ability to monitor the delivery of the proposed ecological enhancements throughout the life of the proposed development would therefore be important.

Having regard to the above, including the approach taken in relation to Springwell, the ExA reiterates its request that draft terms of reference for the EAG be added to the FLEMP and that in the interests of consistency the provisions of the FLEMP should be more reflective of the equivalent Springwell management plan.

## 5) Stepping Out Network

As explained in [\[REP4-018\]](#), the applicant is proposing deviations to stretches of Thorpe on the Hill and Morton and Tunman Wood Stepping Out routes. NKDC identifies that to ensure the Stepping Out walks continue to be available within the site, on revised routes in some locations, it would be necessary to re-map, publish and way-mark those routes [\[REP5-030\]](#). NKDC has asked that the applicant considers funding the alterations to those Stepping Out walks so that they follow the proposed routes. The applicant refers to the community benefit fund as a potential source of funding (page 129 in [\[REP4-018\]](#) and page 18 of [\[REP5A-038\]](#)).

Given the affected Stepping Out routes are established recreational facilities, the ExA considers the making of changes to the promotional materials for the affected routes would be necessary and the proposed development's undertaker should be responsible for effecting those changes, including their funding, and this is something that should be secured on the face of any made DCO.

## 6) Battery energy storage system (BESS) separation distances

In responding to ExQ3 PE.3.05 [\[REP5A-037\]](#), it is stated that in a situation where a fire occurs during winds blowing towards the northeast, the acute exposure guideline level – 1 (AEGL-1) criteria is achieved within 200 metres (m) for the 3 kilograms of hydrogen fluoride scenario. For all other downwind directions an offset of 150m would provide the same level of protection. The response notes that for the distributed BESS scenario, the offset to residential structures to the northeast would be more than 200m and in all other directions more than 150m.

Paragraph 2.3.5 of the Framework Battery Safety Management Plan (FBSMP) [\[REP3-030\]](#) sets out that the distributed BESS enclosures would be sited a minimum of 150m from offsite residential structures. Given the stated distance needed to achieve the AEGL-1 criteria to the northeast, clarify whether the distance of 150m stated in paragraph 2.3.5 of the FBSMP would be appropriate or whether it should be 200m.

## 7) Biodiversity net gain (BNG) Metric

In asking ExQ3 ENC.3.03 [\[PD-021\]](#), the ExA sought views on whether potential future updates to the statutory biodiversity metric should be addressed in the FLEMP, the BNG Report and/or Requirement 8 of the dDCO. Having regard to the approach taken to this

matter in the Springwell DCO [[REP5A-039](#)], in the interests of consistency the ExA considers that the wording of Requirement 8(2), insofar as it relates to the proposed BNG delivery targets, should be amended to refer to the version of the BNG metric relied on, in line with the wording of the equivalent Springwell requirement.

Responses to the above requests for further information should be submitted at examination **Deadline 6** (2 June 2026).

Yours sincerely

*Grahame Gould*

**Grahame Gould**  
**Lead member of the panel of Examining Inspectors**

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