

6 July 2026

Grahame Gould
Lead Panel Member for the Examining Authority
The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Dear Examining Authority,

Fosse Green Energy Development Consent Order – Deadline 9 Submissions

Planning Inspectorate Case Reference: EN010154

We write on behalf of Fosse Green Energy Limited (the Applicant) further to the publication of the Rule 6 Letter **[PD-008]** on 9 December 2025, the Rule 8 Letter **[PD-010]** on 14 January 2026, the Revised Timetable **[PD-020]** on 8 April 2026 and the variation of the Examination Timetable **[PD-033]** on 17 June 2026 to provide the Applicant's written submission for Deadline 9 of the Fosse Green Energy Development Consent Order (DCO) Examination (the Examination).

Change of Registered Office

The Applicant's registered office address has been updated to 35-41 Folgate Street, London, United Kingdom, E1 6BX. The Applicant would therefore ask that, when making its recommendation to the Secretary of State, the ExA include this address as the location at which any made Order can be inspected in the explanatory note to the DCO.

Response to Deadline 8 Submission

The Applicant notes the Deadline 8 submission made by Noventum Power Solar 4 Limited (Noventum) **[REP8-007]** and has provided a response to this submission at Appendix 1 to this letter.

Yours sincerely,

Womble Bond Dickinson (UK) LLP

Womble Bond Dickinson (UK) LLP

On behalf of Fosse Green Energy Limited | 35-41 Folgate Street, London, United Kingdom, E1 6BX

Appendix 1 – Applicant's Response to Deadline 8 Submission from Noventum Power Solar 4 Limited [REP8-007]

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
Introduction and purpose of this representation We refer to: - the Development Consent Order (DCO) application made by Fosse Green Energy Limited (Applicant) in respect of Fosse Green Energy (Proposed Development); - the letter dated 9 June 2026 from Womble Bond Dickinson (UK) LLP on behalf of the Applicant (WBD Letter); - the letter dated 17 June 2026 from the Examining Authority (ExA) giving notice of variation of the examination timetable and inviting written representations from Noventum Power Solar 4 Limited (Noventum) in respect of its interest in Land Plot 16/17; and - the letter dated 25 June 2026 from the ExA confirming that Noventum has been registered as an Interested Party pursuant to section 102A of the Planning Act 2008 and recording Noventum as a Category 2 land interest for Land Plot 16/17. This representation is submitted pursuant to the ExA's letters dated 17 June 2026 and 25 June 2026 and for the purpose of: - confirming Noventum's interest in land affected by the Proposed Development;	The Applicant acknowledges the introduction and purpose of the representation. Based on information available in the public domain, the Applicant assumes that Noventum's proposed project, described on Noventum's website as a "Co-Located Solar and BESS" would be an NSIP. This is because both Noventum's website and the TEC Register indicate that the connection capacity is 249 MW. The Planning Act 2008 (as amended) provides that a generating station which generates electricity directly from sunlight is considered an NSIP when its capacity is more than 100 MW.

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
- objecting to the inclusion within the Order limits (as such term is defined in the draft DCO) of land in which Noventum is interested; and - requesting that such land be removed from the Order limits.	
Noventum's interest in the affected land Noventum is the beneficiary of an option agreement dated 1 November 2024 relating to land on the north side of Heath Lane, Navenby, Lincoln forming part of Land Registry title number LL298789 (Option Agreement). The Option Agreement grants Noventum rights to acquire a lease of the relevant land for the purposes of developing a Battery Energy Storage System (BESS) together with associated infrastructure and ancillary development. Noventum's interest in the land is protected by a restriction entered on the proprietorship register of title number LL298789. Part of the land subject to the Option Agreement falls within Land Plot 16/17 and the Order limits of the Proposed Development, as shown coloured pink on the enclosed plan (Overlap Land). By letter dated 25 June 2026, the ExA confirmed that Noventum had been identified as a "new Category 2 land interest" in respect of Land Plot 16/17 and that Noventum had become an Interested Party with effect from 25 June 2026.	Information regarding the Proposed Development has been available on the Planning Inspectorate's website, in the public domain, since 20 June 2023. Extensive pre-application engagement and consultation was undertaken before the application was submitted to the Planning Inspectorate on 18 July 2025 and subsequently accepted for Examination on 15 August 2025. Formal non-statutory consultation took place in September and October 2023 with the statutory consultation being held the following year, from October to December 2024. The Order limits in this part of the Cable Corridor have not changed since the Applicant commenced its initial consultation in respect of the Proposed Development. As set out in the Applicant's Deadline 7 Cover Letter [REP7-001], a refresh of HM Land Registry data was undertaken in June 2026. This led to the identification of Noventum as a potentially affected party by virtue of an Option Agreement dated 1 November 2024. As at Deadline 7, the Applicant was awaiting receipt of the title plan to confirm whether the land subject to the Option Agreement fell within Plot 16/17, and therefore within the Order limits. On 9 June 2026, the Applicant wrote to Noventum providing the relevant sheet of the Land Plans [AS-104] (Sheet 16), informing

