



# BEACON FEN

## ENERGY PARK

Planning Inspectorate Reference: EN010151

Statement of Common Ground (Draft) with Lincolnshire County Council

Document Reference: 8.1

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## Quality information

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## Revision History

| Revision | Revision date     | Details                   | Authorised        | Name                 | Position                           |
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| Abbreviation         | Description  |
|----------------------|--|
| AC                   | Alternating Current  |
| AIS                  | Air Insulated Switchgear   |
| AMS                  | Archaeological Mitigation Strategy   |
| Applicant            | Beacon Fen Energy Park Ltd   |
| BBC                  | Boston Borough Council   |
| BESS                 | Battery energy storage system  |
| CCTV                 | Closed circuit television  |
| DC                   | Direct Current   |
| DCO                  | Development Consent Order  |
| EA                   | Environment Agency   |
| GIS                  | Gas Insulated Switchgear   |
| HV                   | High Voltage   |
| IDB                  | Internal Drainage Board  |
| LCC                  | Lincolnshire County Council  |
| <u>LFR</u>           | <u>Lincolnshire Fire and Rescue Service</u>  |
| Low Carbon           | Low Carbon Ltd   |
| MW                   | Megawatts  |
| NGR                  | National Grid Reference  |
| NKDC                 | North Kesteven District Council  |
| NPSs                 | National Policy Statements   |
| NSIP                 | Nationally Significant Infrastructure Project  |
| <u>OBSMP</u>         | <u>Outline Battery Safety Management Plan</u>  |
| OCEMP                | Outline Construction Environmental Management Plan   |
| <u>OCTMP</u>         | <u>Outline Construction Traffic Management Plan</u>  |
| ODEMP                | Outline Decommissioning Environmental Management Plan  |
| Order                | The Beacon Fen Energy Park Order   |
| PCU                  | Power Conversion Unit  |
| PINS                 | Planning Inspectorate  |
| Proposed Development | The entire development to be constructed and operated within the Site, as set out in Schedule 1 of the draft DCO   |
| PRoW                 | Public Right of Way  |
| PV                   | Photovoltaic   |
| Site                 | The entire <del>draft</del> Order Limits or red line boundary located approximately 6.5 km northeast of the village of Sleaford and 2.5 km north of Heckington |

| Abbreviation | Description                                     |
|--------------|---|
| SLR          | SLR Consulting, formerly Wardell Armstrong (WA) |
| SoCC         | Statement of Community Consultation             |
| SoCG         | Statement of Common Ground                      |
| SoS          | Secretary of State                              |
| WA           | Wardell Armstrong                               |

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# 1. Introduction

## 1.1 Overview

- 1.1.1 This Statement of Common Ground ('SoCG') with Lincolnshire County Council ('LCC') and Lincolnshire Fire and Rescue Service ('LFR') (**Application Document Ref. 8.1**) has been prepared on behalf of Beacon Fen Energy Park Ltd (the 'Applicant'). It relates to the application (the 'Application') ~~in support of an application~~ for a Development Consent Order ('DCO'), that has been submitted to the Secretary of State (the 'SoS') for the Department for Energy Security and Net Zero, under Section 37 of the Planning Act 2008 (the '2008 Act').
- 1.1.2 The Applicant is seeking development consent for a ground-mounted solar photovoltaic ('PV') electricity generation and battery energy storage system ('BESS'), together with associated grid connection infrastructure (the 'Proposed Development'), at an area sited approximately 6.5 km northeast of the village of Sleaford and 2.5 km north of Heckington (the 'Site'). The Proposed Development would have a generation capacity of approximately 400 megawatts ('MW') of electricity, with a 600MW BESS.
- 1.1.3 The Site corresponds to the entire ~~draft~~ Order Limits and represents the entire land area required for construction, operation and decommissioning of the Proposed Development. It is made up of the Solar Array Area (comprising the solar PV and BESS infrastructure) the Cable Route Corridor (comprising an electrical connection from the Solar Array Area to the Bicker Fen National Grid 400kV substation) and the Bespoke Access Corridor (for a bespoke access from the A17 to the Solar Array Area). This is termed the Bespoke Access Road.
- 1.1.4 The Proposed Development falls within the definition of a 'Nationally Significant Infrastructure Project' ('NSIP') under Section 14(1)(a) and Sections 15(1) and (2) of the 2008 Act, as it is an onshore generating station in England that would have a generating capacity greater than 50MW electrical output. As such, a DCO application is required to authorise the Proposed Development in accordance with Section 31 of the 2008 Act.
- 1.1.5 The DCO, if made by the SoS, would be known as 'The Beacon Fen Energy Park Order 2021' (the 'Order').

## 1.2 The Applicant

- 1.2.1 The Applicant is a subsidiary of Low Carbon Ltd ('Low Carbon'). Low Carbon is a privately-owned global renewable energy company.

## 1.3 The Proposed Site

- 1.3.1 The Site represents the entire ~~proposed~~ Order Limits and is located east of Sleaford in Lincolnshire. It extends to approximately 758ha and comprises of

three functional areas: the Solar Array Area, the Cable Route Corridor and the Bespoke Access Corridor.

## Solar Array Area

- 1.3.2 The Solar Array Area is approximately 529ha in size and located to the north of Heckington, centred at the National Grid Reference ('NGR') 514682 347825. The Solar Array Area is located wholly within the administrative areas of North Kesteven District Council ('NKDC') and Lincolnshire County Council ('LCC').
- 1.3.3 The Solar Array Area predominantly comprises agricultural land in arable use, divided by ditches with sparse tree cover that is limited to small woodland blocks and scattered hedgerow trees. A small reservoir is located in the south-west of the Solar Array Area.
- 1.3.4 The Solar Array Area is bound to the south, west and north by local highways, and bound to the east by the Car Dyke. Public Right of Way ('PRoW') Ewer/12/1 extends across the north-eastern corner of the Site, close to the northern Site boundary. There are no other PRoW within the Solar Array Area.
- 1.3.5 Villages in proximity to the Solar Array Area include:
- Howell immediately to the south-west, with Heckington c. 1.7km beyond;
  - Ewerby Thorpe immediately to the west, with Ewerby c. 1.1km beyond;
  - Anwick c. 2.7km to the north-west;
  - North Kyme c. 2.4km to the north; and
  - South Kyme c. 1.5km to the east.

## Cable Route Corridor

- 1.3.6 The Cable Route Corridor is approximately 183 ha in size and extends c. 13km south-east from the Solar Array Area to Bicker Fen substation, at NGR TF 19684 38599. The Cable Route Corridor is located wholly within the administrative area of LCC. The majority of the Cable Route Corridor is located within the administrative area of NKDC, however the southern section is located within BBC's administrative area.
- 1.3.7 Land use within the Cable Route Corridor is predominantly agricultural. A number of local highways cross the Cable Route Corridor, and the A17 crosses east to west within the north-west section of the Corridor. The railway linking Heckington west to Sleaford and east to Swineshead intersects the mid-section of the Corridor. There are a number of PRoW within the Cable Route Corridor, including one alongside the South Forty Foot Drain which also crosses the Cable Route Corridor.

## Bespoke Access Corridor

- 1.3.8 The Bespoke Access Corridor is approximately 45.4 ha in size comprising predominantly agricultural land and extends approximately 3km south-west from the Solar Array Area to the A17. The Bespoke Access Corridor is located wholly within the administrative areas of LCC and NKDC.
- 1.3.9 The Bespoke Access Corridor has been refined during the pre-application stage, informed by results from environmental surveys and consultation feedback.

- 1.3.10 Asgarby Road and Heckington Road crosses the Bespoke Access Corridor and there are four PRow located within the route.

## 1.4 The Proposed Development

- 1.4.1 The main components of the Proposed Development are summarised below and defined in Schedule 1 of the Draft DCO (AS-008).

