



B O S T O N

BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

Beacon Fen Energy Park (Project Reference: EN010151)

Boston Borough Council's

Local Impact Report (LIR)

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1. Introduction

- 1.1 Beacon Fen Energy Park Limited (the 'Applicant') has submitted an application for a Development Consent Order (DCO) for Beacon Fen Energy Park a 400 MW Solar Farm with 600 MVA Battery Energy Storage System with associated development and ancillary works (the 'Project').
- 1.2 This is the Local Impact Report (LIR) of Boston Borough Council, one of the host authorities for the Project.
- 1.3 Section 104 of the Planning Act 2008 (the 'Act') requires the Secretary of State to have regard to LIRs in deciding applications. The Act defines an LIR as "a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)" (section 60(3)).
- 1.4 Provided that the LIR fits within this definition, its structure and content is a matter for the Local Authority. However, guidance is provided by the Planning Inspectorate, which states that the LIR should set out the local authority's view of likely positive, neutral and negative local impacts, and give its view on the relative importance of different social, environment or economic issues and the impact of the scheme upon them.
- 1.5 This LIR has, therefore, been prepared in accordance with section 60(3) of the Planning Act 2008 (as amended) and having regard to the guidance in the Planning Inspectorate's Advice Note. Accordingly, it seeks to assist the Examining Authority (ExA) by presenting Boston Borough Council assessment of the likely impacts of the Project, based on local information, expert judgement, and evidence.
- 1.6 This LIR appraises the impacts likely to result from the Project and identifies whether the impacts are considered to be negative, positive or neutral, taking into account proposed mitigation measures. It also considers whether further work should be undertaken, including mitigation, to address negative issues identified, and raises any missed opportunities for enhancement measures.
- 1.6 The LIR does not reflect the views of the County and nor does it make comments upon matters that are the County Councils Statutory Function such as include acting as Local Highway and Transport Authority, Minerals & Waste Planning Authority and Lead Local Flood Authority.
- 1.7 In producing this LIR, Boston Borough Council has not sought the views of the public or local interest groups as to any particular matters that should be reflected in the LIR.
- 1.8 Boston Borough Council are a neighbouring authority in relation to the proposed solar farm itself, however, the cable route and grid connection are within the Borough Council area and comments made relate to the potential impacts from the works associated with the cable route and the extension to the Substation at Bicker Fen.

2. Description of the Area

- 2.1 The Beacon Fen Energy Park is located in the neighbouring local planning authority of North Kesteven District Council (NKDC) and it is the works associated with the southern extent of the cable route and the extension to the Substation at Bicker Fen that are within Boston Borough's area.
- 2.2 The natural environment in Boston Borough is characterized by its flat, open landscape, extensive waterways, and sparse woodland cover with shelter belts around farmsteads being a notable exception. The area is heavily influenced by its proximity to The Wash, (a large bay and wetland with associated salt marshes, mudflats, and open water) and the network of rivers like the River Witham, drains, and ditches dominates the landscape, channelling water towards The Wash.
- 2.3 The Wash and surrounding areas support diverse wildlife and habitats, including internationally important wetland ecosystems designated as a RAMSAR site of international significance. The area's low-lying land is susceptible to flooding from both fresh and saltwater, creating a dynamic coastal environment.
- 2.4 Boston Borough has a population of around 71,000, with a relatively low population density, particularly in its rural areas. The Borough lies at the centre of some of the country's most fertile land with farming, food processing, and related industries contributing to employment and revenue. The economy of the Borough is dominated by agriculture and horticulture as a consequence of this. Other businesses are largely ancillary; namely engineering, food processing/manufacturing and logistics (with a few notable exceptions).
- 2.5 The southern extent of the cable route runs from South Forty Foot Drain to the connection into Bicker Fen Substation for approximately 4 km. The Bicker Fen National Grid substation is currently screened by trees, but its presence is announced by the National Grid pylons that cross the land. The extension to the Bicker Fen substation is proposed to the southwest of the existing substation.
- 2.6 The landscape is flat agricultural land punctuated with trees, scattered dwellings, agricultural buildings and land drains. The largest land drain is the South Forty Foot Drain, which the cable route to the Bicker Fen National Grid substation crosses. The agricultural land is of a high grade predominantly Grades 1 and 2 and therefore constitutes Best and Most Versatile Agricultural Land.
- 2.7 PROW Bick 1/1 routes along the South Forty Foot Drain and PROW Bick 2/1 is located to the south east of the existing Bicker Fen Substation. The A17 lies to the northeast running north west to south east. Local roads cross the area and follow the drain also.
- 2.8 A number of residential properties lie in proximity to the existing substation the closest of which are within 250 metres being White House Farm, Popular Tree Farm, Crow Hall and Villa Farm. The settlements of Bicker, Swineshead and Bicker Gauntlet

are located to the south east, north east and south east respectively within the Borough. The land is low lying and located within Flood Zones 2 and 3.

- 2.9 There are also several other existing energy infrastructure developments in the landscape such as Bicker Fen Windfarm and Donington Windfarm. There is also a substation to the north of the National Grid substation for the Triton Knoll offshore wind farm and to the south (within South Holland District Council) for the Viking Link interconnector with Denmark.