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
	Noventum that it may have an interest in land within the Order limits, and explaining how to engage with the DCO process and register as an Interested Party if it had a legal interest within the Order limits. When writing to Noventum, the Applicant made clear that Noventum's interest may fall within the Order limits, noting that the Applicant was awaiting receipt of the title plan and therefore was unclear as to the extent of Noventum's interest in the relevant title, and whether this fell within the Order limits. Accordingly, that same day, the Applicant informed the ExA that Noventum may be able to make a request to the ExA under section 102A of the Planning Act 2008, should Noventum's interest fall within the Order limits. Whilst the Applicant notes that Noventum's Option Agreement is dated 1 November 2024, the Applicant only became aware of the Option Agreement in June 2026 as part of the latest HM Land Registry refresh, when the edition date of the office copy entries for the title was shown to have been updated. The title plan for the relevant title shows that Noventum's Option Agreement largely relates to land to the west of Plot 16/17 and outside of the Order limits, although there is a small sliver of land under the Option Agreement which overlaps with Plot 16/17. A plan showing the extent of the overlap has been provided at Appendix 2.

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
Impact on Noventum's proposed development The Overlap Land forms part of the land required for Noventum's proposed BESS project. As shown on the enclosed plan, the Overlap Land includes the entirety of the existing access into the proposed BESS project site from Heath Lane. The preservation of suitable site access is fundamental to the delivery of Noventum's proposed BESS project. In addition, the site subject to the Option Agreement is already tightly configured. Any reduction in the land available for development has the potential materially to affect site design, equipment positioning, circulation space, mitigation measures and, ultimately, the viability and deliverability of Noventum's proposed BESS project. The inclusion of the Overlap Land within the Order Limits therefore creates a genuine risk of prejudicing delivery of Noventum's proposed BESS project.	The Applicant notes Noventum's comments, however, does not consider that the small area of overlap between the Order limits and the boundary of the land subject to Noventum's Option Agreement would impede Noventum's proposed solar and BESS project, should that development proceed. Plot 16/17 is the location of the proposed National Grid Navenby Substation. Therefore, the compulsory acquisition powers sought by the Applicant do not provide for the land within Plot 16/17 to be compulsorily acquired, but rather for the acquisition of rights over the plot to enable the connection of the Proposed Development to the Substation. As set out in Schedule 9 (Land in which only new rights etc. may be acquired) of the draft DCO [AS-144], rights over the land in Plot 16/17 may be acquired and restrictive covenants may be imposed for the purposes of cable rights and substation connection rights. The rights which may be compulsorily acquired in respect of Plot 16/17 under the draft DCO [AS-144] would not be incompatible with the utilisation of the existing access for the delivery of any project proposed by Noventum. It should also be noted that, whilst Noventum states that its site is "tightly configured", no plans or proposed layouts for the proposed solar and BESS project have been provided which demonstrate this. Further, according to Noventum's own webpage for its proposed solar and BESS project in Navenby (www.noventumpower.co.uk/project/navenby), which the Applicant understands to be the development in question, as