### Solar Array Area

- 1.4.2 The Solar Array Area consists of solar PV panels and modular ground-mounting structures. The height of the panels considered will be up to 3.9m above ground level in fields to the east and 3.5m above ground level in fields to the west, south and an isolated field in the north. The proposal is for a fixed (i.e., static) panel orientation, facing due south (~~i.e., 180° azimuth~~) which is commonly seen on existing UK solar farms, and angled 10° to 45° from horizontal. Supporting infrastructure includes inverters, combiner boxes, transformers and switchgear converting the Direct Current ('DC') to Alternating Current ('AC') and stepping up the voltage so it can be exported to the National Grid. An inverter, transformer and switchgear comprised together is termed a Power Conversion Unit (PCU). ~~This could be located separately as an "Outdoor Solar Station" or enclosed within a single container, referred to as "Indoor Solar Station".~~
- 1.4.3 A 600MW BESS adjacent to the Onsite (~~'Solar Array Area'~~) Substation is included in the Proposed Development within the Solar Array Area. This will allow the electricity generated by the panels to be stored on site at times when grid demand is low, then exported at times of higher demand. ~~—~~ The BESS containers and switch rooms are anticipated to be up to 8m x 3m in size, with a height of up to 4.5m.
- 1.4.4 Low voltage onsite electrical cabling is required to connect the PV modules and BESS to the inverters (~~typically via 1.0/1.5kV cables~~), and the inverters to the onsite transformers (~~typically via 0.4/1.0kV cables~~). Higher voltage cables (~~typically 33kV~~) are required between the transformers and the switchgear and from switchgear to the substation.
- 1.4.5 A new Onsite Substation is proposed and would have up to four High Voltage (HV) transformers with a maximum footprint of no more than 40,000m<sup>2</sup> (e.g. 250m x 160m (or 200m x 200m)) and a height of up to 13m). The Onsite Substation ~~will~~ include a 33kV switchroom, control and storage buildings that would house office space and welfare facilities, as well as operational monitoring and maintenance equipment and equipment for reactive compensation and/or harmonic filtering. The design control building and office/welfare will be defined as part of detailed design.
- 1.4.6 ~~The~~ perimeter fence would likely comprise standard ~~up to 3m tall~~ post and wire, deer fencing up to 3m tall around the Solar Array Area. Security fencing, with up to 3.4m security fencing, will be installed around the substation compounds and, possibly, other infrastructure / compounds. Acoustic fencing, up to 4m tall, may be required around the BESS, subject to the detailed design and layout.



- 1.4.7 Mounted internal-facing closed circuit television (CCTV) systems will likely be deployed around the perimeter of the operational areas of the Site; anticipated to be 5m high. The CCTV cameras would have fixed view sheds and will be aligned to face along the fence. Motion detection security lighting will be used around the electrical infrastructure and potentially at other pieces of critical infrastructure.
- 1.4.8 During construction, temporary construction compounds will be required, as well as temporary roadways, to enable access to all the land within the Site. Localised earthworks to form suitable development platform for the substation and BESS will also be required.
- 1.4.9 There will be one primary access on the western edge of the Solar Array Area and a secondary access to the north, both of which will allow larger vehicles (including first responder vehicles) to access the BESS and On-site Substation. Tertiary operational access primarily for smaller vehicles is provided to the north west and south.
- 1.4.10 PRow Ewer/12/1 is being extended in a south and westerly direction as a permissive path terminating in the vicinity of Ewerby Thorpe, and will be in place for the operational duration of the ~~project~~Proposed Development. The exact, on-a route of the permissive path will~~be~~ determined via the discharge of a requirement in the Draft DCO (AS-008), but ~~approximately is anticipated to run~~running in a south easterly direction along Car Dyke then heading south west on the north side of Hodge Dike. An undetermined number of footbridges (unlikely to be more than eight in number) to cross existing watercourses, will be required and will require the usual water course crossing agreements to be sought with the relevant Internal Drainage Board (IDB) ~~agreements~~ in parallel with the discharge of the requirement.

### Cable Route Corridor

- 1.4.11 The ~~e~~Cable R~~oute connection~~ running between the Solar Array Area and the Bicker Fen 400kV Substation will be constructed through trenched methods and, where required, trenchless methods.
- 1.4.12 During construction, temporary construction compounds will be required approximately every 1-3 km, as well as temporary roadways, to enable access to all land. It is anticipated that there will be 6 main compounds that are distributed at approximately equal distances along the cable route to facilitate proper construction management. Smaller temporary compounds may also be located anywhere within the final working area.
- 1.4.13 ~~Replacement planting of V~~vegetation and hedgerows lost during construction of the Cable Route will be re-instated where possible subject to easement restrictions. implementation will be included around the Cable Route Corridor perimeter to provide visual amenity, reduce landscape impacts, and provide net gains for biodiversity.

### Bespoke Access Corridor

- 1.4.14 A dedicated access from the A17 to the Solar Array Area is required. It will be constructed in advance of material construction commencing on and to facilitate the construction of the development within the Solar Array Area and will facilitate construction in that area. During construction, temporary

construction compounds will be required which may be anywhere along the route.

- 1.4.15 The Bespoke Access Road will likely be the last component of the Proposed Development to be removed as it will be used to facilitate decommissioning of the Solar Array Area. Whilst it is assumed for the Environmental Statement ('ES') (APP-050 to APP-274)~~this assessment~~ that the road will be removed (unless otherwise stated in the relevant chapter), it is possible that engagement with the landowners at that time will establish a preference for it to be retained. Optionality has been deliberately retained in the Application to facilitate such a scenario.
- 1.4.16 There will be no permanent lighting installed and access will be controlled through gates at all stages.
- 1.4.17 ~~Replacement planting of vegetation and hedgerows lost during construction of implementation will be included around the Bespoke Access Road perimeter to provide visual amenity, reduce landscape impacts, and provide net gains for biodiversity will be re-instated.~~

### In any or all of the above areas

- 1.4.18 Along with the above, in any or all of the three areas, the Proposed Development will include the following (subject to certain requirements):
- Access tracks of between 3.5m to 9m width for construction access and routine maintenance when operational. Access tracks located adjacent to drainage ditches will incorporate the necessary ecological Environment Agency (EA) and/or Internal Drainage Board (IDB) buffers where required;
  - Boundary treatments, means of enclosure, security measures, and paths;
  - Landscaping and reinstatement planting and Biodiversity Net Gain related habitats;
  - Flood resilience measures including swales and storm water attenuation, and works to existing irrigation systems;
  - Utility diversions;
  - Bunds, embankments, protective works to buildings, maintenance and improvement of streets; and
  - Construction related (and decommissioning related) work sites.

### Bicker Fen Substation Works

- 1.4.19 The extension of Bicker Fen substation will include a new generation bay, a new generation bay control room and a perimeter access road. A new generation bay will also include electrical equipment required for connection to the transmission system.
- 1.4.20 National Grid Electricity Transmission plc ('NGET') have requested that there be optionality within the design of the extension to Bicker Fen substation. The two design options that have been assessed in the ES (APP-050 to APP-274) ~~Environmental Statement~~ and included in the Application are: Air Insulated Switchgear ('AIS') and Gas Insulated Switchgear ('GIS').

## Draft Development Consent Order

- 1.4.21 The Proposed Development is described in detail in Schedule 1 ~~to~~ **of the Draft DCO Development Consent Order (AS-008)**, and the areas in which each component (the 'Work Numbers') may be constructed are shown on the **Works Plans (AS-006)**.
- 1.4.22 The Proposed Development is split into 10 Work Numbers as follows:
- Work No. 1 – a ground mounted solar photovoltaic generating station with a gross electrical output capacity of over 50 megawatts;
  - Work No. 2 — a battery energy storage system compound and associated works (including fire safety infrastructure);
  - Work No. 3 — development of an onsite substation and associated works;
  - Work No. 4 — works in connection with electrical cabling and associated compounds;
  - Work No. 5 — works to the existing Bicker Fen National Grid substation to create a new generation bay and substation extension;
  - Work No. 6 — various ancillary works relating to the Solar Array Area, including cabling, fencing, security features, access tracks, watercourse crossings and landscaping and biodiversity mitigation measures;
  - Work No. 7 — construction and decommissioning compounds in connection with Work Nos. 1, 2 and 3;
  - Work No. 8 — works to create the Bespoke Access Road;
  - Work No. 9 — areas of habitat management; and
  - Work No. 10 — works to facilitate access to Work Nos. 1 to 9.
- 1.4.23 In addition, Schedule 1 to the **Draft DCO (AS-008)** lists other associated works (referred to as "further associated development") which may be carried out in connection with the construction of Work Nos. 1 to 10.

## 1.5 The Development Consent Order Process

- 1.5.1 As a NSIP, the Applicant is required to seek a DCO to obtain planning and other powers to construct, operate and maintain the generating station, in accordance with Section 31 of the 2008 Act. Sections 42 to 48 of the 2008 Act govern the consultation that an applicant must carry out before submitting an application for a DCO and Section 37 of the 2008 Act governs the form, content and accompanying documents that are required as part of a DCO application.
- 1.5.2 An application for development consent for the Proposed Development ~~will~~ has then been submitted to and accepted for examination by the Planning Inspectorate ('PINS') acting on behalf of the SoS. PINS is now examining the Application and will ~~Subject to the Application being accepted (which will be decided within a period of 28 days following receipt of the Application), PINS will then examine it and~~ make a recommendation to the SoS, who will then decide whether or not to make (grant) the DCO.

## 1.6 Purpose of this Document

- 1.6.1 This document is intended to summarise clearly the agreements reached between the Applicant and the parties on matters relevant to the examination

of the Application, in order to and assist the Examining Authority to understand progress of negotiations between the parties. –It has been prepared with having regard to the guidance in Planning Act 2008: Pre-examination stage for Nationally Significant Infrastructure Projects and Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, April 2024).

~~1.6.11.6.2~~ Once finalised, the SoCG will be submitted to the Examining Authority who will decide whether to accept it into the examination of the Application. 'Planning Act 2008: examination of applications for development consent' (Department for Communities and Local Government, March 2015).