3. Local Planning Policy Context

- 3.1 The Secretary of State (SoS) is required to have regard to any relevant national policy statement (NPS), amongst other matters, when deciding whether to grant a DCO. Where there is a relevant NPS in place DCO's are determined in line with Section 104 of the PA 2008 and where there are no relevant NPS in place then Section 105 of the PA 2008 takes effect and provides the basis for determining DCO. Section 105 requires the SoS to consider 'important and relevant' matters which includes this LIR and any other matters which the SoS thinks are both important and relevant to its decision. Section 104(2) of the Planning Act 2008 states that in deciding an application the Secretary of State must have regard to, inter alia, any local impact reports.
- 3.2 The NPS's set out assessment principles for judging impacts of energy projects and are a material consideration that the SoS will need to consider. The following NPS's are considered relevant to the determination of this DCO.
- EN-1 – Overarching National Planning Policy Statement for Energy
 - EN-3 – National Planning Policy Statement for Renewable Energy Infrastructure
 - EN-5-National Planning Policy Statement for Electricity Networks Infrastructure (in so far as it relates to the cable corridor and the grid connection.)
- 3.3 The PINS Advice Note for the preparation of LIRs refers to the inclusion of relevant development plan policies, supplementary planning guidance, development briefs or approved masterplans.
- 3.4 The South East Lincolnshire Local Plan 2011-2036 (SELLP) was adopted jointly by South Holland and Boston Borough Council on the 8 March 2019. The relevant policies within the South East Lincolnshire Local Plan 2011-2036 are:
- Policy 1 'Spatial Strategy' (Part D) - requires Countryside development to be necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.
 - Policy 2 'Development Management'– requires proposals to demonstrate sustainable development considerations have been met through a number of criteria.
 - Policy 3 'Design of New Development' – requires development to create distinctive places through the use of high quality and inclusive design, demonstrating compliance with a number of considerations.
 - Policy 4 'Approach to Flood Risk' – developments must satisfy the sequential test and be supported by a site-specific flood risk assessment covering risk from all sources of flooding including the impacts of climate change. It must be demonstrated that surface water from the development can be managed and will not increase the risk of flooding to third parties.

- Policy 28 'The Natural Environment' – Requires the protection, enhancement and management of natural assets, by ensuring all development proposals provide an overall net gain in biodiversity.
- Policy 29 'The Historic Environment' - Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced.
- Policy 30 'Pollution' Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon: health and safety of the public; the amenities of the area; or the natural, historic and built environment; by way of: air quality, including fumes and odour; noise including vibration; light levels; land quality and condition; or surface and groundwater quality.
- Policy 31 'Climate Change and Renewable and Low Carbon Energy' - All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated.
- Policy 32 'Community, Health and Well Being' (Part 1) – requires development to contribute to the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being. To this end, development will not be permitted unless it (where possible and appropriate) protects and enhances existing public rights of way, and creates new links to the rights of way network (part 1).

3.5 These policies are provided in full at Appendix A to this LIR.

4 Summary of the Proposed Development

- 4.1 The Project consists of 400 MW Solar Farm with 600 MVA Battery Energy Storage System with a 13km underground cable to connect into the Bicker Fen Substation that will also require extension works. However, within the Borough, the infrastructure is proposed to consist of the southern extent of the Cable Corridor and connection into Bicker Fen Substation including its extension along with Construction Compounds. The DCO describes the infrastructure within the Borough in Work Numbers as follows:
- Work Number 4A – Cable
 - Work Number 4B – Construction Compounds
 - Work Number 5 - Electrical Bay at Bicker Fen
 - Work Number 5B - Extension to the substation at Bicker Fen
 - Work Number 5C – Cabling into the connection with Substation
 - Work Number 5D - Temporary Laydown area
 - Work Number 5E -Landscaping, Biodiversity, enhancement measures and drainage infrastructure
 - Work Number 10 – Works to facilitate Access
- 4.2 The Cable Corridor would enter the Borough crossing the South Forty Foot Drain via an HDD trenchless crossing at a depth of 25 metres, the route then crosses agricultural land to the Bicker Fen Substation. The Cable Corridor would have a working width of 30 metres during construction with an open trench of approx. 2m x 2.5m.
- 4.3 Construction Compounds would be located adjacent to the South Forty Foot Drain and at North Drove near to White House Farm. The Construction Compounds would be approximately 2 hectares in area.
- 4.4 The extension works to the substation would be located to the southwest of the existing Bicker Fen Substation and would require a laydown area.
- 4.5 Access routes would be via Vicarage Drive with access into Bicker Fen Substation, Double-twelve Drove and along South Forty Foot Drain and Bicker Drove along South Forty Foot Drain onto the A17. Street Works would be required to Double twelve Drove, Bicker Drove, Vicarage Drove and the A17 junction.

