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The Planning Inspectorate
c/o QUADIENT
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Slough
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By email: FosseGreenEnergy@planninginspectorate.gov.uk

11 November 2026

Fosse Green Energy Project (Application Reference EN010154) – Response to Secretary of State's Request for Information dated 30 October 2026

Dear Planning Inspectorate,

We 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**") in response to paragraph 4 of the Secretary of State's letter dated 30 October 2026.

We confirm that no co-operation agreement was agreed by Fosse Green Energy Limited (the "**Applicant**") and our objection remains for the reasons set out in our letter dated 6 July 2026.

In particular, the compulsory acquisition powers sought by the Applicant will be materially detrimental to the development, financing, operation and future value of the Interested Party's Battery Energy Storage System project (the "**BESS Project**"), for which the Interested Party has land rights and a full planning application was submitted to and validated by North Kesteven District Council under reference 25/0533/FUL on 15 May 2025.

Powers continue to be sought by the Applicant over land forming part of the BESS Project and represent a significant risk to its development. In the absence of appropriate protections, the exercise of powers sought could materially undermine the deliverability and commercial viability of the BESS Project, including by adversely restricting its design, financing, operational layout, future expansion and ability to proceed. Depending on the powers granted, this could render the BESS Project unviable.

Whilst the Interested Party remains willing to engage constructively with the Applicant, no agreement was possible in circumstances where the Applicant continued to seek compulsory acquisition powers extending beyond what the Interested Party considers reasonably necessary for the delivery of the Fosse

Green Energy Project and which remain capable of preventing the delivery of the BESS Project.

We note the Applicant's position that there is a technical solution which the Applicant considers would allow both developments to coexist and its publication of an indicative plan intended to demonstrate such a solution. Whilst no agreement has been reached on such proposals, the Applicant suggests that its development may be capable of being delivered with materially less impact on the BESS Project than would be permitted by the compulsory acquisition powers it continues to seek. Given the Applicant has submitted a coexistence solution that does not require broad compulsory acquisition powers, these powers sought cannot then be necessary for the Applicant's project.

The Interested Party therefore submits that the Development Consent Order should include provisions ensuring that the exercise of the compulsory acquisition powers and associated rights does not affect the BESS Project. If the Secretary of State considers that compulsory acquisition powers are necessary, those powers should be restricted to the minimum land and rights reasonably required for the delivery, operation and maintenance of the Fosse Green Energy Project and should not be capable of being exercised in a manner that is detrimental to the BESS Project. The Interested Party proposes that these rights are granted over land outside of the BESS Project's red line boundary i.e. to the south and sees no persuasive reason why this land has not already been included in the Applicant's submission, given they have been aware of the BESS Project's existence for a significant amount of time.

There is precedent in Schedule 11, Part 15 of the Beacon Fen Energy Park Order 2026, particularly paragraphs 196 and 203, which restrict the exercise of powers over land associated with another BESS development.

The Interested Party also notes that the Applicant's proposed development includes a significant BESS component. As both projects seek to operate within the same market and network environment, the Interested Party considers it particularly important that any compulsory acquisition powers do not result in any risk to the deliverability of the Interested Party's BESS Project, and that appropriate safeguards are included. We therefore request that the Secretary of State includes provisions within the Fosse Green Development Consent Order to protect the BESS Project and that the Applicant's plans and land rights are amended accordingly.

Until such protections are secured, the Interested Party maintains its objection to the compulsory acquisition powers sought. The Interested Party reserves all rights in relation to the necessity of the powers sought and any compensation, valuation or other claims arising from any compulsory acquisition of land or rights.

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Yours faithfully,



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