~~1.6.2~~ The aim of this SoCG is therefore to provide a clear position of the progress and agreement met or not yet met between LCC and the Applicant on matters relating to the Beacon Fen Solar Farm.

1.6.3 It is intended that the SoCG will provide information for the examination process, facilitating a smooth and efficient examination and managing the amount of material that needs to be submitted. Updates to this document will be made periodically (and on request) during the examination, with a view to submitting a final signed version of the SoCG at the end of the examination.

~~1.7.0~~ Once finalised, the SoCG will be submitted to the Examining Authority concerning the Applicant's application under section 37 of the 2008 Act for an order granting development consent for the construction of the Beacon Fen DGO Project.

## 1.81.7 Role of key stakeholders

~~1.8.11.7.1~~ This SoCG refers to communications and correspondence between a number of key stakeholders. The role of each stakeholder is summarised Table 1.1 below.

Table 1.1 – Role of key stakeholders

| STAKEHOLDER   | ROLE   |
|---|--|
| <u>Beacon Fen Energy Park Limited</u>               | <u>The Applicant</u>   |
| Lincolnshire County Council ('LCC')                 | Local Planning Authority (County)  |
| <u>Lincolnshire Fire and Rescue Service ('LFR')</u> | <u>Fire and Rescue Authority, and cConsultee under Section 42(1)(a) of the 2008 Act</u>                  |
| North Kesteven District Council ('NKDC')            | Local Planning Authority (District) for part of the Proposed Development, including Work Nos 1-3 and 6-8 |
| Boston Borough Council ('BBC')                      | Local Planning Authority (District) for part of the Proposed Development, including Work No. 5           |
| DWD Property and Planning ('DWD')                   | Planning consultants for the Applicant   |
| <u>Wardell—SLR Consulting Armstrong ('SLRWA')</u>   | Environmental assessment consultants for the Applicant   |

|  |  |
|--|--|
| Pier   | Communication and stakeholder engagement consultants for the Applicant |
| <u>Herbert Smith Freehills Kramer LLP ('HSF Kramer')</u> | <u>Solicitors for the Applicant</u>                                    |
| <u>Ardent Management Limited ('Ardent Management')</u>   | <u>Land referencing consultants for the Applicant</u>                  |

~~It can be taken that any matters not specifically referred to in the 'Matters Agreed during Pre-Examination Stage' or 'Matters not yet agreed during Pre-Examination Stage' sections of this SoCG are not of material interest or relevance to the EA representations and have, therefore, not been considered in this SoCG.~~

1.7.2 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties, where agreement has not been reached (and that is the parties' final position) and where discussions are still ongoing.

## **1.91.8 Status of this Version**

~~1.9.11.8.1~~ This SoCG is intended to be prepared in consultation with LCC, and as such, the Applicant is providing this draft version of the SoCG to LCC for comment on the matters outlined in Section 3 ahead of submission into examination.

~~1.9.2 It is intended that the Applicant and LCC can agree on a draft version of the document for submission with the DCO application.~~

1.8.2 One or more further versions (revised drafts) may be agreed between the parties during the examination period and submitted to the Examining Authority to assist the examination of the Application.

1.8.3 It is intended that the Applicant and LCC can agree on a final version of the document ahead of Deadline 8.

1.8.4 The document is structured as follows:

- Section 2 – summarises the consultation undertaken with LCC and LFR, and correspondence sent by each party prior to examination;
  - Section 3 – sets out the matters agreed between LCC and the Applicant during pre-application stage;
  - Section 4 – sets out the matters agreed between LCC and the Applicant during pre-examination stage;
  - Section 5 – sets out the matters currently still subject to discussion between LCC and the Applicant;
  - Section 6 – sets out the matters agreed between LFR and the Applicant during pre-examination stage;
  - Section 7 – sets out the matters currently still subject to discussion between LFR and the Applicant.
- ~~Section 2 of this document summarises the consultation undertaken with LCC to date and Section sets out the matters agreed between the parties during the pre-examination stage in respect of the Application.~~



## 2. Summary of Key Consultation

2.1.1 The below **Table 2.1** contains a record of pertinent key correspondence between the Applicant ~~and~~, LCC and LFR.

**Table 2.1 – Summary of Correspondence**

| DATE              | FORM OF CORRESPONDENCE  | NOTES  |
|-------------------|---|--|
| 27/02/2023        | Meeting with LCC and <del>WA</del> SLR  | Introductory meeting.  |
| 20/03/2023        | Meeting with LCC, DWD and <del>WA</del> SLR                                       | Meeting to discuss project timeframes, steps and key issues from Council.  |
| 24/05/2023        | Meeting with LCC and <del>WA</del> SLR  | Meeting to discuss phased approach to the geophysical survey.  |
| 25/05/2023        | Meeting with LCC  | Briefing LCC Councillors on the project.   |
| 01/06/2023        | Meeting with LCC and <del>WA</del> SLR  | Meeting to discuss the geophysical survey results and archaeological approach.   |
| 13/06/2023        | Meeting with LCC Highways team and <del>WA</del> SLR transport planning team      | Meeting to discuss access routes and survey locations. <u>LCC outlined preference of 'left-in/left-out' access on the A17.</u>   |
| 10/08/2023        | Meeting with LCC and DWD  | Meeting to update LCC on the project changes, including the removal of 'Beacon Fen South'.   |
| 04/10/2023        | Draft Statement of Community Consultation ('SoCC') shared with LPAs               | It was requested that feedback on the SoCC was returned by 5pm on 8 November 2023. This provided a 36-day long consultation period, eight days longer than the 28-day period required by Section 47(3) of the PA 2008. |
| 20/10/2023        | Feedback on SoCC received from LCC.   |  |
| <u>27/10/2023</u> | <u>Meeting between the Applicant and LFR</u>                                      | <u>Introducing LFR to the Proposed Development and discussing the DCO process, activities being undertaken by the Applicant and working together going forward.</u>  |
| 21/11/2023        | Meeting with LCC and LCC Highways team  | Applicant briefing on the bespoke access road.   |
| 10/01/2024        | Joint meeting with LCC, NKDC and BBC with DWD, <del>SLR</del> WA and Pier.        | Meeting to brief LCC, BBC and NKDC. Discussed the Bespoke Access Road, mitigation masterplan and future engagement.  |
| 11/01/2024        | Meeting with LCC and DWD  | Update on the Bespoke Access Road, archaeology and community benefits.   |
| 17/01/2024        | Letter from DWD (on behalf of Applicant) to LCC                                   | Section 42 statutory consultation with project information, including the PEIR and non-technical summary.  |
| <u>17/01/2024</u> | <u>Letter and/or email from Ardent Management (on behalf of Applicant) to LFR</u> | <u>Section 42 statutory consultation letter sent advising commencement of the statutory consultation period on 22/01/2024 and providing project information, including the PEIR and non-</u>                           |

|                   |  |  |
|-------------------|--|--|
|                   |  | <u>technical summary. LFR returned an initial response to this consultation on 31/01/2024 and provided confirmation on 08/03/2024 that project changes do not change their initial advice. LFR returned a more detailed response on 25/04/2024 after statutory consultation had closed (a late response) however, the Applicant was able to consider the response.</u> |
| 12/12/2023        | Email from LCC   | Responses from LCC the list of cumulative developments to be considered in the Environmental Statement (ES).   |
| 07/02/2024        | Joint meeting with LCC, NKDC and BBC with DWD, <u>SLRWA</u> and Pier | Meeting to provide update to Councils during the statutory consultation period regarding progress and discuss biodiversity mapping.  |
| 08/03/2024        | Statutory Consultation response from LCC                             | In response to Section 42 consultation which commenced 1 January 2025.   |
| 03/04/2024        | Joint meeting with LCC, NKDC and BBC with DWD and Pier               | Meeting to provide update to Councils and discuss Councils' PEIR responses.  |
| 01/05/2024        | Joint meeting with LCC, NKDC and BBC                                 | Meeting to discuss Public Rights of Way and statutory consultation feedback on community benefits.   |
| <u>10/05/2024</u> | <u>Meeting between the Applicant and LFR</u>                         | <u>Project update meeting to discuss legislation and guidance, and the specifics of the Proposed Development including access, layout and water supply options.</u>  |
| 13/05/2024        | Joint meeting with LCC, NKDC and BBC                                 | Meeting to discuss community benefits.   |
| <u>24/05/2024</u> | <u>Letter from the Applicant to LFR</u>                              | <u>Response to matters raised by LFR in section 42 consultation.</u>   |
| 03/06/2024        | Meeting with <u>SLRWA</u> and LCC                                    | Meeting regarding the proposed bespoke access road.  |
| 26/06/2024        | Joint meeting with LCC, NKDC and BBC                                 | Meeting to discuss the project programme, permissive paths and community benefit.  |
| 28/08/2024        | Joint meeting with LCC, NKDC and BBC                                 | Meeting to discuss the second round of targeted consultation, permissive path, cable route and bespoke road red line boundary.   |
| 20/10/2024        | Letter from LCC to DWD   | LCC provided response on their review of the draft SoCC.   |
| 24/10/2024        | Meeting with Lincolnshire LNRS                                       | Applicant briefing the team developing the Lincolnshire Local Nature Recovery Strategies (LNRS).   |
| 08/11/2024        | Joint meeting with LCC, NKDC and BBC                                 | Meeting to provide Councils with a general update and information on archaeology, and discuss the adequacy of consultation milestone, principles of disagreement/ statements of common ground (SoCGs) and local employment plan. Following the   |

