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All Interested Parties, Statutory Parties  
and other parties

Our Ref: EN010154

Date: 17 June 2026

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Dear Sir/Madam

## **Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 – rules 8(3), 9 and 17**

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

#### **Notice of variation to the examination timetable and other procedural decisions**

We write to advise that the Examining Authority (ExA) has made procedural decisions to vary the examination timetable and make other procedural decisions.

#### **Variation of examination timetable**

The applicant in the covering letter accompanying its Deadline 7 submissions [\[REP7-001\]](#) advised, following a “refresh” of its Land Registry data, that two new/changed land interests had been identified:

- Noventum Power Solar 4 Limited (Noventum), as a newly identified interest in Land Plot 16/17.
- Benjamin Wray, as a change of freehold ownership concerning Land Plot 15/6

In [\[REP7-001\]](#) the applicant advised it was seeking to establish the nature of Noventum’s interest in Land Plot 16/17 because it was “... *unclear as to the extent of Noventum Power Solar 4 Limited’s interest in the relevant title, and therefore whether this does in fact fall within Plot 16/17*”. The applicant has further explained that Benjamin Wray and Noventum were notified by it on 9 June of the procedure for registering as interested parties and that they should submit any representations by no later than the intended close of the examination on 15 June 2026.

We consider that Benjamin Wray and Noventum have had a limited opportunity to make submissions about any implications the proposed development might have for their interests respectively in Land Plots 15/6 and 16/17. Given that, in the interests of fairness, to ensure that Benjamin Wray and Noventum have a reasonable opportunity to submit representations if they wish in respect of their newly identified land interests, the ExA considers it necessary for the examination to be extended beyond what was its intended close on 15 June to **6 July 2026**. The primary purpose for the timetable extension being to allow Benjamin Wray and Noventum to make examination submissions and for the applicant to submit responses to any submissions received by either of those parties. Additionally, below there is an information request under Rule 17 for the applicant to respond to.

The variations to the examination timetable are shown in full in **annex A** and in summary are:

- **New Deadline 8**, 23:59 on 30 June 2026, the date no later than for the receipt by the ExA of:
  - any written representations Benjamin Wray and Noventum may wish to make with respect to their respective interests in Land Plots 15/6 and 16/17
  - the applicant's response to the further request for information (see below)
- **New Deadline 9**, noon on 6 July 2026, the applicant's response to any submissions made by Benjamin Wray and Noventum by Deadline 8.

### **Other procedural decisions made by the ExA under Rule 9**

On 15 June 2026 the following documents were submitted by the applicant and Phillips 66 Limited (P66) pursuant to their agreeing a set of protective provisions in favour of P66:

- Covering letter from the applicant dated 15 June 2026, including an agreed joint submission made by the applicant and P66
- Clean and tracked versions of the draft Development Consent Order (revision 7), incorporating an agreed set of protective provisions in favour of P66
- Clean and tracked versions of the Explanatory Memorandum (revision 7), amended to address the newly agreed position between P66 and the applicant
- Clean and tracked versions of the Schedule of Changes to the Draft Development Consent Order (revision 7)
- Letter from P66 dated 15 June 2026 advising of the withdrawal of its objection to the proposed development

The ExA has made the procedural decision to accept all of the above listed documents as additional submissions and those documents will be added to the Examination Library. The ExA has also decided not to invite any comments relating to the above listed examination documents. That is because those documents address matters of specific relevance to P66 and the applicant that have culminated in P66 withdrawing its objection to the proposed development.

## **Request for further information from the applicant - The Environment Agency's new flood map for planning surface water datasets**

The ExA is aware that the "Flood Map for Planning – Surface Water Spatial Planning" datasets have recently been updated by the Environment Agency. Accordingly, the applicant should:

- a) Advise on what implications, if any, the new datasets have for the conclusions reached in the submitted Flood Risk Assessment [[REP3-012](#)] and the details included in the Framework Surface Water Drainage Strategy [[REP3-014](#)].
- b) If considered necessary, submit a revised Flood Risk Assessment and Framework Surface Water Drainage Strategy and make any associated revisions to the Environmental Statement (ES) and submit amended versions of any affected parts of the ES.

The applicant should submit its response to this request for further information by no later than **Deadline 8** (30 June 2026).

Yours faithfully

*Grahame Gould*

**Grahame Gould**  
**Lead member of the Examining Authority**

## Extension of Examination Timetable

21.	<p><b>Close of examination</b></p> <p><del>The ExA intends to close the examination on this date. Monday 15 June 2026 See 'Note about the close of examination date'.</del></p>	<p><b>Monday</b> <b>15 June 2026</b></p>
22.	<p><b>Deadline 8</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• any written representations Benjamin Wray and Noventum Power Solar 4 Limited may wish to make with respect to their respective interests in Land Plots 15/6 and 16/17</li> <li>• the applicant's response to the Rule 17 further request for information concerning the new flood map for planning surface water datasets</li> </ul>	<p><b>23:59 on Tuesday</b> <b>30 June 2026</b></p>
23.	<p><b>Deadline 9</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• the applicant's response to any submissions made by Benjamin Wray and/or Noventum submitted by <b>Deadline 8</b></li> </ul>	<p><b>Noon on Monday</b> <b>6 July 2026</b></p>
24.	<p><b>Close of examination</b></p> <p>The ExA intends to close the examination on this date. See 'Note about the close of examination date' provided in the <a href="#">Rule 8 documentation issued on 14 January 2026</a>.</p>	<p><b>23:59 on Monday</b> <b>6 July 2026</b></p>

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