



Fosse Green Energy

Programme Document

Planning Inspectorate Reference Number: EN010154

Fosse Green Energy Limited

October 2024

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1. INTRODUCTION

1.1 Purpose of this report

1.1.1 Fosse Green Energy Limited (“the Applicant”) intends to submit a Development Consent Order (“DCO”) application seeking consent under the Planning Act 2008 (as amended) for the Fosse Green Energy project (“the Project”) which comprises a generating station with an anticipated capacity in excess of 50MW comprising the installation of solar photovoltaic panels, associated electrical equipment, cabling and on-site energy storage facilities together with grid connection infrastructure for the construction, operation, maintenance and decommissioning of the Project.

1.1.2 The Programme Document includes the following:

- when the applicant intends to submit the application and a timetable of the applicant’s pre-application process.
- the main issues for resolution and activities that will be undertaken to address these.
- the proposals for engagement with key stakeholders.
- how the applicant will manage risk during the pre-application stage.
- reference to the Statement of Community Consultation.

2. TIMETABLE

2.1 Current status of the project

2.1.1 The Project commenced in March 2023. Since then, the Applicant has undertaken the following:

- Submission of a Scoping Report on 20 June 2023 and receipt of a Scoping Opinion from the Planning Inspectorate (“the Inspectorate”) on 25 July 2023.
- A period of non-statutory consultation from 11 September 2023 to 20 October 2023.
- Development and consultation of the Statement of Community Consultation with the host authorities, Lincolnshire County Council and North Kesteven District Council.

2.2 Anticipated timetable

2.2.1 The Applicant has prepared a programme for the Project which anticipates a DCO submission in Autumn 2025. It should be noted that as the Project progresses through the pre-application stage, the Applicant will consider opportunities to reduce timescales to achieve an earlier submission date. Plate 1 shows the anticipated timetable up to the submission of the DCO application, with previous steps also included for context.

2.2.2 The Applicant will keep stakeholders informed on programme matters in progress meetings during the pre-application stage.

Plate 1 - Indicative Timeline



Indicative Timeline:

● **Spring 2023**

Outline information shared on the project. Environmental Impact Assessment (EIA) Scoping Request submitted to the Planning Inspectorate.

● **Autumn 2023**

First stage of community consultation (non-statutory).

● **Winter 2023/2024**

Development of a Statement of Community Consultation (SoCC) setting out how we will consult on the project at statutory consultation.

● **Spring to Autumn 2024**

Further environmental survey and assessment work.

● **Autumn 2024**

Second (statutory) stage of community consultation.

● **Autumn 2025**

Finalise DCO application for submission to the Planning Inspectorate.

*Dates are indicative and could be subject to change

3. MAIN ISSUES FOR RESOLUTION

3.1 Outcome of non-statutory consultation

- 3.1.1 The main issues arising from the non-statutory consultation related to the following:
- Biodiversity net gain and wildlife.
 - Scheme design.
 - Agricultural land use.
 - Impacts during construction.
 - Community benefits.
 - A range of other points including potential impacts on health, including mental health, property prices, aircraft safety and glint and glare.
- 3.1.2 The Applicant has prepared a non-statutory consultation feedback report which outlines how the responses to the non-statutory consultation have been taken into account in the development of the Project.
- 3.1.3 The Applicant has sought to address these issues through ongoing engagement with key stakeholders (see Chapter 4 for a summary of the Applicant’s proposals for technical engagement).
- 3.1.4 Table 3-1 sets out the considerations and proposed activities for the main issues already identified from the non-statutory consultation and others that the Applicant will also be addressing during the pre-application stage.

Table 3-1 Approach to resolution of issues

Considerations	Proposed activities
Scheme design	
<p>The Scheme design fix for the Preliminary Environmental Information (PEI) Report was informed by various factors including technical and operational requirements, the outcomes of non-statutory consultation and environmental review and assessment.</p> <p>The Applicant has maintained a design log which itemises the changes made at various stages of scheme development.</p> <p>The PEI Report includes a summary of changes to the scheme design following scoping. In addition, the Environmental Statement (“ES”) will detail design</p>	<ul style="list-style-type: none"> • Continued engagement with key stakeholders on design including Lincolnshire County Council (“LCC”) and North Kesteven District Council (“NKDC”). • Review the outcomes of the statutory consultation and take account of suggestions for design changes where appropriate and justify when these have not been taken into account in the Consultation Report that is submitted as part of the DCO application. • Review the outcomes of the environmental assessment and