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
	shown at Appendix 3, as of 3 July 2026, the current project status is "Initial Surveys". Given the current indicated status of Noventum's proposed project, it is unclear how the site design can be significantly progressed at this stage, let alone finalised.
Discussions with Windel Energy On 17 June 2026 at 11:15, prior to Noventum becoming aware of the WBD Letter, Chris Atkinson, Head of Planning at Noventum's holding company, Noventum Power Limited, received an email from Gary Toomey, Chairman of Windel Energy, requesting that Noventum provide an email or letter, "<i>stating that you do not intend to submit any submission to the ExA in relation to the tiny overlap.</i>" This was the first occasion on which Noventum became aware that land subject to its Option Agreement potentially overlapped with land within the Order limits. Following that correspondence, Chris Atkinson held a call on 25 June 2026 with Gary Toomey and Lloyd Sandles of Windel Energy. During that discussion: • Windel Energy indicated that the overlap may have arisen because GIS boundaries and OS boundaries do not always align and stated that the Order limits would ordinarily have followed the field boundary; • Noventum highlighted that the Overlap Land includes the existing access to its proposed BESS project;	During the call referenced by Noventum, the Applicant explained that the compulsory acquisition powers sought provide for the acquisition of rights over Plot 16/17. Therefore, as detailed above, the rights which may be compulsorily acquired in respect of Plot 16/17 under the draft DCO [AS-144] would not be incompatible with the utilisation of the existing access for the delivery of any project proposed by Noventum, should this come forward. On this basis, it is not necessary for the Applicant to make any revisions to the Order limits, and nor is it reasonable for Noventum to request this of the Applicant at this late stage in the examination proceedings. Notwithstanding that an amendment to the Order limits is not required, the Examination of the application for the Proposed Development will be closing imminently (6 July 2026) and it would be inappropriate for the Applicant to propose a change to the Order limits at this late juncture, especially given this would not allow time for interested parties to comment on such a change. The design of the Proposed Development has been an iterative process over a number of years, the product of extensive surveys, engagement and careful consideration, and the application is due to progress into the recommendation stage of the NSIP process.

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• Windel Energy suggested that an alternative access to Noventum's proposed BESS project may potentially be achievable at another location along the boundary of the land subject to the Option Agreement and Heath Lane. However, no technical assessment has been provided in support of that suggestion and Noventum cannot assume that an alternative access solution would be deliverable; • Noventum proposed that the Order limits be amended to exclude the Overlap Land; • Windel Energy indicated that amendment of the Order limits would require consequential amendments to plans and application documents; and • Windel Energy did not identify any operational, engineering, environmental or other project-specific requirement for retention of the Overlap Land within the Order limits.	In contrast, based on information available in the public domain, the Applicant understands Noventum's proposed project is currently at the initial survey stage, and that no scoping opinion has been requested. Accordingly, the Applicant considers it highly unlikely such a proposal could be in the advanced stages of the design process. Additionally, so far as the Applicant can establish, Noventum's project is not the subject of a live planning application at the time of writing. Finally, as shown at Appendix 4, the publicly available information states that the grid connection that Noventum has is for a connection at the Trent Valley South Connection Node C 400kV Substation (249 MW connection for Energy Storage System; PV Array (Photo Voltaic/Solar)). To the best of the Applicant's knowledge the precise location of this connection point has not been progressed. The Applicant understands that there is also a Trent Valley South Connection Node A 400kV Substation and Trent Valley South Connection Node B 400kV Substation. In summary, it appears to the Applicant that Noventum's proposals for their project at this site are at a very early design stage. Aside from noting that the Order limits for the Proposed Development include an existing access which Noventum intends to utilise and making a broad statement about the configuration of its proposed solar and BESS project, Noventum has not explained how or why the overlap with the Proposed Development would be prejudicial to its proposed solar and BESS project. Nor has