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|                   |  | meeting LCC with provided an email with permitting scheme information.   |
| 06/12/2024        | Email from LCC   | LCC comments on the Adequacy of Consultation Milestone confirming that the Applicant has, to date, carried out adequate pre-application consultation in accordance with the requirements as set out in ss. 42, 47 and 48 of the 2008 Act.  |
| 12/12/2024        | Email from LCC   | Feedback from LCC regarding proposed Targeted Consultation for project updates.  |
| 13/12/2024        | Letter from DWD (on behalf of Applicant) to LCC        | Targeted Consultation letter regarding project updates and changes.  |
| <u>13/12/2024</u> | <u>Letter from DWD (on behalf of Applicant) to LFR</u> | <u>Targeted Consultation letter regarding project updates and changes.</u>   |
| 06/01/2025        | Email from LCC   | Responses from LCC on review of updated list of cumulative developments to be considered in the ES.  |
| 18/12/2024        | Email from LCC   | Providing comments on proposed agenda for 15 January 2025 meeting.   |
| <u>20/12/2024</u> | <u>Email from HSF Kramer to LFR</u>                    | <u>Initial email regarding framework for draft protective provisions.</u>  |
| 15/01/2025        | Joint meeting with LCC, NKDC and BBC with DWD          | Meeting to provide Councils with a general update and discuss Councils s42 responses. Also discussed SoCGs and community benefit fund.   |
| 17/01/2025        | Targeted Consultation Response from LCC                | In response to Targeted Consultation which commenced 13 December 2024.   |
| <u>27/01/2025</u> | <u>Email from LCC Highways</u>                         | <u>LCC confirmed they would not seek to adopt any of the Bespoke Access Road. LCC confirmed that the applicant should ensure any junctions proposed within the existing adopted highway are suitable.</u>  |
| <u>12/02/2025</u> | <u>Letter and email sent from Low Carbon to LFR</u>    | <u>Proposed draft protective provisions provided to LFR. Response received from LFR on 12/02/2025, confirming that LFR were happy with the details contained within the protective provisions, but noting that as they will be contained within the <b>Draft DCO (AS-008)</b>, they will be subject to scrutiny by LRF's legal representative.</u> |

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| <u>05/03/2025</u> | <u>Meeting with LCC and HSF Kramer</u>       | <u>Meeting with LCC and HSF Kramer to review draft highway and streets articles of DCO.</u>   |
| <u>26/06/2025</u> | <u>Joint meeting with LCC, NKDC with DWD</u> | <u>Meeting to discuss matters and actions following submission of the Application. Provided Councils with a general update and discussed Councils key concerns.</u>   |
| <u>14/08/2025</u> | <u>Joint meeting with LCC, NKDC with DWD</u> | <u>Meeting to discuss ecology specific matters following submission of the Application, including Biodiversity Net Gain ('BNG'), BNG Monitoring, Great Crested Newt, Habitats Regulation Assessment and ecological streeting group.</u> |
| <u>15/08/2025</u> | <u>Joint meeting with LCC, NKDC with DWD</u> | <u>Meeting to discuss heritage specific matters following submission of the Application, including Asgarby Church, Kyme Tower, Boughton House, Howell Hall and Gashes Barn.</u>   |
| <u>02/07/2025</u> | <u>Representation from LCC</u>               | <u>Relevant Representation made to the Planning Inspectorate, including LFR comments.</u>   |

### 3. LCC: Matters Agreed during Pre-Application Stage

- 3.1.1 The below **Table 3.1** contains a list of ‘matters agreed’ between LCC and the Applicant correct at the date of the submission of the Application along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

**Table 3.1 – List of Matters Agreed with LCC during Pre-Application Stage**

| MATTER  | COMMENTARY  |
|---|---|
| Adequacy of consultation  | <p>LCC was consulted informally and formally by the Applicant throughout the pre-application process regarding the approach to consultation and content and scope of the Statement of Community Consultation (‘SoCC’). LCC provided comments on the draft SoCC, which were taken into account before the SoCC was published. Specialist Council officers have also been consulted in relation to highway, public rights of way and archaeology matters.</p> <p>The Applicant has consulted with LCC throughout the pre-application process and undertaken statutory (and targeted statutory) consultation in accordance with the requirements as set out in Sections 42, 47 and 48 of the 2008 Act.</p> <p>LCC has formed the view (letter dated 5 December 2024): <i>LCC is of the view that Beacon Fen Energy Park Ltd to date has carried out adequate pre-application consultation in accordance with the requirements as set out in Sections 42, 47 and 48 of the Act.</i></p>   |
| Need for a solar and battery project in general and of this scale | <p>National Policy Statements (‘NPSs’) and other UK national policy recognise that solar plays a key role in achieving the Government’s carbon reduction targets. NPS EN-1 sets out the urgent need for new electricity generation capacity and the importance of decarbonising the power and industrial sectors in the UK to meet climate targets, and the NPS’s require the Secretary of State to give significant weight to this needs case for renewable energy projects when considering an application.</p> <p>As per the Clean Power 2030 Action Plan, the Government expects at least a further 21.2GW in deployment of new renewable projects within just 6 years to reach their target of 45-47 GW, by 2030. To support this growth, an extra 23-27 GW of battery storage is needed by 2030 to provide flexible capacity.</p> <p><del>Noting that the Proposed Development has an anticipated connection date of 2029, it would make a significant contribution to achieving Government targets for both solar and battery storage.</del></p> <p>LCC agree that these are relevant statements from national policy in respect of solar development.</p> |
| Principles regarding the  | The Proposed Development will also include a new Bespoke Access Road from the A17 to the Solar Array Area, as well as a   |



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| proposed construction access arrangements (Solar Array Area)          | secondary access to the south. The Bespoke Access Road is required to provide direct access to the Solar Array Area from the highway network, as local roads were identified as not suitable for haulage of larger infrastructure. LCC agree with the principle that a Bespoke Access Road is preferable rather than the use of the local road network. In terms of the route selected LCC would need to review the submission documents to determine whether it would be the most suitable.   |
| Planning history  | The Applicant has provided a list of past planning decisions for the land within the proposed Order Limits (see <b>Appendix 21</b> ) based on the online public register along with information held by the Applicant relating to historical consents at the Proposed Development Site. LCC agree that the national planning history is accurate and that there is no relevant LCC planning history.   |
| Elements of the approach to archaeological evaluation pre-application | <p>The Applicant, <b>SLRWA</b> and LCC discussed the proposed approach to archaeological evaluation at several meetings throughout the pre-application stage.</p> <p>The Applicant also consulted with LCC regarding proposed project boundary changes and in an email on 17 January 2025, LCC confirmed that they had no objections to the changes under the assumption that these additional areas will be appropriately assessed for archaeological potential, as per the National Planning Policy Framework, EIA Regulations and NPS EN-1.</p> <p>LCC and the Applicant have agreed on the following matters relating to archaeology:</p> <ul style="list-style-type: none"> <li>• LCC and the Applicant have agreed on a suitable study area for the historic environment baseline assessment.</li> <li>• The methodological approach for the assessment, including desk-based assessment, geophysical survey and aerial assessment, has been agreed with the Applicant. All Written Schemes of Investigation for surveys have been submitted to and approved by LCC.</li> <li>• Full aerial assessment, comprising aerial photographic analysis and LiDAR analysis, has been completed for the full redline boundary.</li> </ul> <p>As requested by LCC and accepted by the Applicant, where the assessment indicates archaeological potential exists or an impact may occur, additional proportionate evaluation may be required at a suitable point before construction, to better understand the significance and potential impact.</p> <p>The Applicant has started consultations with the LCC archaeological officer to work towards broad agreement on the conclusions and recommendations for mitigation to be included within <b>ES Appendix 8.11: Archaeological Mitigation Strategy ('AMS') (APP-153)</b>.</p> |
| List of requirement discharge   | The Applicant has provided a list of documents to be submitted at requirement discharge stage (see <b>Appendix 32</b> ) that are proposed to control or mitigate the likely effects of the Proposed  |