5 Local Impacts

5.1 Overarching Comments and Principle of Development

- 5.1.1 It is acknowledged that the Project would make a significant contribution to the provision of renewable energy, however, there are number of matters of significant concern that are presented within this LIR. Therefore, it is crucial that essential mitigation, enhancement, and compensation is in place to ensure that the Project leaves a positive lasting legacy within the Borough.
- 5.1.2 The principle for the solar array site will be considered against national policy and the policy of the Central Lincolnshire Local Plan, which is the Local Plan for NKDC. It is the relevant local plan for the site of the solar array.
- 5.1.3 The cable route and extension to the Bicker Fen Substation lies within Boston Borough and the issues will be considered against national policy and Policy 31: Climate Change and Renewable and Low Carbon Energy of the SELLP (See Appendix A), which is the Local Plan for Boston Borough.
- 5.1.4 Policy 31 of the SELLP is split into two parts, A: climate change and B: renewable energy. Part B states that with the exception of wind energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided individually or cumulatively they would not cause significant harm to the following; visual amenity, landscape character or quality, residential amenity, highway safety, agricultural land take, aviation and radar safety, heritage assets and the natural environment.
- 5.1.5 In the context of Policy 31 Part B the principle of development is therefore reliant upon whether individually or cumulatively the Project would not cause significant harm to the following: visual amenity, landscape character or quality, residential amenity, highway safety, agricultural land take, aviation and radar safety, heritage assets and the natural environment. Therefore, the proposed mitigation of adverse effects is an important consideration.
- 5.1.6 In this regard BBC and other stakeholders must have confidence that the commitments and mitigation measures proposed by the Applicant to reduce the adverse effects presented, are secured sufficiently with the control documents and dDCO.
- 5.1.7 The Project offers significant positive impacts in terms of the production of clean renewable energy and the transition and movements towards Net Zero, but it must be demonstrated that there are no significant adverse environmental impacts that cannot be appropriately managed or mitigated through the DCO process.
- 5.18 The sections below consider the potential impacts of the development upon agricultural land, landscape and visual effects, ecological effects, socio economic impacts, cultural heritage, air quality, noise and vibration and effects of Construction

including Cumulative Impacts which the Examining Authority will need to balance these positive impacts against any negative impacts identified within this LIR.

5.2 Agricultural Land

Local Planning Policy

- 5.2.1 Policy 31 of the SELLP is split into two parts, A: climate change and B: renewable energy. Part B states that with the exception of wind energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided individually or cumulatively they would not cause significant harm to the following; visual amenity, landscape character or quality, residential amenity, highway safety, agricultural land take, aviation and radar safety, heritage assets and the natural environment.

ES Significance of Effects

- 5.2.2 The ES contains Chapter 14 on land use and agricultural land (APP-065) and the ES identifies significant adverse effects from the loss of best and most versatile agricultural land (for the whole development across NKDC and BBC).
- 5.2.3 The ES identifies the permanent loss of 2.7 hectares of BMVAL as a result of the construction of the extension to the substation and the cable sealing end. The ES considers the cable route as a temporary loss and the outline soil management plan is proposed as mitigation.
- 5.2.4 Requirement 16 of the draft DCO relates to the soil management plan, which will be substantially in accordance with the outline soil management plan (APP-176). The soil management plan will be discharged by BBC and NKDC respectively.

Baseline

- 5.2.5 The ALC map suggests Grades 1 and 2 land for the southern extent of the Cable Corridor and the Extension to the Substation and Cable sealing end within the Borough. For the purposes of the ES The Applicant has made assumptions that the land is the highest Grade of Agricultural Land.

Permanent Loss of Agricultural Land at the extension to Bicker Fen Substation site

- 5.2.6 Unlike the Solar Array site no soil survey has been carried out for the cable corridor or the Bicker Fen Substation extension site to determine the Grade of Agricultural Land (ES Chapter 14 (APP-065) confirms this at paragraph 14.4.7). Albeit paragraph 14.6.8 of the same ES chapter confirms a detailed soil survey of the cable corridor will be carried out pre-construction.
- 5.2.7 Loss of high grade BMVAL is a concern to BBC. The ES identifies the loss of BMVAL as significant adverse effect which the Borough agree with. BBC questions how the use of BMVAL has been minimised in relation to the Substation extension site and the southern extent of the cable corridor without detailed soil surveys. ALC survey is

required including cable corridor and substation extension site, to inform avoidance/minimisation and reinstatement.

Restoration of Agricultural Land within the cable corridor

- 5.2.8 BBC supports Natural England's advice that the 'Applicant to update the oSMP to make clear commitment to restoring the original ALC grade of all restored agricultural land' and that 'this reinstatement commitment should specify that all agricultural land to be restored will be returned to its original ALC grade, informed by the pre-development ALC surveys.'
- 5.2.9 Even with this commitment to ensure that agricultural land is restored to the original ALC grade there will be a temporary impact on agriculture and soils that will result in the temporary loss of agricultural production in the cable corridor area generally mostly very good and excellent quality agricultural land.

Conclusion

- 5.2.10 The proposed development is likely to have a mainly temporary impact on agriculture and soils that will result in the temporary loss of agricultural production in the cable corridor area generally mostly very good and excellent quality agricultural land.
- 5.2.11 There will also be the permanent loss of agricultural land from production from assumed excellent quality agricultural land (no ALC Survey has been carried out to determine the Grade of Agricultural Land lost) as a result of the extension to the existing Bicker Fen Substation.
- 5.2.12 There are therefore potential negative effects from the permanent loss of Best and Most Versatile Agricultural Land of approximately 2.7 hectares and temporary impact on agriculture and soils that will result in the temporary loss of agricultural production.