Considerations	Proposed activities
<p>changes from statutory consultation to DCO application submission.</p> <p>The development of the scheme design will also form part of the Design and Access Statement that is submitted with the DCO application.</p>	<p>continue to refine the design as appropriate.</p>
Biodiversity	
<p>A range of ecology surveys have been undertaken including:</p> <ul style="list-style-type: none"> • Bird surveys (breeding and wintering); • Bat surveys (preliminary bat roost appraisal and activity surveys); • Great Crested Newt (eDNA) surveys; • Habitat surveys (National Vegetation Classification and Phase 1 Habitat Survey); • Aquatic habitats, macroinvertebrates and macrophytes; • Reptile surveys; • Badger surveys; • Water Vole and Otter; • Terrestrial invertebrates scoping survey; and • Tree walkover survey. <p>Consultation will be undertaken with the appropriate stakeholders including the Lincolnshire Wildlife Trust and Natural England.</p> <p>The landscape scheme has been and will continue to be designed to maximise habitat creation opportunities without limiting the functionality of the scheme. This includes the provision of grassland creation and provision of infill planting and new tree and scrub planting.</p> <p>Suitable buffers have been included in current proposals to offset from ecological features such as woodland blocks, individual trees, ponds and other surface water features. Exclusion zones have been established around the root protection areas of trees within the Site. The importance of mitigating the loss of</p>	<ul style="list-style-type: none"> • Continued engagement with LCC and NKDC. • For Examination, agree Statements of Common Ground with Natural England, LCC and NKDC that includes matters related to biodiversity. • Identity suitable mitigation in the ES • Secure mitigation in the appropriate management plan and any necessary S106 and/ or legal agreements.

Considerations	Proposed activities
<p>arable field habitats which may be used by farmland birds is recognised.</p>	
Landscape and visual	
<p>Existing public rights of way and permissive path which transverse the Site introduce potential short range views. Long range views are also provided from Lincoln Cliff to the west of the site but these are distant. Existing hedgerows within and adjacent to the site are well managed, typically at heights of over 2m. Other visual receptors include residents of the nearby surrounding hamlets/villages of Witham St Hughs, Bassingham, Thurlby, Morton and Thorpe on the Hill.</p> <p>Winter viewpoint locations were shared with NKDC's landscape advisors (AAH) in advance. No further consultation has taken place.</p> <p>Habitat creation and enhancement has targeted infill and planting to strengthen existing natural barriers. Planting is proposed around the proposed on-site substation.</p> <p>Through design solar infrastructure has been removed from fields with views from Lincoln Cathedral. Analysis of the site has been undertaken to locate large on-site infrastructure in natural sheltered locations.</p>	<ul style="list-style-type: none"> • Continued engagement with LCC and NKDC, and their landscape and visual advisors, AAH. • For Examination, agree Statements of Common Ground with LCC and NKDC that includes matters related to landscape and visual impact. • Identity suitable mitigation in the ES • Secure mitigation in the appropriate management plan and any necessary S106 and/ or legal agreements.

Considerations	Proposed activities
Archaeology	
<p>Geophysical surveys have been undertaken in the Principal Site and part of the grid connection corridor.</p> <p>Consultation has been undertaken in NKDC and LCC to discuss a high level approach to the programme of archaeological investigation and this will continue through the agreement of the Written Scheme of Investigation (WSI) for the proposed archaeological evaluation (trial trenching)</p> <p>Further investigation will be undertaken to determine any further embedded mitigation, such as areas of preservation in situ.</p>	<ul style="list-style-type: none"> • Continued engagement with LCC, NKDC and Historic England. • For Examination, agree Statements of Common Ground with LCC and NKDC that includes matters related to archaeology. • Identity suitable mitigation in the ES • Secure mitigation in the appropriate management plan and any necessary S106 and/ or legal agreements.
Water Environment	
<p>A Walkover survey of the site has been conducted.</p> <p>Consultation has been undertaken with the Environment Agency to discuss the approach to the flood modelling.</p> <p>The design has given consideration to the presence of the River Brant and River Witham, two main rivers which cross the site, with particular reference to the grid connection and internal cabling.</p> <p>Consideration has also been given to areas of Flood Zone 3 and the Witham Washland Flood Storage Area.</p>	<ul style="list-style-type: none"> • Continued engagement with the Environment Agency. • For Examination, agree a Statement of Common Ground with the Environment Agency that includes matters related to the water environment. • Identity suitable mitigation in the ES
Agricultural Land	
<p>Soil surveys have been undertaken to confirm the agricultural grade of land within the site. This information was shared at the non-statutory consultation.</p>	<ul style="list-style-type: none"> • Development of a Soil Management Plan setting out how impacts to soil are minimised during construction, operation and decommissioning of the scheme. • For Examination, agree a Statement of Common Ground with Natural England that includes matters related to soil management.