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| documents – agreement to principle | <p>Development or provide enhancement or deliver policy benefits. The <del>Draft DCO (AS-008) submitted with the application</del> (<del>Application Document Ref: 3.1</del>) sets out the proposed timings and contents of these documents.</p> <p>LCC agree that the list of documents to be submitted at requirement discharge stage are of the type LCC would expect to see for a proposal of this type, however, other documents may be required and LCC will be able to comment further once it has had the opportunity to review the submission documents.</p>   |
| National planning policy           | <p>It is agreed between LCC and the Applicant that the following NPSs are relevant to the Application and provide the primary basis for decisions by the SoS in relation to the Application:</p> <ul style="list-style-type: none"> <li>• The Overarching NPS for Energy (EN-1);</li> <li>• The NPS for Renewable Energy Infrastructure (EN-3); and</li> <li>• The NPS for Electricity Networks Infrastructure (EN-5).</li> </ul> <p>It is agreed that the National Planning Policy Framework (December 2024) may also be relevant to the consideration of the Application.</p> <p>The Applicant has set out accordance with the relevant local planning policies in the <b>Planning Statement (APP-277)</b>.</p>   |
| Local development plan policy      | <p>It is agreed that section 104 of the PA 2008 states that the SoS must have regard to other matters that are 'important and relevant', and it is agreed that that includes the development plan(s) in force in the area. It is also agreed that EN-1 is clear that in the event of any conflict between a NPS and a local development plan document, the NPS prevails for the purpose of SoS decision-making given the national significance of the infrastructure concerned.</p> <p>It is agreed that the following LCC planning policy documents are most relevant to the Proposed Development:</p> <ul style="list-style-type: none"> <li>• South East Lincolnshire Local Plan 2011-2036</li> <li>• Central Lincolnshire Local Plan (adopted April 2023)</li> <li>• Lincolnshire Minerals and Waste Plan (Core Strategy and Development Management Policies adopted 2016 and Site Locations adopted 2017)</li> <li>• Lincolnshire County Council Green Masterplan (adopted 2020) including the Carbon Management Plan</li> <li>• Joint Lincolnshire Flood Risk and Water Management Strategy 2019-2050</li> <li>• Lincolnshire Local Transport Plan 5 (adopted 2022)</li> <li>• Lincolnshire County Council Highway and Flood Authority, Development Road and Sustainable Drainage Specification and Construction (adopted March 2021).</li> </ul> <p>It is further agreed that the following policies from each of the above documents are most relevant to the Proposed Development.</p> |

#### Central Lincolnshire Local Plan

- S1 - The Spatial Strategy and Settlement Hierarchy
- S5, Part E - Development in the Countryside (Part E: Non-residential development)
- S8 - Reducing Energy Consumption – Non-Residential Buildings
- S9 - Decentralised Energy Networks and Combined Heat and Power
- S10 - Supporting a Circular Economy
- S11 - Embodied Carbon
- S12 - Water Efficiency and Sustainable Water Management
- S14 - Renewable Energy
- S15 - Protecting Renewable Energy Infrastructure
- S16 - Wider Energy Infrastructure
- S20 - Resilient and Adaptable Design
- S21 - Flood Risk and Water Resources
- S34 - Non-designated Employment Proposals in the Countryside
- S45 - Strategic Infrastructure Requirements
- S47 - Accessibility and Transport
- S48 - Walking and Cycling Infrastructure
- S49 - Parking Provision
- S53 - Design and Amenity
- S57 - Historic Environment
- S59 - Green and Blue Infrastructure Network
- S60 - Protecting Biodiversity and Geodiversity
- S61 - Biodiversity Opportunity and Delivering Measurable Net Gains
- S66 - Tress, Woodland and Hedgerows
- S67 - Best and Most Versatile Agricultural Land

#### South East Lincolnshire Local Plan:

- 1 - Spatial Strategy (Part D)
- 2 - Development Management
- 3 - Design of New Development
- 4 - Approach to Flood Risk
- 28 - The Natural Environment
- 29 - The Historic Environment
- 30 - Pollution
- 31 - Climate Change and Renewable and Low Carbon Energy
- 32 - Community, Health and Wellbeing

#### Local Transport Plan 5

- Policy EC3
- Policy EC 5
- Policy GREEN4
- Policy ENV1
- Policy ENV5

#### Lincolnshire Minerals and Waste Plan

- Policy M11
- Policy M12

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|  | <p>LCC agree that the development plan documents listed are relevant to the proposed development. However, in terms of the relevance of specific policies, LCC would wish to review the submission documents to determine their individual relevance.</p>   |
| <p>PRoW and recreation (Solar Array Area)</p>  | <p>In addition to the permissive path proposed in the north-east of the site at the PEIR stage, the project will include another, longer permissive path through the east and centre of the solar array area, connecting these paths to the existing PRoW network (see <b>Appendix 43</b>). In principle, LCC are supportive of the Applicant committing to a substantial length of permissive path, with routing to be subject to the relevant requirements. The proposed routing includes 7 ditch crossings but the layout is indicative (and by definition the permissive path is indicative). The footbridges and permissive pathways will be for the duration of the operation of the Proposed Development only. LCC would wish to consider this further once the submission documents are available.</p> <p>There are a number of PRoW within the Cable Route Corridor, including one alongside the South Forty Foot Drain which also crosses the Cable Route Corridor. There are four PRoW located within the Bespoke Access Corridor. These are discussed in detail in the <b>Environmental Statement Chapter 15: Socio-Economics (APP-066)</b>.</p> <p>-</p> |
| <p><u>List of other nearby developments to be considered in cumulative impact assessment</u></p> | <p><u>A long list of cumulative developments was prepared and sent to LCC on 17th December 2024. The shortlist of developments considered within the inter-cumulative assessment (<b>Appendix 4.2: Cumulative Assessment: Short List (APP-082)</b>) was subsequently updated in respect of LCC responses, and LCC provided agreement to the list.</u></p>   |

## 4. LCC: Matters Agreed during Pre-Examination Stage

4.1.1 The below **Table 4.1** contains a list of ‘matters agreed’ between LCC and the Applicant, correct at the date of the submission of this SoCG.

**Table 4.1 – List of Matters Agreed with LCC during Pre-Examination Stage**

| <b>MATTER</b>                          | <b>COMMENTARY</b>  |
|--|--|
| <u>Mineral Safeguarding Assessment</u> | <u>While the site area intersects with a Minerals Safeguarding Area (MSA) for sand and gravel and Policy M11 of the Lincolnshire Mineral and Waste Local Plan technically requires the developer to provide a Minerals Assessment, LCC and the Applicant agree that there is no requirement to undertake a minerals assessment for this project.</u>   |
| <u>Landscape and visual effects</u>    | <p><u>While the Landscape and Visual Impact Assessment within <b>ES Chapter 6: Landscape and Visual (APP-057)</b> identifies that the Proposed Development would result in significant adverse visual effects at a Site level, which is of concern to LCC, the judgement and methodology applied within the LVIA is reasoned, though LCC will interrogate the findings in more detail during examination.</u></p> <p><u>It is agreed that the scale and extent of development would also lead to Significant Adverse effects on views from visual receptors, however the planting, if established effectively would go some way in screening and integrateing the proposals in views, upon which the reduction of the significant landscape and visual effects relies.</u></p>   |
| <u>Archaeology</u>                     | <p><u>The Applicant and LCC discussed the proposed approach to archaeological evaluation at several meetings throughout the pre-application and pre-examination stages.</u></p> <p><u>The following matters have now been resolved between the Applicant and LCC:</u></p> <ul style="list-style-type: none"> <li><u>• The final document detailing the baseline assessment results have been provided to LCC with the DCO submission, and LCC is satisfied that there will be sufficient baseline data to inform the final archaeological mitigation strategy (‘AMS’).</u></li> <li><u>• A draft form of the AMS was submitted with the Application (<b>APP-153</b>), which included confirmation that targeted trial trenching of the Cable Route Corridor and targeted excavation will be undertaken during construction in areas where it is likely that archaeological monitoring will occur. LCC provided feedback on the approach set out in the draft AMS(<b>APP-153</b>). The Applicant and LCC will continue to undergo consultation until the content is agreed. This approach has been discussed and confirmed by LCC.</u></li> <li><u>• A comprehensive geophysical survey of the Order Limits has been completed. Some small areas were inaccessible and not</u></li> </ul> |



considered suitable for geophysical survey, however, this work is considered to be complete.

- LCC are satisfied that the work undertaken to date has been completed to the required standards and has provided an understanding of the archaeological potential, significance and likely impact arising from the Proposed Development. There has been an effective programme of desk-based and non-intrusive surveys completed for the site prior to submission of the Application, included in the desk-based assessment **ES Chapter 8: Cultural Heritage (APP-059)**, **Appendix 8.1: Archaeological Desk Based Assessment (APP-177)**, aerial assessment in **Appendix 8.3 Aerial and LiDAR Assessment – Solar Array (APP-119)** and **Appendix 8.4: Aerial and LiDAR Assessment – Access and Cable Routes (APP-120)** and geophysical survey in **Appendix 8.6 Geophysical Survey Summary Report - Solar Array Part 1 (APP-122 to APP-126)** to the appropriate standards set out by the Chartered Institute for Archaeologists, Historic England and the Lincolnshire Archaeology Handbook.
- The Applicant has undertaken extensive archaeological fieldwork and as such, the project design has been informed directly through archaeological data and taken into account areas of dense, complex and significant archaeology within the embedded mitigation. This has meant that mitigation by design has been incorporated at an early stage and pre-DCO submission.
- It is agreed that the Applicant will undertake further fieldwork post any DCO consent in specified Cable Route Corridor areas as agreed with LCC and detailed with the Archaeological Mitigation Strategy (AMS). The archaeological trenching is to be undertaken post consent following approved Written Scheme of Investigation (WSI). WSIs will be prepared post DCO consent through consultation and agreement with LCC.
- The likely impacts on archaeological remains at decommissioning have been adequately considered within **ES Chapter 8: Heritage (APP-059)** and mitigation is included within **ES Appendix 2.5 Outline Decommissioning Environmental Management Plan (APP-078)** and secured through a requirement in Schedule 2 to the **Draft DCO (AS-008)**.