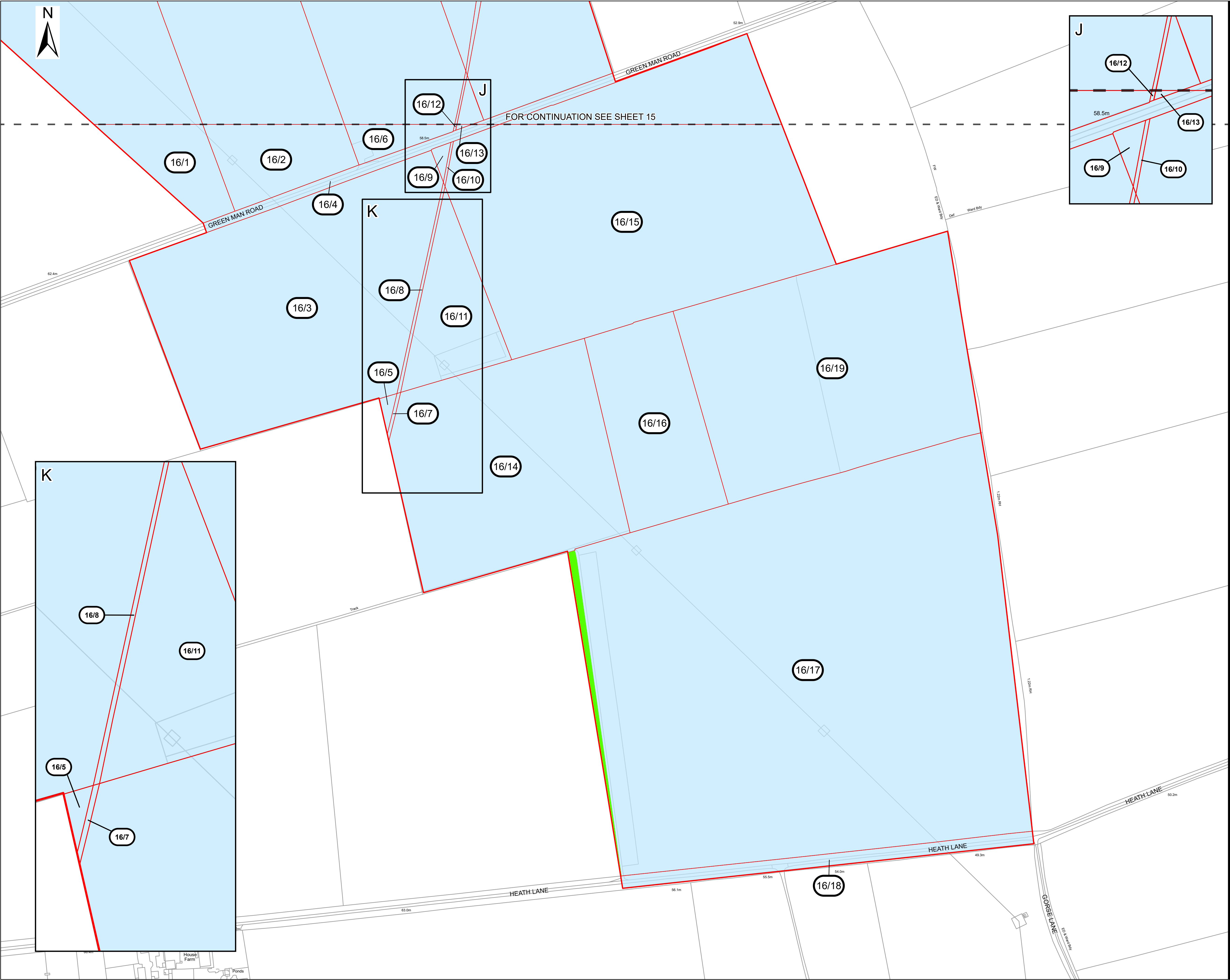
Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
	Noventum provided any indicative design or technical details to support this statement. With regards to the access, the Applicant considers that the current status of Noventum's proposed solar and BESS project is likely to mean that Noventum is unlikely to have given detailed consideration to the design. Therefore, Noventum's assumption that the existing access is the only option, is likely based solely on the fact that it currently exists. It is not for the Applicant to undertake technical assessments to determine the design of Noventum's proposed solar and BESS project, and nor would the Applicant be in a position to do so, given the current lack of information available about Noventum's proposal.
Objection to inclusion of the Overlap Land within the Order limits Noventum objects to the inclusion of the Overlap Land within the Order limits. The inclusion of the Overlap Land within the Order limits gives rise to the possibility that rights could be acquired over land that forms an integral part of Noventum's proposed BESS project and access arrangements. On the information available to Noventum, no project-specific justification has been advanced demonstrating why this particular parcel of land is required.	As detailed above, rights over the land in Plot 16/17 may be acquired and restrictive covenants may be imposed for the purposes of cable rights and substation connection rights. Sheet 16 of the Works Plans [AS-105] shows that the only works to be carried out within Plot 16/17 are Work No. 5A (cable route) and Work No. 5B (connection works). These works are required to facilitate the connection between the Proposed Development and National Grid's Navenby Substation which, as noted above, is to be located within Plot 16/17 of the Order limits. The Order limits have been designed to limit "land take" as far as possible whilst ensuring the Applicant has the requisite flexibility to be able to undertake its works. This needs to be supported by the ability to secure by compulsory acquisition (if necessary) the required rights to be able to construct, operate, maintain and access the