5.3 Landscape and Visual Impact

Local Planning Policy

- 5.3.1 The SELLP does not have a single policy that considers this issue. However, Policy 2: Development Management (See Appendix A), Policy 3: Design of New Development (See Appendix A) and Policy 31: Climate Change and Renewable and Low Carbon Energy (See Appendix A) do refer to elements of the proposal that impact landscape and visual impacts i.e. size, scale, layout, density, orientation, design, improving the character and quality of an area, protecting or incorporating existing built assets and green infrastructure.

ES Significant Effects

- 5.3.2 The ES contains Chapter 6 on Landscape and Visual Effects (APP-057). The ES finds a Significant Adverse Landscape Effects within the Borough to:
- the Holland Reclaimed Fens Landscape Character Area.
 - at Residential properties 10, 11, 12, 13, 14, & 15.

- at PROW Bick 2/1. and
- at A17 and Tileban Lane/Bicker Drove.

Requirement 7 of the dDCO relates to the landscape ecological management plan (LEMP), which will be substantially in accordance with the outline landscape ecological management plan. The LEMP will be discharged by BBC and NKDC respectively.

Baseline

- 5.3.3 The surrounding land falls with National Character Area 46 'The Fens' and Landscape Character Area Holland Reclaimed Fens that adjoins the The Wash Saltmarshes Landscape Character Area within the Borough.
- 5.3.4 Visual Receptors include Residential Properties are within 250 metres, 1km and 2 km of the Order Limits. These are Groups R10, R11, R12 and R15g at 250 metres, 13a, 14b, 14c, 15 a to f and 16a to 16e at 1km and at 2 km 13b and 14a. PROW Bick 1/1 and Bick 2/1 are in close proximity to the order limits.

Landscape and Visual Effect from the extension to the Bicker Fen Substation

- 5.3.5 BBC are concerned regarding the landscape and visual effect of the extension to the Bicker Fen Substation. Both the AIS and GIS Design options are 15 metres high as is the cable sealing end. Plantation Removal Plan ST 19595-381 REV1 shows the removal of:
- 0.71 ha of woodland and grassland/scrub to the South of the Substation.
 - 0.29 ha of grassland/scrub to the west of the substation
 - 0.76 ha of grassland/semi-improved grassland to the south of the Substation and
 - A line of trees totalling 0.17 ha to the south of the substation

The embedded mitigation is Design, OLEMP, OCEMP and ODEMP. There is no additional mitigation or a Landscape Strategy Plan for the extension to the Substation. The OLEMP mentions no mitigation just summarises the removal, the retention of a line of trees and what the effect is.

- 5.3.6 The Work Plans show areas for BNG, landscaping and drainage to the north east and the north west but not the South West where the extension to the Substation is proposed. There is no detail as what work number 5E in this location is meant to be i.e. BNG, Landscaping or drainage work nor is there any details on any proposals even if they would be illustrative at this stage.
- 5.3.7 There is therefore currently no mitigation plans for the landscape and visual effects of the extension to the Substation. Mitigation measures should be included either through site specific measures or via contributions secured via S106 Agreement.

Landscape and Visual Effect to Sensitive Receptors

- 5.3.8 Mitigation of Visual Effects to sensitive receptors Residential Properties (R10, 11, 12, 13,14 & 15) and PROW (Bick 2/1) is in the form of retention of existing vegetation and replacement within 2 years of vegetation removed within the cable corridor. The sensitive receptors Residential Properties are all outside of the Order Limits also so the Borough Council question how such a retention is controlled and whether in fact this is effective mitigation.

Loss of Landscape Features

- 5.3.9 BBC also seek clarity on the loss of landscape features in order to clarify whether losses are adequately justified and mitigated against. BBC's raises matters of clarification as follows:
- Vegetation Removal at the extension to Bicker Fen Substation- Vegetation Removal Plan 6.4.43c Fig 6.32 doesn't clearly show the same vegetation removed as above. The Applicant should provide clarification on Vegetation Removal Plans for the extension to Bicker Fen Substation i.e. potential to remove all the vegetation within the Order Limits associated with the Bicker Substation.
 - Vegetation Removal at South Forty Foot Drain a LWS -Vegetation Removal Plan 6.4.43c Fig 6.32 (APP-237) appears to show the removal of all vegetation within the LWS South Forty Foot Drain when HDD crossing is Proposed. The Applicant should provide Clarification on Vegetation Removal Plans for South Forty Foot Drain as the Borough Council are not why there is the need to show potential removal when the crossing method is committed as HDD trenchless crossing.

Conclusions

- 5.3.10 There are therefore potential negative effects from the Landscape and Visual Effect of the extension to the Bicker Fen Substation and the construction of the cable corridor. The Borough Council are also not clear on the loss of landscape features and whether losses are adequately justified and mitigated against.