LCC is satisfied that the assessment work, comprising both non-intrusive and intrusive investigations, have adequately characterised the historic environment resource within the application boundary and allowed appropriate understanding of the significance of the archaeological remains.

The draft AMS (**APP-153**) is approaching final agreement following consultation and review. The document provides a robust and proportionate mechanism to manage the archaeological resource within the site. The document is

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|   | <u>enforceable and contains commitments which satisfies LCC regarding the provision of mitigation measures post-DCO consent covering the construction, operation and decommissioning phases of the Beacon Fen Energy Park.</u>  |
| <u>Archaeological Mitigation</u>          | <u>As requested by LCC, the mitigation and management strategies proposed in the draft AMS (<b>APP-153</b>) includes pre-construction mitigation as well as the management of operational phase impacts and any effects that may be triggered once the decommissioning methodology has been determined.</u>   |
| <u>Built Heritage</u>                     | <u>Church of St Andrew, Asgarby, Grade I: During the accompanied site visit of 5 September 2025, attended by the Applicant's heritage advisor and LCC, it was confirmed that the Bespoke Access Road adjacent to the church would be acceptable. This conclusion is based on the alignment of the road behind an existing mature field boundary and hedgerow, which will substantially restrict inter-visibility between the church and construction traffic. As a result, disruption to the church's setting is expected to be minimal.</u>  |
| <u>Consultation regarding archaeology</u> | <u>LCC feel consultation and communication regarding archaeology has been effective and timely, with feedback and comments incorporated into the document. The Applicant commits to continuing this engagement to resolve outstanding heritage matters.</u>   |
| <u>Construction traffic volume</u>        | <u>The methodology for the assessment was agreed at pre-application discussions between LCC and the Applicant. The volumes of traffic estimated for the construction period seem reasonable and it is agreed that there would not be a capacity issue on the highway network resulting from these proposals.</u>  |
| <u>Construction access arrangements</u>   | <p><u>During construction, the principal construction access to the Site will be from the A17, with a left-in/left-out arrangement with connectivity to the site via the Bespoke Access Road. The roundabout junction of A17/A52 to the north-east of Bicker Bar is to be utilised as a turning point for vehicles travelling to/from the west. A17/Kirkby la-Thorpe interchange to the south of Kirkby-la-Thorpe is to be utilised as a turning point for vehicles travelling to/from the east.</u></p> <p><u>As noted in <b>ES Appendix 9.1: Transport Assessment (APP-155 to APP-157)</b>, some vehicles which would need to access Compounds 3 and 4 using Carterplot Road and Great Hale Drove which are single tracked roads. Due to the very low numbers LCC accepts that passing places are not needed on Great Hale Drove and the existing passing places on Carterplot Road would be adequate.</u></p> <p><u>The Applicant considers that passing places are not required. The TA quantifies the estimated daily movements of peak construction traffic to Compounds 3 and 4 as a total of 10 two-way vehicle movements per day. Of these movements, 2 are anticipated to be HGVs (i.e. 1 in each direction per day). Carterplot Road has good forward visibility to Compound 3 and there are three passing places in situ that can be utilised. Only a small number of</u></p> |

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|   | <p><u>development generated construction vehicles would continue on Great Hale Drive to/from Compound 4 (i.e. 5 two-way vehicles, comprising 1 HGV per day at peak construction). It is anticipated there would be very low opposing traffic on this route as there are a small number of houses and farms. In addition, measures to manage traffic associated with construction of the Proposed Development are described in <b>Appendix 9.3 Outline Construction Traffic Management Plan ('OCTMP') (APP-159).</b></u></p> <p><u>Detailed layouts of proposed accesses with visibility splays and swept paths are shown in Appendix E of <b>ES Appendix 9.1: Transport Assessment (APP-155 to APP-157).</b> LCC agree that access proposals are included in <b>Appendix 9.3: Outline Construction Traffic Management Plan ('OCTMP') (APP-159)</b> are appropriate. The Applicant acknowledges that proposed accesses and other works in highway (e.g. passing places) will need to be approved by LCC's Section 184 team and S278 Minor Works Team.</u></p>                           |
| <u>Principles regarding the proposed operational access arrangements (Solar Array Area)</u> | <p><u>The primary means of access to the Site during operation will be via the Bespoke Access Road from the A17, which will remain in operation through the decommissioning phase. Noting that equipment, including transformers, would potentially need replacing during the operational lifetime of the development. The Bespoke Access Road will be retained throughout the project lifetime to ensure that equipment associated with the Proposed Development can always be efficiently replaced.</u></p> <p><u>There will be one primary access on the western edge of the site and a secondary access to the north both of which will allow access by large vehicles (including first responder access to the BESS and on-site substation). Tertiary operational access primarily for smaller vehicles will be provided to the north west and south.</u></p> <p><u>While LCC may have matters of concern regarding the environmental impact of the retention of the Bespoke Access Road to the Solar Array Area during operation, LCC has no objection to the principle.</u></p> |
| <u>Surface Water Flood Risk</u>   | <p><u>It is agreed that the surface water flood risk from the Proposed Development is low. Provided the measures outlined in <b>ES Appendix 11.1: Flood Risk Assessment (APP-162)</b> are designed and implemented in accordance with this Outline Strategy then the surface water flood risk from the Proposed Development would be acceptable.</u></p>   |
| <u>Biodiversity Net Gain</u>  | <p><u>As set out in <b>ES Appendix 6.7: Outline Landscape and Ecological Management Plan ('OLEMP') (APP-089)</b>, the Applicant is committing to delivering at least 30% biodiversity net gain for habitat units; at least 10% biodiversity net gain for hedgerow units; and at least 10% biodiversity net gain for watercourse units.</u></p>   |

Notwithstanding the commitment to delivery of the stated percentages of BNG, it is anticipated that, in reality, a higher percentage of BNG will be deliverable, as set out **Biodiversity Net Gain Strategy (APP-280)**. This will be confirmed at the detailed design stage of the Proposed Development.

As per the **OLEMP (APP-089)**, the detailed LEMP, secured through a requirement in Schedule 2 to the **Draft DCO (AS-008)** will demonstrate that the commitments made to delivering BNG are achievable.

LCC agree but consider that additional reasoning and justification is required in order to give confidence that some of the proposed habitat types can realistically be delivered in the targeted condition.

## 4.5. LCC: Matters not yet agreed during Pre-Application Stage

4.4.15.1.1 The below Table 45.1 contains a list of 'matters not yet agreed' correct at the date of the submission of the Application along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

Table 54.1 – List of Matters not agreed during Pre-Application Stage

| MATTER                              | COMMENTARY   |
|-------------------------------------|--|
| Archaeological baseline environment | <p>The Applicant, WA and LCC discussed the proposed approach to archaeological evaluation at several meetings throughout the pre-application stage.</p> <p>The following matters are still under discussion between the Applicant and LCC:</p> <ul style="list-style-type: none"> <li>Provision of the final documents detailing the baseline assessment results to LCC has not occurred. Interim reports have been issued on the understanding that these are live work in progress and final versions will be issued with the DCO submission.</li> <li>The Applicant can confirm that all reports will be submitted with the DCO in final form, with the exception of the AMS which will be submitted in draft form and undergo consultation with LCC until the content is agreed. This approach has been discussed and confirmed by LCC.</li> <li>LCC have some minor concerns regarding the progress of pre-DCO submission trenching of the cable route area. The Access Route Corridor trenching was completed in early autumn 2024 and LCC are awaiting the final report.</li> <li>The Applicant can confirm that further details on further archaeological works within the Cable Route Corridor will be detailed within the AMS and submitted as part of the DCO application.</li> </ul> <p>LCC has concerns over the assumption that any archaeological remains likely to be impacted during the operational phase will be of low significance and that any corresponding impact would therefore be Not Significant. LCC consider this assumption to be a broad and sweeping statements such as this should be removed and replaced with site specific and evidence based assessments. The Applicant can confirm that this will be considered further within <b>ES Chapter 8: Heritage (Document Ref: 6.2, vol. 2, 6.2.8)</b> submitted as part of the DCO application.</p> <p>LCC has concerns regarding apparent removal from consideration of potential archaeological impact from decommissioning effects. Given that no details on the decommissioning phase and removal of apparatus and infrastructure have yet been decided, LCC Consider that impacts on archaeological remains should be included within <b>ES Appendix 2.5 Outline Decommissioning</b></p> |



