

Planning Inspectorate

Reference: OR-0004488/01

Customer reference: EN010154

02 June 2026

Fosse Green Energy – Development Consent Order Application

Land approximately 9km south and south west of Lincoln

Deadline 6 (2 June 2026)

Dear Sir/Madam,

The Environment Agency has the following comments to make at Deadline 6:

Permitted Preliminary Works Environmental Management Plan (PPW EMP)

We note the Examining Authority's (ExA) Rule 17 Request for Further Information [PD-024] in relation to the PPW EMP (Revision 1) [REP5-026] and the Applicant's revised version of the PPW EMP to address the ExA's points at Deadline 5A [REP5A-035].

We agree with ExA's request for clarification with regards to the 'best practice measures' and 'good practise measures' set out in under ECO-PPW1. We welcome the update provided by the Applicant in the PPW EMP (Revision 2) [REP5A-035] in clarifying which 'general measures' they make reference to in ECO-PPW6: Impacts to riparian mammals (Water Vole and Otter).

We have engaged with the Applicant outside of the Examination regarding our comments on the PPW EMP [REP5-026] in our D5A submission [REP5A-050]. The Applicant has responded to our comments and provided for our review draft PPW EMP and Framework Construction Environmental Management Plan (FCEMP) documents intended for submission at Deadline 6. Our position is that we are satisfied in principle that the points we raised have been addressed, subject to the submission of the aforementioned documents into the Examination at Deadline 6.

Draft Development Consent Order (dDCO)

We have reviewed the dDCO (Revision 5) [REP5A-006] in conjunction with the Schedule of Changes to the Draft Development Consent Order (Revision 4) [REP5A-030] and we are content with the updates, regarding the following references in particular:

- Schedule 15 (Procedure for discharge of requirements), 2 (Applications made under requirement)
- Schedule 15 (Procedure for discharge of requirements), 3 (Further information and consultation)

If you have any questions regarding our response, please contact NIteam@environment-agency.gov.uk.

Yours faithfully

Mr A [REDACTED]
Planning Specialist – National Infrastructure Team

Appendix 1 – Summary table of Environment Agency (EA) position on issues raised in Relevant Representation [RR-089]

Appendix 2 – Summary of overall Environment Agency position

Appendix 1 – Summary table of Environment Agency (EA) position on issues raised in Relevant Representation [RR-089]

| EA RR ID | Title | Resolution Status |
|-----------------|---|--------------------------|
| EA01 | Requirement 10 (Surface and foul water drainage) | Agreed |
| EA02 | Permitted Preliminary Works | Agreed |
| EA03 | Discharge of Requirements procedure | Agreed |
| EA04 | Disapplication of flood risk activity permits (FRAPs) | Agreed |
| EA05 | Disapplication of Water Resources Act 1991 | Agreed |
| EA06 | Environment Agency land interests | Agreed |
| EA07 | Witham Washlands (Lincoln) Flood Storage Area – HDD construction compound | Agreed |
| EA08 | Flow direction of main rivers | Agreed |
| EA09 | Protection of fish during spawning | Agreed |
| EA10 | Invasive species – Signal Crayfish | Agreed |
| EA11 | Stopping works where potentially contaminated land is encountered | Agreed |
| EA12 | Assessment of impacts on groundwater quality | Agreed |
| EA13 | HDD – drilling fluid breakout (groundwater) | Agreed |
| EA14 | HDD – drilling fluid breakout (surface water) | Agreed |
| EA15 | Swales around BESS – treatment of surface water | Agreed |
| EA16 | BESS – penstock valves and swales | Agreed |
| EA17 | Use of gravel in drainage systems around BESS and substation | Agreed |
| EA18 | BESS – firewater containment and disposal | Agreed |
| EA19 | Foul water strategy | Agreed |
| EA20 | Wheel wash water | Agreed |
| EA21 | PFAS in PV cells | Agreed |
| EA22 | Storage of waste batteries | Agreed |
| EA23 | Water supply assessment and strategy | Agreed |
| EA24 | Waste classification and soil reuse | Agreed |

Appendix 2 – Summary of overall Environment Agency position

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| | Agreed / resolved |
| | Working on a solution / under discussion |
| | Not agreed |

Environmental topics

| Subject | Work package / topic / document | Scope | Method and Assumptions | Results of Assessment (i.e. Impact) | Mitigation / Enhancements | Requirement | Related RR ID |
|---------|---|-------|------------------------|-------------------------------------|---------------------------|-------------|------------------|
| Ecology | Biodiversity Net Gain Strategy | | | | | | |
| | Ecological Assessment & Landscape Ecological Management Plan (LEMP) | | | | | 8 | EA08, EA09, EA10 |
| | Framework Construction Environmental Management Plan | | | | | 12 | EA09, EA10 |
| | Framework Operational Environmental Management Plan | | | | | 13 | |
| | Framework Decommissioning Environmental Management Plan | | | | | 20 | |
| | Water Environment Report/ WFD | | | | | | |
| | Preliminary Permitted Works Environmental Management Plan (PPW EMP) | | | | | | |

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|------------------------|--|--|--|--|--|----|------------------------------------|
| Water Resources | Water Supply Assessment & Strategy | | | | | | EA23 |
| Flood Risk | Flood Risk Assessment | | | | | | EA07 |
| | Flood Modelling | | | | | | |
| | Framework Construction Environmental Management Plan | | | | | | EA07 |
| | Preliminary Permitted Works Environmental Management Plan (PPW EMP) | | | | | | D5A |
| Water Quality | Framework Construction Environmental Management Plan | | | | | 12 | EA14, EA20, EA21 |
| | Framework Operational Environmental Management Plan | | | | | 13 | EA16, Water Management Plan |
| | Framework Decommissioning Environmental Management Plan | | | | | 20 | |
| | Framework Battery Safety Management Plan | | | | | 7 | EA16, EA17, EA18, EA22 |
| | Surface and foul water drainage | | | | | 10 | EA01, EA15, EA16, EA17, EA18, EA19 |
| | Water Environment Regulations Compliance/WFD | | | | | | |

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|---|---|---------------------------|--|--|--|----|------------------------------|
| | Preliminary Permitted Works Environmental Management Plan (PPW EMP) | | | | | | D5A |
| Groundwater Protection | Framework Construction Environmental Management Plan | | | | | 12 | EA02, EA11, EA13 |
| | Framework Operational Environmental Management Plan | | | | | 13 | EA11, EA16 |
| | Framework Decommissioning Environmental Management Plan | | | | | 20 | EA11 |
| | Groundwater Protection | | | | | | EA02, EA12, EA13, EA16, EA17 |
| | Framework Battery Safety Management Plan | | | | | 7 | EA16, EA17, EA22 |
| | Contaminated Land Assessment | | | | | | EA02, EA11 |
| | Water Environment Regulations Compliance/WFD | | | | | | |
| | Preliminary Permitted Works Environmental Management Plan (PPW EMP) | | | | | | D5A |
| | Waste | Waste Management Strategy | | | | | |
| Framework Battery Safety Management Plan | | | | | | 7 | EA22 |
| Framework Construction Environmental Management Plan | | | | | | | EA24 |
| Framework Operational Environmental Management Plan | | | | | | | EA22 |
| Framework Decommissioning Environmental Management Plan | | | | | | | EA22 |

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|----------------------|--|--|--|--|--|--|--|
| | Preliminary Permitted Works Environmental Management Plan (PPW EMP) | | | | | | |
| Geomorphology | Water Environment Regulations Compliance/WFD | | | | | | |