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
Conversely, Noventum considers that there is a clear and identifiable risk that retention of the Overlap Land will prejudice delivery of Noventum's proposed BESS project.	Proposed Development. This flexibility is imperative given the detailed design process has yet to be undertaken for the Proposed Development. In line with the standard approach for solar NSIPs, the detailed design will be developed post-consent, when the Applicant understands where the export cable will terminate (within the Navenby Substation Site) and the space available within the Navenby Substation to route the export cable between or around infrastructure. The Navenby Substation has not yet been granted planning permission and, therefore, is not constructed; as the precise configuration of the connection bays is not known, the retention of flexibility within Plot 16/17 is fundamental to the successful delivery of the Proposed Development.
Proposed solution Noventum requests that the Overlap Land be removed from the Order limits. In this instance: - the proposed change would reduce rather than increase the Order limits; - the area concerned is very small in the context of the overall Proposed Development; - the Applicant's own representatives indicated that the overlap may have arisen through a drafting or boundary issue;	Whilst Noventum is correct that the Applicant can seek changes to the application during examination, the relevant guidance (Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination - GOV.UK) makes clear that all interested parties must have an opportunity to submit representations about a changed application before the close of the examination. As explained above, the ExA intends to close the Examination on 6 July 2026. Therefore, there is insufficient time remaining in the Examination process to consider any request to change the Order limits. Irrespective of this, the Applicant does not intend to alter the Order limits, as it is neither necessary, nor appropriate given the reasons set out above, the flexibility required for connection to the Navenby Substation, and

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
- no technical justification for retaining the overlap has been identified to Noventum; and - removal of the overlap would avoid prejudice to a newly identified third-party land interest. Noventum understands that the Applicant may seek changes to application documents during examination. In the present case, Noventum's proposed amendment would reduce rather than increase the extent of the Order limits and would remove only a very small area from the approximately 1,355 hectare Proposed Development. Accordingly, Noventum considers that the proposed amendment is limited in nature and should not prevent the Applicant from seeking a corresponding amendment to the Order limits. Accordingly, Noventum requests that the ExA give full consideration to amendment of the relevant Order limits and invites the Applicant to explain why the Overlap Land remains necessary if it intends to oppose such amendment.	that the Proposed Development and Noventum's proposed use of the area of overlap are compatible and can co-exist.
Conclusion For the reasons set out above, Noventum: notes that the ExA has recognised Noventum as a Category 2 land interest in respect of Land Plot 16/17 and granted Noventum Interested Party status pursuant to	The Applicant does not agree with Noventum's position that the Proposed Development could materially prejudice the delivery of Noventum's proposed solar and BESS project. Noventum has not provided any evidence as to how the Proposed Development would be prejudicial to the proposed solar and