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|---------------------------------|--|
|                                 | <p><b>Environmental Management Plan ('ODEMP') (Document Ref: 6.3, Vol.3, 6.3.8).</b></p> <p>The Applicant can confirm that this has been considered in <b>ES Chapter 8: Heritage (Document Ref: 6.2, Vol. 2, 6.2.8)</b> and the ODEMP.</p>   |
| Archaeological Field Evaluation | <p>The following matters are still under discussion between the Applicant and LCC:</p> <ul style="list-style-type: none"> <li>• A comprehensive geophysical survey of the Order Limits has been completed. Some small areas were inaccessible and not considered suitable for geophysical survey; however, the Applicant considered this work to be complete.</li> <li>• LCC note that archaeological trial trench evaluation has been undertaken for the Solar Array Area and Bespoke Access Corridor though not the Cable Route Corridor. LCC will seek to agree an appropriate level of evaluation of the cable route in advance of any post-DCO construction works, as necessary which is outlined within the AMS. The Applicant intends to agree appropriate evaluation for the Cable Route Corridor with LCC through the development of the AMS.</li> <li>• LCC are of the view that any outstanding trenching should ideally be completed during the DCO submission phase. However, in light of the trenching undertaken thus far a targeted approach to further trenching is agreeable. Where this is not feasible, targeted trenching should be secured as part of the DCO consent where this cannot be agreed between LCC and the Applicant ahead of the consent, should the SoS be mindful to grant consent.</li> </ul> <p>The Applicant has discussed the approach regarding further archaeological works and the intention to submit an AMS with the DCO application with LCC. An AMS will be submitted in draft form and undergo consultation with LCC until the content is agreed. This approach has been discussed and confirmed with LCC.</p> |
| Archaeological Mitigation       | <p>The Applicant is proposing to include a 'Scheme of archaeological investigation' within their DCO submission which will cover the mitigation strategy to be utilised. This will be outlined within a document termed AMS. Whilst LCC welcome this, any mitigation and management strategy should include not only pre-construction mitigation but also the management of operational phase impacts and any effects that may be triggered once the decommissioning methodology has been determined. This would set out the framework for the long term comprehensive and scheme-specific management plan for the historic environment.</p> <p>The Applicant can confirm that this will be considered further in the AMS.</p>   |

|  |   |
|--|---|
| <u>Built Heritage</u>  | <p><u>LCC considers that a number of above-ground built heritage assets remain subject to ongoing discussion. This includes Kyme Tower (Grade I and Scheduled Monument), where a way forward to manage harm has yet to be agreed, and other sensitive receptors in the area where bespoke mitigation measures will be required.</u></p> <p><u>The group value of historic farmsteads within and around the Order limits is also under discussion. The Applicant and LCC have not yet reached agreement on how this should be addressed in assessment or mitigation.</u></p>   |
| The content of requirements  | <p>The specific drafting of the requirements in Schedule 2 of the <b>Draft DCO (AS-008)</b> is not yet agreed. The Applicant will <u>continue to</u> engage constructively and regularly and seek to reach agreement on the matters within Schedule 2 <del>prior to and</del> during examination.</p>   |
| The content and scope of highways and streetworks articles                 | <p><del>A meeting has been held between the Applicant and the highways department of LCC in advance of the submission of the DCO application in parallel with this SoCG drafting. Progress on agreement will be reported on in a future SoCG. The Applicant and the Highways department of LCC will continue to engage constructively regarding this matter.</del></p>  |
| Procedure for discharge of DCO requirements                                | <p>The Applicant has provided a draft of the procedure for the discharge of DCO requirements <del>in Schedule 10</del> <u>Part 2 of Schedule 2 of to LCC at <b>Appendix 1</b> the <b>Draft DCO (AS-008)</b> to LCC.</u> LCC would wish to consider procedures of the discharge of requirements in the context of the full DCO and submission documents when available before agreeing that that the discharge procedure are acceptable. <u>Following further discussions, the Applicant has agreed to include higher costs, which comprise £2,578.00 for the first application for the more complex requirements, £588 for subsequent applications for those more complex requirements and £298 for any other requirements.</u></p> <p><u>LCC wishes to consider procedures of the discharge of requirements in the context of the full DCO and submission documents when available before agreeing the discharge procedures are acceptable in future submissions into examination.</u></p> |
| <u>Cumulative landscape and visual effects (including EIA methodology)</u> | <p><u><b>ES Chapter 6: Landscape and Visual (APP-057)</b> concludes that there are no cumulative landscape and visual effects. LCC does not agree with the application of a 5km study area has been utilised for schemes to be considered for cumulative landscape and visual effects, and has concerns regarding the impacts of the mass and scale of combined projects over an extensive area, leading to alteration of the landscape character of the area.</u></p> <p><u>The Applicant understands that LCC will provide detailed information regarding this matter in their Local Impact Report, to which the Applicant will consider and respond.</u></p>   |

|                         |   |
|-------------------------|---|
| <u>Public Health</u>    | <p><u>LCC considers that Human Health has not been specifically included in the Environmental Statement and consider that more needs to be done to mitigate the potential mental health effects on local communities.</u></p> <p><u>The Applicant notes that human health is addressed in Section 17.7 of <b>ES Chapter 17: Other Environmental Topics (APP-068)</b>. The Applicant understands that LCC will provide detailed information regarding this matter in their Local Impact Report, to which the Applicant will consider and respond.</u></p>  |
| <u>Waste Management</u> | <p><u>LCC considers that the requirements of Local Plan Policy W1 are not met, and additional information is needed to demonstrate how discarded solar infrastructure and materials would be sustainably managed.</u></p> <p><u>The Applicant's position is set out in <b>Appendix 17.2 Waste and Recycling Strategy (APP-189)</b>, which states that the lifespan of the Proposed Development is 40 years, therefore it is not possible (at this stage) to identify either the waste management routes or specific waste facilities to be utilised during the decommissioning of the Proposed Development. Requirement 18 in Schedule 2 to the <b>Draft DCO (AS-008)</b> secures that, prior to decommissioning, a detailed DEMP must be prepared for approval by the relevant planning authority. The detailed DEMP must be substantially in accordance with the <b>Appendix 2.5 Outline Decommissioning Environmental Management Plan (APP-078)</b>. Any waste generated from decommissioning at the end of life will be managed in accordance with the waste management plan prepared as part of the detailed DEMP.</u></p> |
| <u>Socio-economics</u>  | <p><u>LCC have raised a number of concerns regarding the assessment methodology and outcomes in <b>ES Chapter 15: Socio-Economics (APP-066)</b>, including:</u></p> <ul style="list-style-type: none"> <li><u>• Contribution of the tourist and visitor economy to Lincolnshire and impacts of the Proposed Development</u></li> <li><u>• Consideration of the socio-economic impacts from the temporary workforce</u></li> <li><u>• Socio-economic impacts of the potential landscape character changes</u></li> <li><u>• Economic impact on agricultural production</u></li> </ul> <p><u>The Applicant understands that LCC will provide detailed information regarding this matter in their Local Impact Report, to which the Applicant will consider and respond.</u></p>   |

## 6. LFR: Matters agreed during Pre-Examination Stage

6.1.1 The below **Table 6.1** contains a list of ‘matters agreed’ between the Applicant and LFR correct at the date of the submission of this SoCG into the Examination, along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

**Table 6.1 – List of Matters Agreed with LFR during Pre-Examination Stage**

| <u>MATTER</u>                             | <u>LFR POSITION</u>  | <u>APPLICANT’S POSITION</u>   |
|---|--|---|
| <u>Ongoing consultation</u>               | <u>LFR are statutory consultees for NSIPs and will work and engage with the Applicant as the project evolves to ensure it complies with the statutory responsibilities that LFR enforce.</u>   | <u>The Applicant has consulted with LFR through the pre-application stage and undertaken statutory (and targeted statutory) consultation in accordance with Section 42 of the 2008 Act and notified LFR of the acceptance of the Application in accordance with Section 56 of the 2008 Act. By agreement with LCC and LFR they have been combined in this joint SoCG.</u>   |
| <u>Principle of protective provisions</u> | <u>An adequate form of protective provisions for LFR should be included within the DCO.</u>  | <u>In December 2024, the Applicant commenced engagement with LFR in relation to agreeing a bespoke set of protective provisions. In accordance with <i>Guidance on the Planning Act 2008: Content of a Development Consent Order required for Nationally Significant Infrastructure Projects</i> (Paragraph 012 Reference ID 04-012-20240430, Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, 2024) the Applicant has included a set of draft protective provisions in Part 6 of Schedule 114 to the <b>Draft DCO (AS-008)</b>, which LFR have indicated in principle agreement to.</u> |
| <u>Risk Reduction Strategy</u>            | <u>As the responsible person for the scheme as stated in the Regulatory Reform (Fire Safety) Order 2005, the Applicant should produce a risk reduction strategy (Regulation 38 of the Building Regulations) covering the construction, operational and decommissioning phases of the project. Safety measures and risk</u> | <u>An <b>Outline Battery Safety Management Plan (‘OBSMP’) (APP-162)</b> was submitted as part of the DCO application and provides a summary of the safety-related information requirements to be provided in advance of construction of the BESS, and sets out how the Applicant proposes to ensure risk reduction is central to the detailed design and subsequent construction, operation and decommissioning of the BESS.</u>  |