5.4 Biodiversity Net Gain / Ecology

Local Planning Policy

- 5.4.1 The SELLP contains Policy 28: The Natural Environment (See Appendix A). This includes internationally and nationally designated sites such as the Wash SPA, SAC, Ramsar and SSSI designations. It also contains locally designated sites, Local Wildlife Sites and Local Nature Reserves. The policy also seeks to increase biodiversity on site as a result of development and to address gaps in the ecological network.

ES Significant Effects

- 5.4.2 The ES contains Chapter 7 on Ecology (APP-058) and a Shadow HRA (APP-050) to inform Appropriate Assessment has also been prepared. The ES identifies no significant residual effects upon ecology in the Borough. Requirement 7 of the dDCO relates to the landscape ecological management plan (LEMP), which will be substantially in accordance with the outline landscape ecological management plan. The LEMP will be discharged by BBC and NKDC respectively.

Baseline

- 5.4.3 Within the Borough the South Forty Foot Drain is a LWS that the Cable Corridor crosses as it enters the Borough.

Biodiversity Net Gain

- 5.4.4 BBC welcomes the Applicants commitment to BNG, in the Biodiversity Net Gain Strategy (APP-280) particularly as BNG is not yet a mandatory requirement for NSIPs. However, none of that BNG benefits the Borough as all of the measures are outside of its administrative area.

Impact upon South Forty Foot Drain

- 5.4.5 Vegetation Removal Plan 6.4.43c Fig 6.32 shows all vegetation removed (potentially) despite the crossing being confirmed as HDD. BBC are concerned that if there is potential to remove all the vegetation within the LWS then the Applicants confirmed use of the HDD trenchless crossing to cross the South Forty Foot Drain may not be as fixed as the ES suggests.
- 5.4.6 There is therefore concern that the Impact upon South Forty Foot Drain a Local Wildlife Site where the cable corridor crosses it particularly in regard to the potential loss of vegetation and clarity upon the crossing technique to be utilised is uncertain and maybe worse if all the vegetation was removed and the crossing technique changed.

Conclusion

- 5.4.7 There are therefore potential negative effects from the ecological/BNG effects of the extension to the Bicker Fen Substation and the construction of the cable corridor.

5.5 Socio Economics

Local Planning Policy

- 5.5.1 The SELLP does not have a single policy that considers this issue. However, Policy 31: Climate Change and Renewable and Low Carbon Energy (See Appendix A) does relate to this issue in part owing to it supporting renewable energy development. As a consequence, it encourages economic activity through the construction of such schemes and with its links to mitigating climate change ameliorates societal impact.

ES Significant Effects

- 5.5.2 The ES contains Chapter 7 on Socio Economics (APP-066). The ES identifies moderate beneficial effects (significant) to the Borough upon generation of employment and GVA during construction.

Requirement 17 of the dDCO relates to the skills supply chain and employment plan, which will be substantially in accordance with the outline skills supply chain and employment plan (APP-179). The skills, supply chain and employment plan will be discharged by BBC and NKDC respectively.

Socio Economic Benefits

- 5.5.3 BBC welcomes the OESP but are uncertain about how the overarching positive impacts will benefit members of the local community within the BBC area.
- 5.5.4 BBC are also concerned regarding the impact upon the agricultural sector in terms of the impact on agriculture and soils that will result in the temporary loss of agricultural production.

Conclusions

- 5.5.5 There are therefore potential neutral effects from the socio-economic effects of the extension to the Bicker Fen Substation and the construction of the cable corridor.

5.6 Air Quality, Noise and Vibration

Local Planning Policy

- 5.6.1 The SELLP contains Policy 30: Pollution which considers air quality as well as other issues including fumes and odour, light levels and noise and vibration. Policy 30 states that Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon: health and safety of the public; the amenities of the area; or the natural, historic and built environment; by way of: air quality, including fumes and odour; noise including vibration; light levels; land quality and condition; or surface and groundwater quality.

ES Significant Effects

- 5.6.2 The ES contains Chapter 16 on Air Quality (APP-067) and Chapter 10 on Noise and Vibration (APP-061). The ES identifies no significant residual effects upon air quality and noise and vibration.
- 5.6.3 Requirement 12 of the draft DCO relates to the construction environmental management plan (CEMP), which will be substantially in accordance with the outline construction environmental management plan (APP-077). The CEMP will be discharged by BBC and NKDC respectively.
- 5.6.4 The Councils Environmental Health team considered the details regarding impacts on air quality and noise/vibration of the development and operational phases. The risks of significant impacts are very low.

Conclusions

- 5.6.5 There are therefore potential neutral effects from the Air Quality, Noise and Vibration Effect of the extension to the Bicker Fen Substation and the construction of the cable corridor.

5.7 General Impact of Construction Activities

Local Planning Policy

- 5.7.1 Policy 30 states that Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon: health and safety of the public; the amenities of the area; or the natural, historic and built environment; by way of: air quality, including fumes and odour; noise including vibration; light levels; land quality and condition; or surface and groundwater quality.

Construction Activities disruption

- 5.7.2 BBC are concerned about the significant disruption that will be caused to the community during the construction phase taking account of construction timelines being for the extension works to Bicker Fen Substation are proposed to take 60 weeks, the cable route 12 to 24 months and generally 2.5 to 5 years.

