



# B O S T O N

## BOROUGH COUNCIL

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

Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Date: 7<sup>th</sup> October 2025  
Email: [REDACTED]@e-lindsey.gov.uk  
Our ref: B/25/0225  
Your ref: EN 010151

Dear Sir,

**Re: EN 010151 - Beacon Fen Energy Park – Section 90 Planning Act 2008.**

**Boston Borough Councils - Written Representation – Deadline One Submission - 7<sup>TH</sup> October 2025.**

The letter sets out Boston Borough Council (BBC) Written Representation to the above Project.

### Introduction

This Written Representation confirms the position of Boston Borough Council in respect of the proposed development and should be read in conjunction with the Council's Local Impact Report. The Local Impact Report sets out in more detail the Council's assessment of what it considers to be some of the key issues insofar as they impact upon Boston Borough.

The ES determines Significant Adverse Effects that directly affect the Borough as follows:

- Loss of Best and Most Versatile Agricultural Land
- Landscape effects upon the Holland Reclaimed Fen Landscape Character Area
- Visual Effects upon residential receptors R10, R11, R12, R13, R14 & R15.
- Visual Effects upon recreational receptors PROW Bick 2/1 and the highway network from the A17 and Bicker Drove.

Overall, Boston Borough Council supports the principle of the proposed development which is to make a significant contribution towards the generation of clean sustainable energy supplies. However, these positive aspects must be balanced against environmental effects which may result in some negative impacts.

There are a number of issues raised in the Local Impact Report that were attributed a potentially negative effect and need to be satisfactorily addressed by the Applicant as follows:

- The loss of agricultural land, including high quality Best and Most Versatile Agricultural Land.





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- 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

### Potentially Negative Effects

The next section takes each of the potential negative effect identified within the Local Impact Report in turn.

### Loss of Best and Most Versatile Agricultural Land

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. ES Chapter 14 (APP-065) confirms at paragraph 14.4.7 no detailed soil survey of the cable corridor of the Bicker Fen Substation extension site has been carried out. 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. 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.

Reinstatement of BMVAL should be to the same Agricultural Grade as the land was prior to commencement. BBC supports NE advice that the 'Applicant to update the Outline Soil Management Plan 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.'

### Visual Effect of the extension to the Bicker Fen Substation and the construction of the cable corridor.

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 the vegetation.

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.

The authorised works show work number 5E as further works in connection with the extension to the existing substation including—





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- (i) landscaping and biodiversity mitigation and enhancement measures including planting; and
- (ii) the laying and construction of drainage infrastructure.

The Work Plans show 5E to the north west and north east but there is no detail of which element falls where or indeed any detail of the individual elements even if detail was indicative at this stage.

There is therefore currently no mitigation for the landscape and visual effects of the extension to the Substation. The Applicant should clarify what Wok No 5E consists of and provide indicative details. In addition, mitigation measures should be included either through site specific measures or via contributions secured via S106 Agreement.

### **Visual Effects to sensitive receptors Residential Properties (R10, 11, 12, 13.14 & 15) and PROW (Bick 2/1)**

Mitigation is in the form of retention of existing vegetation and replacement within 2 years of vegetation removed within the cable corridor is proposed for sensitive receptors such as Residential Properties. Such Properties are outside of the Order Limits and the Borough Council questions how such mitigation is to be controlled. Vegetation Removal Plan 6.4.43c Fig 6.32 doesn't clearly show the same vegetation removed as above it is difficult to distinguish between removal and retention with the potential for all vegetation to be removed.

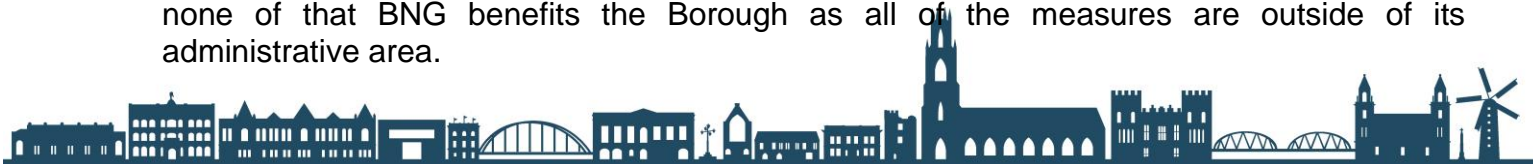
The Applicant should provide clarification on Vegetation Removal Plans for the extension to Bicker Fen Substation and the review the mitigation proposed to sensitive Receptors such as Residential Properties and how this is secured in the draft DCO.

### **Vegetation Removal at South Forty Foot Drain a LWS**

Vegetation Removal Plan 6.4.43c Fig 6.32 (APP-237) appears to show the potential removal of all vegetation within the LWS South Forty Foot Drain. The Borough do not understand why this is necessary, when the Applicant has committed too HDD crossing method (paragraph 2.8.3 of the Outline CEMP (APP-077)). The Applicant should provide Clarification on the Vegetation Removal Plans for South Forty Foot Drain and the commitment to use HDD trenchless crossing method at this location and how it is secured within the draft DCO .

### **BNG**

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.





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The Applicant should provide BNG measures that benefit the Borough either through site specific measures or via contributions secured via S106 Agreement.

