

The Planning Inspectorate
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By email: FosseGreenEnergy@planninginspectorate.gov.uk

6 July 2026

Application by Fosse Green Energy Limited (the “Applicant”) for an order granting Development Consent for the Fosse Green Energy Project (Application Reference EN010154, the “Application”)

Dear Planning Inspectorate,

Introduction

I write on behalf of Navenby Energy Limited, a subsidiary of NatPower UK Limited, registered as an Interested Party on 26 January 2026 (the “**Interested Party**”). This letter supplements and updates the Interested Party’s previous written representation submitted to the Planning Inspectorate on 20 March 2026, the contents of which are maintained unless expressly supplemented in this letter. This update addresses developments since that submission, including ongoing engagement with the Applicant regarding a potential cooperation agreement and the Interested Party’s continuing concerns regarding the serious conflicts created by the Applicant’s proposed cable route for their project.

The Interested Party holds an option agreement, entered into in January 2025, granting a six-year option to acquire land directly south of Hill Rise Road, west of Coleby (the “**Site**”). A full planning application for a Battery Energy Storage System (the “**BESS Project**”) was submitted to and validated by North Kesteven District Council under reference 25/0533/FUL on 15 May 2025. This live application is material to the Examination.

The Interested Party has engaged with the Applicant with the aim of reaching agreement on a cooperation agreement and associated protections in relation to the proposed cable route prior to the close of the Examination on 6 July 2026. Given the progress that had been made in those discussions, the Interested Party did not consider it necessary to provide a further substantive representation at an earlier stage. However, as no agreement from the Applicant has yet been possible, and the Applicant continues to seek powers that will adversely affect the delivery

and viability of the Interested Party's BESS Project, the Interested Party considers it necessary to submit this updated representation to ensure its position is fully put before the Examining Authority.

Extent of Overlap

Sheets 12 and 13 of the Applicant's Land Plans (Fosse Green Energy — Volume 2, 2.1 Land Plans (Revision 03), document reference EN010154/APP/2.1) demonstrate that the proposed export cable corridor passes directly through land forming part of the Interested Party's Site for the BESS Project, which the Applicant has been aware of for some time. This creates a significant and unresolved land-use conflict which the Applicant has not to date been willing to address to enable both projects to be delivered. Despite being aware of the Interested Party's BESS Project, the Applicant has not progressed an alternative route that would avoid the conflict, nor has it demonstrated why the proposed alignment remains necessary. As a result, a significant and unresolved conflict between the two projects remains.

Operational Compatibility and Access Concerns

The Application provides inadequate clarity regarding how the Applicant intends to secure access for inspection, maintenance, or fault repair along the section of the cable route proposed across the Interested Party's Site.

Emergency repair works would typically require unrestricted working areas, excavation, heavy plant, and operational access. It is unclear how this could be delivered without substantial disruption to, or the temporary suspension of, the Interested Party's BESS Project.

This creates material operational risk for both projects and highlights the inherent incompatibility of locating a strategic transmission cable through land required for large scale energy storage infrastructure. The absence of a credible operational access strategy weighs strongly against the appropriateness of the proposed alignment.

Further, the presence of a high voltage cable and associated easements within the BESS Project's red line boundary would effectively sterilise the Site, limiting the positioning of battery units, transformers, access routes, laydown areas, and other operational infrastructure as well as future expansion. Co-locating a transmission-grade cable corridor and a BESS installation within the same development parcel is not practical or safely achievable.

Long Duration Energy Storage Requirements and Site Protection

The Government, following advice from DESNZ and NESO, has identified the need for long duration energy storage (“**LDES**”) in order to achieve the Clean Power 2030 policy objective. In response, Ofgem has been instructed to establish an LDES Cap and Floor scheme to facilitate the delivery of these nationally strategically important projects, required to support their policy objectives. The policy position is therefore clear: LDES forms a necessary part of the future electricity system and is not merely desirable but required to enable the transition to clean power.

LDES is recognised as being essential to delivering the lowest cost outcome for consumers, whilst also strengthening network resilience and energy security. In particular, it has an important role in reducing the curtailment of increasing volumes of wind and solar generation, thereby avoiding unnecessary system and consumer costs and making more effective use of renewable electricity which would otherwise be wasted. In that sense, the protection of developable energy land for LDES is wholly consistent with national policy and the wider public interest.