Cumulative Construction Activities Effects

- 5.7.3 BBC are also concerned over the potential for Cumulative Impact of Construction Activities from as number of NSIP Projects within the area.
- 5.7.4 Cumulative Impacts with consented DCO such as Heckington Fen in particular, but also other NSIP development within the vicinity in regard to construction Impacts including construction traffic routing. For context HGV traffic and construction routes for HGV's is a concern locally with all the development in and around Bicker Fen Substation.
- 5.7.5 There are a number of other NSIPs within the area some of which are consented and others that are at various stages within the process. These are Heckington Fen Solar Farm which the DCO is made and a whole host of National Grid Projects including EGL 3 & 4, EGL 5, G to W and WMEL. There are also Meridian Solar Farm, Outer Dowsing Offshore Windfarm and Ossian Offshore Windfarm. There are common connection points with Heckington Fen and this Project connect into Bicker Fen Substation.

Conclusions

- 5.7.6 There are therefore potential negative effects from the Construction Activity of the extension to the Bicker Fen Substation and the construction of the cable corridor.

5.8 Cultural Heritage

Local Planning Policy

- 5.8.1 The SELLP contains Policy 29: The Historic Environment which seeks to Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced.

ES Significant Effects

- 5.8.2 The ES contains Chapter 8 on Cultural Heritage (APP-059) and a Heritage Statement at Appendix 8.2 (APP-118). The ES identifies no significant residual effects upon Heritage Assets within the Borough.

Requirement 7 of the draft DCO relates to the landscape ecological management plan (LEMP), which will be substantially in accordance with the outline landscape ecological management plan. The LEMP will be discharged by BBC and NKDC respectively.

Baseline

- 5.8.3 There are no Designated Heritage Assets within the Order Limits. There are two Designated Heritage Assets within 1 km of the Order Limits (1232857 Bridge House & 1232896 The Mill) and three within 2 km of the Order limits (1232859 The Cottage , 1062017 Fore Lane Farmhouse and Stable & 1360492 Gaunlet House). All Grade II Listed Buildings.
- 5.8.4 There is one Non-Designated Heritage Assets (MLI 187509) within the Order Limits. This is identified as Neolithic flint scraper on land at Bicker Fen; this was found close to a geotechnical borehole as part of evaluation works at Bicker Fen Substation in 2005. There are four outside the Order Limits (MLI 90719, MLI 12574, MLI 12570, MLI 12569) which are all related to find spot records.
- 5.8.5 BBC also have an agreement with the County Council, that they will act on the Boroughs behalf in relation to Archaeology and the contents are however confined to built heritage matters.
- 5.8.6 Due to the location of the Heritage Assets in relation to the Order Limits it's unlikely that those Heritage Assets identified would be significantly affected by the Proposed Development.

Conclusions

- 5.8.7 There is therefore potential neutral impact upon above ground Heritage Assets.

6 Overall Conclusion

- 6.1 This LIR has undertaken a consideration of the potential impacts of the Beacon Fen Energy Park at the local level in respect of the BBC administrative area. It has considered both positive, negative and neutral impacts.
- 6.2 The LIR does not reflect the views of the County and nor does it make comments upon matters that are the County Councils Statutory Function such as acting as Local Highway and Transport Authority, Minerals & Waste Planning Authority and Lead Local Flood Authority.
- 6.3 BBC also have an agreement with the County Council, that they will act on the Boroughs behalf in relation to Archaeology matters.
- 6.4 BBC notes the national benefits of the scheme in terms of the provision of renewable energy and the positive impact this will have on climate change.
- 6.5 However, there is uncertainty about how the overarching positive impacts will benefit members of the local community within the BBC area. BBC therefore considers that the socio-economic impact of the Project is neutral. BBC also notes other potential neutral impacts for Air Quality, Noise and Vibration and Cultural Heritage.
- 6.6 BBC have also identified a number of potential negative impacts, as follows: -
- The loss of agricultural land, including high quality Best and Most Versatile Agricultural Land.
 - The scale and significance of the impact on the landscape and visual amenity of the area including the impacts on Landscape Character Area, nearby residential properties and Public Rights of Way.
 - Biodiversity Net Gain and impact upon LWS South Forty Foot Drain.
 - The significance of disruption to the community during the construction phase



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BOROUGH COUNCIL

Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR

Beacon Fen Energy Park (Project Reference: EN010151)

Boston Borough Council's

Local Impact Report (LIR)

Appendix A: Relevant South East Lincolnshire Local Plan Policies

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Appendix A replicates the wording of the policies contained within the South East Lincolnshire Local Plan that are referenced within Boston Borough Councils Local Impact Report.

Policy 1: Spatial Strategy (Part D)

D. Countryside

The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside.

In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 2: Development Management

Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

- 1) size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
- 2) quality of design and orientation;
- 3) maximising the use of sustainable materials and resources;
- 4) access and vehicle generation levels;
- 5) the capacity of existing community services and infrastructure;
- 6) impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
- 7) sustainable drainage and flood risk;
- 8) impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
- 9) impact on the potential loss of sand and gravel mineral resources.

