

7 October 2025

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

Your Ref: EN010151
Our Ref: TAE/SHX/406888-00002

Dear Examining Authority

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

Planning Inspectorate reference EN010151

Written representation on behalf of Vicarage Drove Energy Centre Limited

1. This firm acts for Vicarage Drove Energy Centre Limited ("VDECL") and is instructed to submit this written representation in respect of the application for a Development Consent Order ("DCO") submitted by Beacon Fen Energy Park Limited ("the Applicant"), as accepted by the Planning Inspectorate on 1 May 2025 for examination under reference EN010151.
2. We refer to VDECL's relevant representation reference RR-034. For completeness those representations are restated here to the extent VDECL's position remains the same, and where appropriate updated to reflect the current status of engagement with the Applicant and/or updates to the examination documents or submission of new documents into the examination by the Applicant or other parties.
3. VDECL has leasehold interests in land to the south of Bicker Drove and to the north of Vicarage Drove, Boston PE20 3BQ ("the VDECL Land"). Pursuant to a planning permission granted by Boston Borough Council reference B/21/0443 granted on 17 February 2022 VDECL is currently constructing the solar farm known as Vicarage Drove Solar Farm on the VDECL Land. In RR-034 it was stated the anticipated date for energisation of the solar farm was 5th September 2025. Energisation has yet to take place and is now expected by early November 2025.
4. The proposed development for which Beacon Fen Energy Park Limited is seeking a DCO ("the Proposed Development") includes compulsory acquisition powers to permanently acquire rights over

part of the VDECL Land, being plots reference 18-52 and 18-56 as detailed in the Book of Reference (document reference PDA-002) and on sheet 18 of the Land Plans (document reference AS-005). We note the Applicant's Book of Reference – Schedule of Changes (document reference PDA-004) refers to removal of reference to VDECL's interest in plot 18-6. We confirm this change is appropriate and that VDECL's representations in respect of its land interests relate to the rights sought by the Applicant in respect of plots 18-52 and 18-56 only. As stated in the draft Order (document reference AS-008) the rights are sought to construct, operate, maintain and use Work No. 4A and to construct, operate, maintain, use, inspect and alter any protective works, access works, utility apparatus or other ancillary or related development (as set out in Schedule 1 (authorised development)) in connection therewith. Work 4A, as detailed in Schedule 1 of the draft Order, involves amongst other things works to lay electrical cables including open cut trenching, tunnelling, boring and drilling works for trenchless crossings.

5. Whilst VDECL does not object to the principle of the Proposed Development, the extent of the VDECL Land over which rights are sought is excessive. It is acknowledged that the applicant has adopted a precautionary approach to the land required for its cable run, including optionality as to the route of entry into the Bicker Fen substation to the east of the VDECL Land. Nevertheless, as proposed the draft Order seeks permanent new rights over land which will, from the imminent date of energisation of VDECL's solar farm, include the assets of an operational solar farm. The land parcels within the Order limits accommodate various apparatus including photovoltaic panels and inverters (together with underground/overground cables) along with on-site access tracks.
6. In light of the potential for disruption or damage to this critical energy infrastructure, VDECL wishes to retain its holding objection to the Proposed Development first stated in its relevant representation (reference RR-034) until such time as appropriate protective measures and/or private agreement is reached.
7. We note that subsequent to the submission of VDECL's relevant representation the Applicant has provided an updated Detailed Land and Rights Negotiations Tracker (document reference PDA-005). The entry for VDECL states "*Discussions on the draft protective provisions are ongoing between the Affected Person's solicitors and the Applicant's solicitors*". This is broadly correct though please note no further discussion regarding protective provisions and/or a side agreement have taken place since VDECL submitted its relevant representation. At the Applicant's request discussions have been paused whilst it undertook Ground Penetrating Radar (GPR) surveys on the VDECL Land in August 2025. The Applicant has explained the survey results are being considered in respect of implications for the proposed cable route. It remains the case that VDECL requires bespoke protective provisions (which remain with the Applicant for approval). Further VDECL continues to seek further information from the Applicant on when it expects to enter into negotiations to secure the rights being sought under the draft Order by voluntary agreement.
8. VDECL has also sought from the Applicant further details on the interaction between the Proposed Development and the rights secured by Ecotricity under the Heckington Fen Solar Park Order (including rights over the same parts of the VDECL Land). The Applicant's Electricity Grid Connection Statement (document reference APP-285) explains that NGET proposes to carry out the substation extension works for the Heckington Fen Solar Park Order and the Proposed Development as a single construction programme. VDECL must retain its objection until such time as appropriate

protective provisions are agreed and it is satisfied there is agreement as to the coordination of works between the two DCOs.

9. In addition to the powers of compulsory acquisition sought by the Applicant, until protective provisions are agreed VDECL objects to the inclusion of the two means of access to Vicarage Drove Solar Farm under Work 10 of the draft Order and as per the Works Plan (document reference AS-006), namely the points of access along Vicarage Drove to the south and Bicker Drove to the north of the VDECL Land. In light of the broad powers sought under Part 3 of the draft Order, VDECL must have assurance that it will continue to have suitable access to Vicarage Drove Solar Farm throughout the course of construction of the Proposed Development and at all times during which Vicarage Drove Solar Farm remains operational, as is critical for its ongoing safe operation and maintenance.
10. VDECL reserves the right to make further representations as part of the Examination of the Proposed Development. VDECL is committed to positive engagement with the Applicant with a view to reaching agreement and will provide further updates to the Examining Authority as necessary.

Yours faithfully



Ashfords LLP