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IP NUMBER [redacted] FOSSE GREEN DEADLINE 6 SUMMARY

Section A – Comments on Applicant's Response to Deadline 5 Submissions

1. Load Factor and Energy Yield

- **Use of STC instead of NOCT data:** Despite the Applicant stating that STC "*is not representative of typical operating conditions*", STC values are relied upon in REP5A-038. Using NOCT data from REP3-036 reduces the estimated lifetime output by some 28%.
- **Inflated load factor:** Based on the Applicant's own output figure, the implied load factor is **15.4%**, far above the DESNZ UK average of **10.1%**. A calculation based on NOCT (the Applicant's preferred conditions) yields a load factor of approximately **11.1%.**

2. Grid Connection and Gate Status

The Applicant claims that Gate 2 status only appears in the TEC Register once a project is consented, under construction or built. Ofgem-approved NESO definitions shows that **Gate 2 means a confirmed connection date, point, and queue position**; if, as the Applicant asserts, this is all agreed for the proposed development, why is there no written proof?

Will the project still proceed if the BESS fails to reach Gate 2 status?

The EIA should include a **proportionate share of the environmental impacts of the proposed Navenby substation**, (precedent - *Raeshaw Farms Ltd v Scottish Ministers (2026))*.

3. GHG Emissions and Comparisons

The Applicant compares lifetime emissions savings to the **2025 grid mix**, despite operations not starting until **2033**, when grid carbon intensity is projected to be **80% lower**.

4. Storm Damage and Ground Contamination

Inland sites, such as Fosse Green (e.g. Camblesworth) have suffered storm damage and tornadoes have occurred locally. What **design storm return period** is the scheme designed to withstand; a **1-in-100-year event** would not be unreasonable.

5. Abnormal Indivisible Loads (AILs)

The Applicant's claims that no AILs will be required during operation. Evidence from REP5-013 and APP-031 shows transformer design life is **30–40 years**, with no differentiation between types of transformer. It is **highly likely**, AILs **will** be required during the operational phase.

6. Permanent Sealing of Land

Regarding permanent sealing of land, the Applicant's position has changed on a number of occasions. Contrary to the Applicant's statement, **no Grade 1 or 2 land associated with the proposed Springwell Development is permanently sealed** as a result of access track,

substation, BESS etc, and hence the Springwell Secretary of State decision is directly relevant to the proposed development.

7. Food and Energy Security

The Applicant has ignored the **2026 Government food security report**, which treats food security as a national security issue. Intermittent, low-efficiency, China-sourced solar does **not** contribute to UK energy security.

Section B – Comments on Responses to ExA's Third Written Questions

1. Maintenance and DCO Control

The DCO wording allows the Applicant to replace **up to 99% of panels** under the term "maintenance" without triggering a new assessment, because the construction EIA has already assessed installation of 100% of panels. This allows **no operational control** by local authorities over issues such as waste volumes or impacts.

2. EMF Impacts on Fish

The Applicant claims 5m cable burial will reduce EMF "*below background level*", yet:

- No EMF modelling or calculations appears to have been provided.
- No recognised standard appears to define 5m burial as sufficient.
- Local EMF gradients—not absolute values—are the appropriate metric regarding affect on fish.
- Studies (e.g. Hutchison et al. 2021) show EMF persists even with deep burial.

Hence the Applicant's assertion appears **unverified and unreliable**.

Section C – Unplanned Emissions Assessment (BESS)

NKDC's independent review of the Navenby BESS assessment, is also applicable to APP-176:

- The Applicant uses **AEGL-1 (820 µg/m³)** instead of the **Environment Agency EAL (160 µg/m³)** for hydrogen fluoride.
- Results should be presented as **impact zones**, not dilution factors.
- **ADMS modelling** should be used for multi-cabinet fire scenarios.

It is also noted that APP-176 appears to model only a **single module or cabinet**, not a full-container or multi-container worst case, despite real-world evidence of propagation.

Conclusion

It is sad to note that the Applicant continues to use inconsistent data, along with inconsistent and confusing assessment methodologies.