Policy 3: Design of New Development

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

- 1) creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
- 2) distinguishing between private and public space;
- 3) the landscape character of the location;
- 4) accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
- 5) the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
- 6) the lighting of public places;
- 7) ensuring public spaces are accessible to all;
- 8) crime prevention and community safety;
- 9) the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
- 10) the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
- 11) residential amenity;
- 12) the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
- 13) the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
- 14) the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
- 15) the appropriate use or reuse of historic buildings.

Policy 4: Approach to Flood Risk

Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:

- 1) It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local circumstances relating to the catchment area for the development justify a reduced search area, i.e. there is a specific need for the development in that location. The sequential test is not required for sites allocated in the Local Plan, minor development¹ or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site).
- 2) It can be demonstrated that essential infrastructure in FZ3a & FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 provide wider sustainability benefits to the community that outweigh flood risk.

- 3) The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which:
 - a) demonstrate that the vulnerability of the proposed use is compatible with the flood zone;
 - b) identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;
 - c) propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;
 - d) include appropriate flood warning and evacuation procedures where necessary (referring to the County's evacuation routes plan), which have been undertaken in consultation with the authority's emergency planning staff;
 - e) incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);
 - f) demonstrates that the proposal will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;
 - g) demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;
 - h) ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.

Development in all flood zones, and development over 1 hectare in size in Flood Zone 1, will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.

Change of use of existing buildings will be supported providing they do not pose an increase in risk to people. Change of use that would result in self-contained ground floor residential accommodation in areas of hazard rating 'danger for some', 'danger for most' and 'danger for all' will not be supported. In these areas unrestricted access to a habitable room above the flood level and an emergency evacuation plan will be required.

Caravans, mobile homes and park homes intended for permanent residential use will not be permitted in areas at risk of flooding. Caravan, chalet, log cabin, camping and touring sites at risk of fluvial flooding where there is a 'danger for most' and 'danger for all' will not be permitted. Occupancy of caravan, chalet, log cabin, camping and touring sites at risk of tidal flooding will not be permitted to open between 1st November in any one year and the 14th March in the succeeding year.

No development will be permitted within a 50m buffer from the toe of the raised Witham Haven Banks (flood defences), as shown on the indicative Plan contained in Appendix 10, to allow access for construction and maintenance.

Flood risk management infrastructure shall be provided at the strategic level, where development opportunities allow, to reduce the hazard and probability of flooding.

Policy 28: The Natural Environment

A high quality, comprehensive ecological network of interconnected designated sites, sites of nature conservation importance and wildlife-friendly greenspace will be achieved by protecting, enhancing and managing natural assets:

1. Internationally-designated sites, on land or sea

- a) development proposals that would cause harm to these assets will not be permitted, except in exceptional circumstances, where imperative reasons of overriding public interest exist, and the loss will be compensated by the creation of sites of equal or greater nature conservation value;
- b) all major housing proposals within 10km of The Wash and the North Norfolk Coast European Marine Site, including the Sustainable Urban Extensions in Boston (site Sou006 & Wes002), Spalding (site Pin024/Pin045) and Holbeach West (site Hob048), will be the subject of a project-level Habitats Regulations Assessment (HRA) to assess the impact of recreational pressure on The Wash and North Norfolk Coast European Marine Site. This should include:
 - i. locally-specific information relating to access and site sensitivities;

Where the project-level HRA concludes that avoidance and/or mitigation measures are required, it is expected that:

- ii. Suitable Alternative Natural Greenspace (SANGs) should be provided on site Sou006 and Wes002, site Pin024/Pin045 and site Hob048 as part of their package of mitigation measures; or
- iii. all other major housing proposals should provide SANGs on-site and/or through a financial contribution to provide and/or enhance natural greenspace in the locality;
- iv. Suitable Alternative Natural Greenspaces should be designed in accordance with capacity and facility requirements in relation to the developments they mitigate for, best practice elsewhere and relevant evidence.

2. Nationally or locally- designated sites and protected or priority habitats and species

- a) development proposals that would directly or indirectly adversely affect these assets will not be permitted unless:
- i. there are no alternative sites that would cause less or no harm; and
 - ii. the benefits of the development at the proposed site, clearly outweigh the adverse impacts on the features of the site and the wider network of natural habitats; and
 - iii. suitable prevention, mitigation and compensation measures are provided.

3. Addressing gaps in the ecological network

- a) by ensuring that all development proposals shall provide an overall net gain in biodiversity, by:
- i. protecting the biodiversity value of land, buildings and trees (including veteran trees) minimising the fragmentation of habitats;
 - ii. maximising the opportunities for restoration, enhancement and connection of natural habitats and species of principal importance;
 - iii. incorporating beneficial biodiversity conservation features on buildings, where appropriate; and maximising opportunities to enhance green infrastructure and ecological corridors, including water space; and
 - iv. conserving or enhancing biodiversity or geodiversity conservation features that will provide new habitat and help wildlife to adapt to climate change, and if the development is within a Nature Improvement Area (NIA), contributing to the aims and objectives of the NIA.