### Socio Economics

BBC welcomes the OESP but are uncertain about how the overarching positive impacts will benefit members of the local community within the BBC area. 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. The Applicant should provide a Employment Skills and Education Contribution secured via S106 Agreement.

### Impact of Construction Activities

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 and generally 2.5 to 5 years.

BBC are also concerned over the potential for Cumulative Impact of Construction Activities from a number of NSIP Projects within the area. 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 the Bicker Fen Substation.

BBC seeks clarification and reassurance from the Applicant that all has been done that is possible to ensure that adequate construction impact management and mitigation is in place and secured within the Requirements of the draft DCO.

### Requirements of the draft DCO

The WR also sets out the Borough's comments on the wording of the Requirements as set out in Schedule 2 Part 1 of the draft DCO as follows:

- Throughout the wording of the Requirements the phrase '*no part of*' or '*that part*' are used without definition. The Borough Council assumes that the Applicant means '*part of*' as a '*phase of development*'. If this is the case, its suggested that an additional Requirement is inserted to require the submission of a Phasing Plan so that there is clarity in the Discharge of Requirements as to what phase is being discharged at any particular time.
- Throughout the wording of the Requirements the Phrase '*substantially in accordance with*' is used in respect of those Requirements that submissions to discharge the requirement are to be in accordance with the outline control documents. The Borough Council understand the Applicant desire for flexibility but is concerned that





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this form of language indicates that some matters contained within the Outline control documents will not be adhered to.

- Requirements 7, 8 and 12 require the submission of Control Documents and there is no direction as to what should be included in this document within the Requirement itself i.e. what the key components that should be included within the LEMP and Biodiversity Net Gain Strategy are. With the use of '*substantially in accordance with*' as above the Borough Council is concerned that important matters may not be included as part of the discharge of requirements on the basis that the submission is still substantially in accordance with the outline control document even though a commitment maybe missing.
- Query why Requirement 5 doesn't refer to Work Nos and that whether the reference to outline design principles includes plan no's 2.29 GIS building drawing (APP-032), 2.28 substation section drawing (APP-034), 2.27 substation layout (APP-033), 2.26 land take options (APP-032) for the Bicker Fen Substation extension as there are no design principles listed in the Design and Access Approach Document Appendix 1 Outline Design Principles (AS-019).
- Query why Requirement 14 only relates to work numbers 1, 2 and 3 in respect of operational noise and not Work Nos 5A and 5B that relate to the Extension of the Bicker Fen Substation.
- Requirement 16 should be amended to reflect Natural England's comments upon reinstatement to the original ALC grade of land which the Borough Council supports.

### Articles

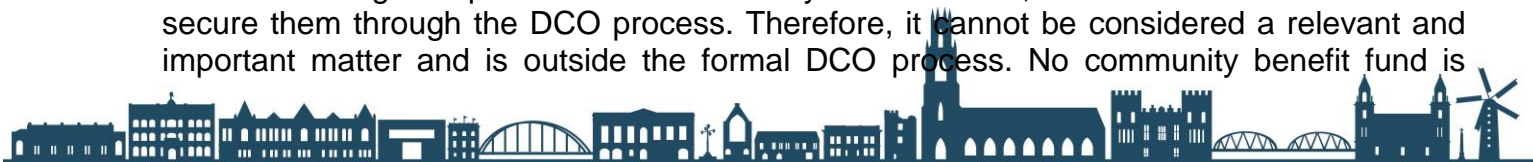
Part 6 Miscellaneous and general Article 43 provides a blanket approval for the felling or lopping trees or removal of hedgerows without the need to notify the relevant planning authority. There doesn't seem to be a requirement under this article for those trees felled or hedgerows to be removed to be replaced either. The Borough Council recommends that this article is amended as it appears to conflict with design principles and the contents of the OLEMP.

### Discharge of Requirement Fees

The Council is of the view that the proposed fee structure at article 23 (2) (a) to (c) would not adequately cover the Council's reasonable costs in fulfilling its obligations and would welcome further discussion with then Applicant on this matter.

### Community Benefit Fund

There is no legal requirement for community benefit funds, nor is there a mechanism to secure them through the DCO process. Therefore, it cannot be considered a relevant and important matter and is outside the formal DCO process. No community benefit fund is





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currently secured for this development. However, the Borough Council are open to engage with the applicant regarding the community benefit fund in the future.

### Conclusions

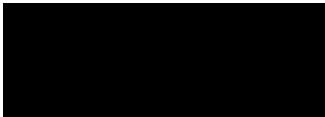
This Written Representation confirms the position of Boston Borough Council in respect of the Beacon Fen Energy Park and should be read in conjunction with the Council's Local Impact Report. It also provides initial comments upon the draft DCO in respect of the Requirements and Articles 43 and 23.

The Borough's Local Impact Report identifies a number of effects that are attributed a potential negative effect. The WR attempts to provide for areas of that the Applicant may provide clarification upon and suggests amendments and/or additions that would go some way to address the majority of the Borough Council concerns on the Beacon Fen Energy Park.

The Borough Council will work with the Applicant through the Statement of Common Ground process to move towards resolution of the matters that are identified as resolvable during the Examination.

If you have any queries, please do not hesitate to contact the case officer Joe O'Sullivan. Many Thanks.

Yours Faithfully



Joe O'Sullivan  
Nationally Significant Infrastructure Projects Manager