Noventum's Deadline 8 Submission [REP8-007]	Applicant Response
section 102A of the Planning Act 2008; objects to the inclusion of the Overlap Land within the Order limits; • considers that the overlap has the potential materially to prejudice delivery of its proposed BESS project, particularly in respect of site access and overall developable area; and • requests that the Overlap Land be removed from the Order limits. Should the Applicant propose revised plans or amended Order limits, Noventum requests that it be provided with an opportunity to review and comment on those amendments before the close of examination	BESS project nor any information on how or when such a proposal may come forward (or the likelihood of this). In the absence of specific technical details, there is nothing to substantiate Noventum's assertion that this may be the only viable access. As shown on the Works Plans [AS-105], the Applicant's works to be carried out within Plot 16/17 are Works No. 5A and 5B, being cable route and connection works to facilitate the connection of the Proposed Development to the Navenby Substation as set out in Schedule 1 to the draft DCO [AS-144]. These works would not prevent Noventum (or another party) from using the existing access. As noted in the Applicant's Closing Statement [REP7-037], the Applicant has demonstrated throughout the Examination the clear and compelling need for the Proposed Development as an NSIP which would be a critical part of the national portfolio of renewable energy generation that is required to decarbonise the UK's energy supply quickly. The compulsory acquisition powers sought for the Proposed Development provide for the acquisition of rights over Plot 16/17, as opposed to the compulsory acquisition of the land. The Order limits have been designed to ensure the Applicant has the requisite flexibility to be able to undertake the works and this needs to be supported by the ability to secure by compulsory acquisition (if necessary) the required rights to be able to construct, operate, maintain and access the Proposed Development.

Appendix 2 – Plan Showing the extent of the Overlap between the Order limits and the land subject to Noventum’s Option Agreement

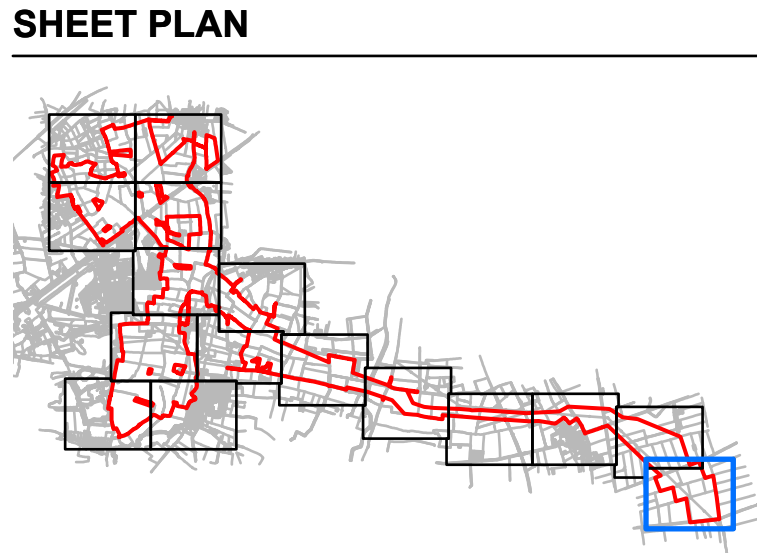
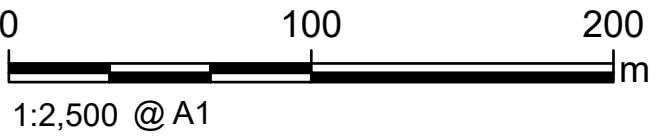


PROJECT
Fosse Green Energy

CLIENT
Fosse Green Energy Ltd

CONSULTANT
AECOM Limited

- LEGEND**
- DCO Site Boundary
 - Order land - new rights to be compulsorily acquired and temporary use of land and restrictive covenants to be imposed and land in relation to which existing easements, servitudes and other private rights the exercise of which is inconsistent with the rights and restrictions acquired pursuant to the Order are to be extinguished.
 - Option Agreement Overlap



ISSUE/REVISION		
R03	05/12/2025	THIRD VERSION
R02	02/09/2025	SECOND VERSION
R01	16/06/2025	FIRST VERSION
I/R	DATE	DESCRIPTION