It is intended that the BESS Project will be submitted to Ofgem as part of its second upcoming LDES application window before the end of 2026 (as announced by DESNZ). Under the scheme, applicants must demonstrate access to viable expansion areas. Protecting the full developable extent of the Site is therefore essential.

The introduction of a high-voltage cable and associated easements within the BESS Project’s red line boundary would materially constrain the Site’s ability to deliver an LDES project, undermining its contribution to UK energy system flexibility and resilience. Avoiding unnecessary sterilisation of developable energy land is clearly in the public interest and aligns with national policy.

Compulsory Acquisition Concerns

The Interested Party does not consider that the temporary possession powers sought over those parts of its Site that overlap with the Order Limits of the DCO have been justified, or are reasonable or proportionate, for the following reasons.

Throughout the Examination, the Applicant and the Interested Party have progressed discussions regarding a cable easement confined to the southern part of the Interested Party’s Site, as shown on the attached plan. Those discussions have consistently proceeded on the basis that the cable can be accommodated within this defined corridor. This defined corridor is significantly narrower than the Order Limits.

The Interested Party considers that the Applicant's approach demonstrates that the Proposed Development can be delivered without the need for temporary possession powers extending across the remainder of the Order Limits insofar as they overlap with the Interested Party's land.

In those circumstances, the Interested Party does not consider that the Applicant has demonstrated that the wider powers sought are reasonably required to facilitate the construction of the Proposed Development.

The Interested Party therefore considers that the extent of the temporary possession powers sought is greater than has been justified. In the absence of any demonstrated engineering, construction or operational justification for those wider powers, their inclusion would represent a disproportionate interference with the Interested Party's land interests.

The Interested Party respectfully invites the Examining Authority to conclude that the Applicant has not established a compelling justification for temporary possession powers extending beyond the defined cable corridor and to recommend that the Order be modified accordingly.

Engagement with the Applicant

The Interested Party has engaged with the Applicant on their cable route since February 2025.

Both parties have agreed that a cable easement is possible to the south of the Site in the area shown hatched in black in the appended plan. The Interested Party has amended its project design accordingly to enable both projects to be delivered. The Interested Party also considers that the Applicant would have other cable routes available to it that would not interact with the Interested Party's Site whatsoever.

The Applicant, however, wishes to retain their ability to compulsory purchase land over the entirety of their Order limits. If such powers were exercised this would render the Interested Party's BESS Project unviable at great expense to the Interested Party. Any temporary possession should be limited to an area to be agreed by both parties for the cable route to the south of the Site, as shown in the attached plan.

On this basis the Interested Party maintains its objection to the Applicant's project until a satisfactory solution can be found that avoids the unnecessary risk posed to the Interested Party's BESS Project.

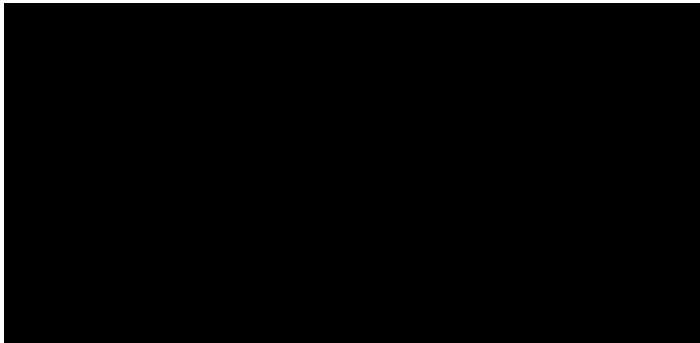
Conclusion

In summary, for the reasons set out in this letter, the Interested Party strongly objects to the Application in its present form insofar as it relates to the proposed cable route affecting the Site.

The Interested Party requests that the Examining Authority recommend modifications to the Order such that: 1) temporary possession powers are limited to the agreed cable corridor shown on the attached plan; and 2) no compulsory acquisition powers are included in respect of the remainder of the Interested Party's Site unless and until the Applicant demonstrates a clear and compelling justification for such powers.

The Interested Party remains willing to engage constructively with both the Applicant and the Examining Authority to agree a practicable and mutually acceptable solution.

Yours faithfully,



Managing Director, NatPower UK Limited
(on behalf of Navenby Energy Limited)