Policy 29: The Historic Environment

Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced. Opportunities to identify a heritage asset's contribution to the economy, tourism, education and the local community will be utilised including:

- The historic archaeological and drainage landscape of the Fens;
- The distinctive character of South East Lincolnshire market towns and villages;
- The dominance within the landscape of church towers, spires and historic windmills;

To respect the historical legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets, such as important known archaeology or that found during development, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

A. Listed Buildings

- 1) Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.
- 2) Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy⁹.
- 3) Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building.

B. Conservation Areas

Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:

- 1) Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
- 2) Retain architectural details that contribute to the character and appearance of the area;
- 3) Where relevant and practical, remove features which are incompatible with the Conservation Area;
- 4) Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
- 5) Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;
- 6) Aim to protect trees, or where losses are proposed, demonstrate how such losses are appropriately mitigated against.

C. Archaeology and Scheduled Monuments

- 1) Proposals that affect archaeological remains, whether known or potential, designated or non-designated, should take every reasonable step to protect and, where possible, enhance their significance.
- 2) Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.
- 3) If initial assessment does not provide sufficient information, developers will be required to undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site.
- 4) Wherever possible and appropriate, mitigation strategies should ensure the preservation of archaeological remains in-situ. Where this is either not possible or not

desirable, provision must be made for preservation by record according to an agreed written scheme of investigation submitted by the developer, undertaken by a suitably qualified person, and approved by the Local Planning Authority.

- 5) Any work undertaken as part of the planning process must be appropriately archived in a way agreed with the Local Planning Authority.

D. Registered Parks and Gardens

Proposals that cause substantial harm to a Registered Park or Garden, or its setting will not be permitted, unless in an exceptional case, where a clear and convincing justification is made in line with national policy.

E. Enabling Development

Proposals for enabling development adjacent to, or within the setting of, a heritage asset and used to secure the future of a heritage asset through repair, conservation, restoration or enhancement will only be permitted where:-

- 1) it will not materially harm the heritage values of a heritage asset or its setting;
- 2) it avoids detrimental fragmentation of management of the heritage asset;
- 3) it will secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose;
- 4) it is necessary to resolve problems arising from the inherent needs of the heritage asset rather than the circumstances of the present owner or the purchase price paid
- 5) sufficient subsidy is not available from any other source;
- 6) it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the heritage asset and that its form minimises harm to other public interests; and
- 7) the public benefit of securing the future of the heritage asset through such enabling development decisively outweighs the dis-benefits of breaching other policies within the Local Plan and national policy.

F. Development Proposals

Where a development proposal would affect the significance of a heritage asset (whether designated or non-designated), including any contribution made to its setting, it should be informed by proportionate historic environment assessments⁷ and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) that:

- 1) identify all heritage assets likely to be affected by the proposal;
- 2) explain the nature and degree of any effect on elements that contribute to their significance and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated;
- 3) provide a clear explanation and justification for the proposal in order for the harm to be weighed against public benefits; and

- 4) demonstrate that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long term use of the asset.

Policy 30: Pollution

Development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon:

- 1) health and safety of the public;
- 2) the amenities of the area; or
- 3) the natural, historic and built environment; by way of:
 - 4) air quality, including fumes and odour;
 - 5) noise including vibration;
 - 6) light levels;
 - 7) land quality and condition; or
 - 8) surface and groundwater quality.

Planning applications, except for development within the curtilage of a dwelling house as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development)(England) Order 2015, or successor statutory instrument, must include an assessment of:

- 9) impact on the proposed development from poor air quality from identified sources;
- 10) impact on air quality from the proposed development; and
- 11) impact on amenity from existing uses.

Suitable mitigation measures will be provided, if required. Proposals will be refused if impacts cannot be suitably mitigated or avoided.

Development proposals on contaminated land, or where there is reason to suspect contamination, must include an assessment of the extent of contamination and any possible risks. Proposals will not be considered favourably unless the land is, or can be made, suitable for the proposed use.

Policy 31: Climate Change and Renewable and Low Carbon Energy

A: Climate Change

All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated by:

- 1) employing a high-quality design;

- 2) the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;
- 3) the protection of the quality, quantity and availability of water resources, including for residential developments, complying with the Building Regulation water efficiency standard of 110 litres per person per day;
- 4) reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses;
- 5) incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity as required by Policy 28 to improve the resilience of ecosystems within and beyond the site.

B: Renewable Energy

With the exception of Wind Energy the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm to:

- 1) visual amenity, landscape character or quality, or skyline considerations;
- 2) residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;
- 3) highway safety (including public rights of way);
- 4) agricultural land take;
- 5) aviation and radar safety;
- 6) heritage assets including their setting; and
- 7) the natural environment.

Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational.

Proposals by a local community for the development of renewable and low-carbon sources of energy, in scale with their community's requirements, including supporting infrastructure for renewable energy projects, will be supported and considered in the context of contributing to the achievement of sustainable development and meeting the challenge of climate change and against criteria B1-7.

Policy 32 Community, Health and well-being (Part 1)

Development shall contribute to: the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being. To this end, development will not be permitted unless it (where possible and appropriate):

- 1) protects and enhances existing public rights of way, and creates new links to the rights of way network;