LEGISLATION

Regulation 5(2)(i) Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

ISSUE PURPOSE

DCO Submission

FIGURE TITLE

Land Plan

FIGURE NUMBER	REV.
Sheet 16 of 16	03

DOCUMENT REFERENCE

EN010154/APP/2.1

Appendix 3 – PDF of Noventum’s Webpage for the Proposed Co-Located Solar & BESS Project in Navenby as at 3 July 2026

(www.noventumpower.co.uk/project/navenby)

NOVENTUM P⚡OWER (<https://noventumpower.co.uk>)



Navenby

Status: Initial Surveys

→ About

NOVENTUM P⚡OWER (<https://noventumpower.co.uk>)



Noventum Power has secured a 249MW connection to the transmission network at Navenby GSP, along with over 880 acres of land under Option for Lease close to the point of connection.

Any questions?

If you have any questions, please email:

info@noventumpower.co.uk (<mailto:info@noventumpower.co.uk>)

Appendix 4 – PDF of an Extract of the TEC Register Showing the Point of Connection for Noventum's Proposed Project as at 3 July 2026

([TEC Register | National Energy System Operator](#))



Help us improve

Your insights help us grow and improve, whether it's a suggestion, a concern, or a bright idea, we'd love to hear it. What could we do to make things even better for you? [Tell us here](#)

[Home](#) / [Data Portal](#) / [Connection registers](#) / [Transmission Entry Capacity \(TEC\) register](#) / [TEC Register](#)

TEC Register

Download (CSV)



API

The data file contains the latest version of the TEC Register including all changes up to publication. This file will be updated twice weekly on Tuesdays and Fridays.

NOTE: Following updates to CUSC paragraphs 6.30.3.2 and 6.35.2, the Transmission Entry Capacity (TEC) Registers will include an additional column called "Gate" from 21st November, 2025 indicating whether agreements are classified as Gate 1 or Gate 2. This column will be populated once agreements have been countersigned. Until that point, the field will remain blank. Please note:

- 1) Capacity across stages and technology types is currently presented in aggregate, which may result in duplicate entries. This will be refined as the register process evolves, with future updates aiming to split capacity by stage and technology to improve clarity and accuracy.
- 2) This approach ensures transparency while reflecting the current status of agreements under the Connections Reform process.

Project IDs: are Case Sensitive i.e. a0I4L0000005iPb; a0I4L0000005ipb and a0I4L0000005ipB relate to different projects.

Staging: If a project includes staged TEC there will be an associated number in the Stage column. Some projects have two separate lines without numbers – this usually indicates that



the project is already built and the Customer is perhaps adding a different type of generation or building new generation to be connected at a future date. Once built the second line will fall away and the TEC incorporated into the overall project.

Total rows: 1

MW Effective From

AND

Project Name

=

Noventum Navenby

-

+

Submit

Reset

Query Builder

Table

Chart

Project Name	Customer Name	Connection Site	Stage	MW Connected	MW Increase / Decrease	Cumulative ?
Noventum Navenby	NOVENTUM POWER SOLAR 4 LIMITED	Trent Valley South Connection Node C 400kV Substation		0.0	249.0	249.0

Table Information

TEC Register

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Download (CSV)

API

Total rows: 1

MW Effective From

AND

Project Name

=

Noventum Navenby

-

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Submit

Reset

Query Builder

Table

Chart

Project Name	Customer Name	Connection Site	Stage	MW Connected	MW Increase / Decrease	Cumulative Total Capacity (MW)	MW Effective From	Project Status	Agreement Type	HOST TO	Plant Type	Project ID	Project Number	Gate
Noventum Navenby	NOVENTUM POWER SOLAR 4 LIMITED	Trent Valley South Connection Node C 400kV Substation		0.0	249.0	249.0	2035-10-30	Scoping	Direct Connection	NGET	Energy Storage System;PV Array (Photo Voltaic/solar)	a0I8e000000f57EAAQ	PRO-0CJ39I5	