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To the Applicant  
(By email only)

Your Ref:

Our Ref: EN010151

Date: 01 May 2025

Dear Mr Turnbull,

## **Planning Act 2008 – section 51**

### **Application by Beacon Fen Energy Park Limited for an order granting development consent for the Beacon Fen Energy Park**

#### **Advice following issue of decision to accept the application for examination**

On 01 May 2025 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the applicant provided under section 51 of the PA2008 in respect of these initial observations. The applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Environmental Statement Appendix 11.1 - Flood Risk Assessment (FRA) (Doc 6.3)**

Following the release of flood and coastal erosion risk data by the Environment Agency in January and March 2025, the applicant should be prepared to demonstrate that they have given due consideration to these updates, and where there are implications to the assessment, revise them accordingly. The applicant is also requested to demonstrate that UKCP18 has been taken into account in the FRA and that a 40 year operational period has been applied consistently across the FRA and relevant Environmental Impact Assessment (EIA) aspect topics.

#### **Consultation on the Flood Risk Assessment (FRA) (Doc 6.3) and the Habitat Regulations Assessment (HRA) (Doc 5.2)**

The application documentation does demonstrate that there has been engagement with the statutory consultees at pre-application stage. However, there is no specific evidence which sets out clear agreement relating to a number of matters. These include, for

example; agreement of methodology, assessment outcomes or mitigation for the FRA and HRA from statutory consultees. The Applicant should ensure that details of any agreements (or otherwise) are in place as soon as possible so that it can be satisfactorily dealt with during the examination.

### **Consultees identified on a precautionary basis**

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

### **Minor errors and omissions**

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.

Please pay close attention to the advice set out in this letter and act on it accordingly. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

*Naoual Margoum*

**Naoual Margoum**  
**Case Manager**

This communication does not constitute legal advice.

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