Considerations	Proposed activities
Community benefits	
<p>Various suggestions were made by respondents to the non-statutory consultation on the community benefits that the scheme could deliver. Suggestion ranged from funding local bus services, to planting trees and providing play equipment and sports facilities.</p>	<ul style="list-style-type: none"> • Continued engagement with LCC and NKDC on community benefits. • Secure mitigation in the appropriate management plan and any necessary S106 and/ or legal agreements.
Community impacts	
<p>Consultation has been undertaken with LCC and NKDC on the scope of environmental baseline surveys. These include the automatic traffic count surveys and the noise baseline surveys.</p> <p>Consideration has been given to proximity of residential receptors in locating on site equipment within the layout.</p> <p>Consideration has also been given to HGV routing from the Strategic Road Network and access locations which have been shared with LCC. Access design works are ongoing but will be subject to further discussion with LCC.</p>	<ul style="list-style-type: none"> • Continued engagement with Natural England, LCC and NKDC on construction related impacts. <p>For the DCO application:</p> <ul style="list-style-type: none"> • Development of an Outline Construction Environmental Management Plan that sets out how environmental impacts will be minimised during the construction period. • Development of an Outline Construction Traffic Management Plan that provides a strategy for managing construction traffic during the construction period, to minimise the impact upon local communities. • Development of an Outline Decommissioning Management Plan that outlines how the scheme will be decommissioned and the land re-instated to its previous use.

4. ENGAGEMENT

4.1 Applicant’s approach

4.1.1 During the pre-application stage, the Applicant will engage fully with all key stakeholders in the development of the DCO application. The Applicant is at varying stages of setting up agreements with the relevant key stakeholders. A summary is provided in Table 4-1.

Table 4-1 Engagement with Key Stakeholders

Stakeholder	Engagement Mechanism
Planning Inspectorate	
Standard Service Tier agreement	The Applicant will engage with the Inspectorate in accordance with the standard service tier (6 meetings per year at times to be agreed with the Inspectorate) and seek to provide a project update at each meeting, alongside a look ahead of upcoming key milestones and project activities.
Lincolnshire County Council	
Planning Performance Agreement (“PPA”)	The Applicant has agreed a PPA with LCC to enable technical engagement to progress. The Applicant meets regularly with LCC to provide project updates and to seek views on a range of matters including assessment, design and proposed mitigation. Technical input is provided by LCC in this regard. Meetings are held jointly with NKDC.
North Kesteven District Council	
Planning Performance Agreement (“PPA”)	The Applicant has agreed a PPA with NKDC to enable technical engagement to progress. The Applicant meets regularly with NKDC to provide project updates and to seek views on a range of matters including assessment, design and proposed mitigation. Technical input is provided by NKDC in this regard. Meetings are held jointly with LCC.

Stakeholder	Engagement Mechanism
Natural England	
Discretionary Advice Service	<p>The Applicant is in the process of setting up an agreement with Natural England. The Applicant will seek advice from the Natural England on:</p> <ul style="list-style-type: none"> - Protected species licences (as required). - Adequacy of mitigation proposals (as required).
Environment Agency	
Discretionary Advice Service	<p>The Applicant has a DAS arrangement with the Environment Agency which will be aligned to accord with the Infrastructure Planning (Fees) Regulations 2010, as amended by The Infrastructure Planning (Fees) (Amendment) Regulations 2024. The Applicant will seek advice from the Environment Agency on a range of issues including:</p> <ul style="list-style-type: none"> - Methods of assessment. - Potential impacts on main rivers. - Flood Risk.
Historic England	
Discretionary Advice Service	<p>The Applicant is in the process of setting up an agreement with Historic England. It is anticipated that the Applicant will seek advice from the Historic England on:</p> <ul style="list-style-type: none"> - Methods of assessment. - Proposed mitigation measures (once defined).

4.1.2 The Applicant will also continue to engage with other stakeholders, such as National Highways, Internal Drainage Boards and Parish Councils as appropriate.

5. RISK

5.1 Risk management

- 5.1.1 The Applicant will produce an Issues Tracker during the pre-application period, which will be informed by consultation with key stakeholders and detailed consideration from the Project team. The identified risks will carry a Red, Amber, Green status that reflects the degree of risk with each issue, as well as the Applicant's intended approach to resolve the issues. The Issues Tracker will culminate in a list of Potential Main Issues for the Examination, which will be entered into examination.
- 5.1.2 It should be noted that the anticipated programme dates set out in Plate 1 are informed by the Applicant's DCO experience and that these parameters could be subject to change depending on any planning reform, the details of which we are not aware. To mitigate this risk, the Applicant will continue to review and implement the requirements of the Planning Act 2008 (as amended), the relevant regulations and policy contained within the designated energy National Policy Statements in order to prepare a compliant DCO application for the Project.

6. STATEMENT OF COMMUNITY ENGAGEMENT

6.1 Development of the SoCC

- 6.1.1 The Applicant has developed a SoCC in accordance with the requirements of section 47 of the Planning Act 2008.
- 6.1.2 The Applicant has informally and formally consulted with LCC and NKDC on the contents of the SoCC. The Applicant will demonstrate in the Consultation Report to be submitted with the DCO application how that feedback has been taken into account and also how the statutory consultation has been delivered in accordance with the agreed SoCC.