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Date: 4 August 2026
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To Whom It May Concern

Application by National Grid Electricity Transmission for an order granting development consent for the Norwich to Tilbury project

Interested Party Reference: [REDACTED]

Response to Deadline 8 – Closing Statements

This letter is sent on behalf of Pivoted Power LLP ("Pivoted Power") and Damsongreen Energyfarm Limited ("Damsongreen"), registered as Interested Parties for the above application under reference [REDACTED]. The relevant representation was originally submitted by Pivoted Power. Subsequently, a lease held by Pivoted Power has been assigned to Damsongreen, a fellow subsidiary of EDF Energy Renewables Limited. Damsongreen has developed a battery energy storage system facility and holds the benefit of a licence to generate electricity under the Electricity Act 1989. Damsongreen is a statutory undertaker for the purposes of the Planning Act 2008. This submission therefore addresses two separate sites affected by the DCO proposals: (i) the Pivot Battery Project cable route near Norwich Main Substation; and (ii) land over which Damsongreen has the benefit of a cable easement at Bullenhall Farm.

These Closing Submissions are made in response to the Examining Authority's Deadline 8 inviting Interested Parties to submit written closing statements.

The purpose of these submissions is to summarise the position of Pivoted Power and Damsongreen Energyfarm Limited at the close of the examination, in order to assist the ExA in preparing its report and recommendation to the Secretary of State. Pivoted Power's Relevant Representation was submitted on 27 November 2025 (RR-2963).

1. Background – Norwich Main Substation

Pivoted Power is a wholly owned subsidiary of EDF Energy Renewables Limited. Pivoted Power is developing a battery energy storage system on privately owned land east of Norwich Main substation (the "Pivot Battery Project") which will be complete by the time that NGET seek to exercise any powers in the proposed DCO.

Rights for the cable route connecting the Pivot Battery Project to the NGET Norwich Main substation were granted by National Grid Electricity Transmission plc ("NGET") under a Deed of Grant dated 18 July 2025. A mirror Deed of Easement was also granted to Ashgreen Energyfarm Limited in connection with the Bloy's Grove Solar Farm to the south. Part of the Pivot Battery Project cable route is included in the Order Land and interacts with National Grid's

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project. Pivoted Power laid its cable in 2025 and this now connects the Pivot Battery Project to the national grid.

2. **Potential Impacts of the DCO Works – Norwich Main Substation**

The proposed works under the DCO application include the ability for NGET to construct new accessways, hardstanding areas and carry out BNG works in proximity to, or potentially overlapping with, the route of Pivoted Power's cable.

3. **Statement of Common Ground – Norwich Main Substation Export Cable**

Pivoted Power (together with Ashgreen Energyfarm Limited) has entered into a Statement of Common Ground with National Grid dated July 2026 (examination document 8.3.25) which deals specifically with the electricity cable connecting the Pivot Battery Project to Norwich Main Substation (the "Cable SOCG").

The Cable SOCG deals with four matters, all of which are agreed:

(a) Project interface: The interface arrangements are to be agreed within Heads of Terms for a legal settlement agreement. The parties are in active negotiations and have committed to executing the legal settlement agreement once Heads of Terms are agreed.

(b) Access route and haul road: National Grid has agreed to use all reasonable endeavours not to obstruct Pivoted Power's access to their cable via the haul road for maintenance purposes, as set out in the Deed of Grant.

(c) Cable installation: National Grid has agreed that it will not exercise its powers under the DCO in a way that would damage, prevent or obstruct the cable, or require the cable to be removed, diverted or relocated, insofar as National Grid's Biodiversity Net Gain land interacts with the cable.

(d) Safeguarding measures: National Grid has agreed to use reasonable endeavours to ensure safeguarding against any damage to Pivoted Power's apparatus, with all reasonable precautions taken to minimise the risk of damage to the cable in compliance with approved Risk and Method Statements prior to commencing works within 15 metres of the cable.

Whilst all four matters in the Cable SOCG are recorded as agreed in principle, the substantive protections to give effect to these commitments have not yet been secured. Heads of Terms are being negotiated, but no side agreement or protective provisions have been agreed.

4. **Outstanding Matters – Norwich Main Substation**

Whilst Pivoted Power and National Grid have reached agreement on the matters set out in the Cable SOCG, the substantive protections necessary to give effect to the agreed positions have not yet been secured. Heads of Terms have been issued but remain under review and negotiation. As things stand:

(a) No protective provisions for Pivoted Power's benefit have been included in the draft DCO in respect of the export cable. Pivoted Power notes that the draft DCO includes protective provisions for the benefit of numerous other parties whose interests overlap with the Order Land, including Five Estuaries, North Falls, ScottishPower Renewables, East Anglia ONE, East Anglia THREE and others. Pivoted Power's position is analogous to these parties insofar as it has electrical infrastructure within the Order Land which will be directly affected by the DCO works.

(b) No side agreement has been completed to protect Pivoted Power's interests in respect of the export cable, although draft Heads of Terms have been issued by National Grid and remain under negotiation.

5. **Bullenhall Farm – Damsongreen Energyfarm Limited**

Damsongreen has developed a battery energy storage system facility at Bullenhall Farm, Bullen Lane, Bramford, Suffolk. The land affected by the DCO proposals is an area over which Damsongreen has the benefit of this cable easement. This will be affected by land plot B-20/177 as referenced in the Book of Reference (see Document 2.3 Works Plans – Section B sheet 20/22).

The Applicant has acknowledged Damsongreen's status as a statutory undertaker and has produced an Application under Section 127 and Section 138 of the Planning Act 2008 (examination document 8.29.16) in connection with Damsongreen's interest in the affected land.

Damsongreen is understood to have the benefit of the protective provisions for statutory undertakers contained in Part 1 of Schedule 16 to the draft DCO. However, as with the Norwich Main Substation cable, Damsongreen considers that bespoke protections are required to adequately protect its interests. Damsongreen is in discussions with National Grid regarding a side agreement, but no agreement has yet been reached on protective provisions or other terms in respect of Damsongreen's interests at Bullenhall Farm.

For the purposes of the Applicant's case under Section 127 and Section 138 of the Planning Act 2008, Damsongreen maintains its objection to the DCO. Damsongreen will only be in a position to withdraw this objection when an agreement has been completed which adequately protects its interests.

6. **Conclusion**

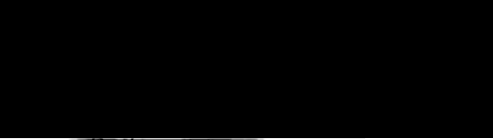
Pivoted Power and Damsongreen believe that National Grid's requirements for the use of the affected land at both Norwich Main Substation and Bullenhall Farm can exist in tandem with their own requirements. National Grid should continue to engage in full and meaningful negotiations to document appropriate arrangements.

National Grid is encouraged to progress matters with Pivoted Power and Damsongreen as soon as possible and during the post-examination period, with a view to either:

(a) the inclusion of protective provisions for Pivoted Power's and Damsongreen's benefit in the DCO; and/or

(b) the completion of side agreements to protect Pivoted Power's and Damsongreen's respective interests.

We respectfully request that the Examining Authority takes into account the representations set out above on behalf of Pivoted Power and Damsongreen when preparing its report and recommendation to the Secretary of State. We remain available to provide any further information that may assist the Examining Authority in its deliberations.



Partner

Eversheds Sutherland (International) LLP