| MATTER  | LFR POSITION   | APPLICANT'S POSITION   |
|---|--|--|
|   | <p><u>mitigation must be developed in collaboration with LFR.</u></p> <p><u>As with all new and emerging practices within UK industry, LFR requests to work with the Applicant to better understand any risks that may be posed and develop strategies and procedures to mitigate these risks.</u></p> | <p><u>The <b>OBSMP (APP-162)</b> identifies the key fire safety provisions for the BESS that are proposed to be installed, including fire risk reduction measures and fire protection measures. It was developed taking into account meetings and correspondence with LFR, relevant guidance including NFCC and NPFA, and the Applicant's experience from other comparable projects.</u></p> <p><u>The adopted risk reduction measures will be captured within the detailed BSMP, submitted pursuant to Requirement 6 in the <b>Draft DCO (AS-008)</b> and will reflect the prevailing legislation, guidance and standards at the time of its production. The drafting of the requirement states the relevant planning authority must consult LFR when determining the application to discharge the requirement.</u></p> <p><u>Further, Section 5.4 of the <b>Outline Construction Environmental Management Plan ('Outline CEMP') (APP-077)</b> discusses emergency preparedness in relation to the construction phase.</u></p> <p><u>The Applicant will continue to engage with LFR prior to and during the construction and operational phase of the Proposed Development regarding the development and implementation of appropriate strategies and procedures to minimise and mitigate risks. The adopted measures will be captured within the CEMP submitted pursuant to Requirement 12 in the <b>Draft DCO (AS-008)</b>.</u></p> |
| <p><u>Transport Strategy and Emergency Access</u></p> | <p><u>During the construction phase the number of daily vehicle movements in the local area will significantly increase. LFR requests to view the transport strategy to minimise this impact and prevent an increase in the</u></p>  | <p><u>With regards to road traffic levels during construction, the Applicant considers that inclusion of the Bespoke Access Road is a substantial element of mitigation that is intended to improve safety and reduce traffic on rural roads for the construction stage, and there is adequate capacity on the strategic road network. Further details</u></p>   |

| <u>MATTER</u>   | <u>LFR POSITION</u>   | <u>APPLICANT'S POSITION</u>  |
|---|---|--|
|   | <u>number of potential road traffic incidents. Any development should not negatively impact on LFR's ability to respond to an incident in the local area.</u>   | <u>on traffic and transport including proposed measures to minimise impacts are set out in <b>Environmental Statement Chapter 9: Access and Traffic (APP-060)</b> and its <b>Appendices 9.1: Transport Assessment (APP-155 to APP-157)</b> and <b>9.3: OCTMP (APP-159)</b>. The Applicant considers that these demonstrate that the Proposed Development can be safely accessed without detriment to the road network, and therefore would not negatively impact on LFR's ability to respond to incidents in the local area and <b>Appendix 9.1: Transport Assessment (APP-155 to APP-157)</b> outlines the emergency access arrangements for the Proposed Development.</u>  |
| <u>Application of Guidance</u>                          | <p><u>National Fire Chief's Council (NFCC) Guidance is used by LFR for guidance on the requirements for new BESS development proposals.</u></p> <p><u>Following the work of NFCC, the Department for Levelling Up, Housing and Communities (DLUHC) has revised its Planning Practice Guidance to include reference to BESS.</u></p> <p><u>LFR strongly recommend applying the National Fire Protection Association (NFPA) 855 Standard for the Installation of Stationary Energy Storage Systems.</u></p> | <p><u>The Applicant confirms that the existing published (and emerging draft, but non finalised) NFCC guidance was taken into account in preparing the <b>OBSMP (APP-279)</b>. The guidance was also used as an input to develop the project design. In accordance with NFCC guidance, an Emergency Response Plan will form appendices to the detailed BSMP.</u></p> <p><u>The Applicant confirms it also has had regard to NFPA 855 standard (and will have regard to the imminent 2026 update) and will continue to do so when undertaking detailed design of the Proposed Development and preparing the detailed BSMP (or to successor guidance in force at the time)-, as secured by Requirement 6 in the <b>Draft DCO (AS-008)</b>. Through development of the detailed BSMP, evidence of compliance with the relevant standards would be provided.</u></p> |
| <u>Access to fire appliances and firefighting water</u> | <u>Adequate access to fire appliances must be provided, in accordance with the requirements specified in Building Regulations 2010 and Approved Documents, including vehicle access</u>   | <u>The Applicant notes that access routes have been designed to have a clear line of sight to the BESS. The primary access on the western edge of the Solar Array Area will allow emergency vehicles to access the BESS and Onsite substation, and a secondary access point on Halfpenny Toll Lane</u>   |



| MATTER                                  | LFR POSITION  | APPLICANT'S POSITION   |
|---|---|--|
|   | <p><u>for a pump appliance to 15% of the perimeter or every 45m across the footprint. LFR requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes.</u></p> <p><u>If it is not possible to provide access to the Proposed Development in accordance with Approved Document B, LFR may accept the provision of an automatic sprinkler system designed, fitted and maintained in accordance with the relevant sections of BS5306/BSEN12845: 2004. Should this option be considered, LFR Fire Safety advisers must be provided with detailed plans of the proposed sprinkler installation. Any scheme proposed should not be of a lesser standard than any provision as may be required by the Building Regulations.</u></p> | <p><u>on the northern boundary of the Site will facilitate a secondary emergency vehicular access from a northeastern direction, providing two accesses from different directions, as sought in guidance.</u></p> <p><u>As confirmed in the <b>OBSMP (APP-279)</b>, the Proposed Development includes vehicular access to the relevant buildings for a pump appliance around 15% of the perimeter (see <b>Environmental Statement Figure 1.4 Indicative Site Layout Plan (APP-195)</b>), and will also endeavour to provide access within 45m of every point of the footprint, although it is noted that the design of the Proposed Development only needs to meet one of these requirements. The Applicant also notes that there are no cul-de-sacs on the BESS area.</u></p> <p><u>The Applicant confirms that the design of the Proposed Development will meet the minimum carrying capacity requirement for hard-standing for pumping appliances of 18 tonnes.</u></p> |
| <p><u>Water supply requirements</u></p> | <p><u>Immediate access to adequate supplies of water must be provided.</u></p> <p><u>Where no piped water supply is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with the following recommendations:</u></p> <ul style="list-style-type: none"> <li><u>• a charged static water tank of at least 45,000 litres capacity; or</u></li> <li><u>• a spring, river, canal or pond capable of</u></li> </ul>   | <p><u>The Applicant notes that there is no mains water supply to the Solar Array Area at present given its rural location. The Applicant confirms that four 60,000 litre water storage tanks (with a total maximum capacity of 240,000 litres) are to be housed onsite for boundary cooling purposes. This will provide in excess of the 228,000 litre capacity sought in NFCC guidance providing a primary water source for first responders.</u></p> <p><u>There are also various watercourses, and a small agricultural reservoir, in the vicinity of the Site that would be capable of being accessed by mobile pumps. The Applicant therefore considers that there is adequate primary and secondary water supply to</u></p>  |

| <u>MATTER</u>        | <u>LFR POSITION</u>   | <u>APPLICANT'S POSITION</u>   |
|----------------------|---|---|
|                      | <p><u>providing or storing at least 45,000 litres of water at all times of the year, to which access, space and a hard standing are available for a pumping appliance;</u><br/>or</p> <ul style="list-style-type: none"> <li><u>any other means of providing a water supply for firefighting operations considered appropriate by LFR.</u></li> </ul>   | <p><u>the Proposed Development for boundary cooling by first responders.</u></p> <p><u>The volume of water which will be provided for firefighting purposes will be agreed at detailed design stage with LFR, as secured by Requirement 6 (Detailed BSMP) of the <b>Draft DCO (AS-008).</b></u></p>   |
| <u>Environmental</u> | <p><u>Bulk storage of highly flammable/ explosive/ water reactive/ toxic substances and any site whereas large scale recycling activities are proposed will need to be specifically consulted with LFR to ensure that the full operational impact, should a fire occur, is assessed and that an adequate provision is recommended.</u></p> <p><u>There are a number of methods available, through which the fire water runoff problem can be addressed, the most obvious being to use a fire suppression system to contain a fire, thus not requiring large volumes of water and containment measures. It is not for the fire service to stipulate which approach to take, simply to ensure that suitable measures are made a condition of planning approval through a firefighting water run-off strategy.</u></p> | <p><u>The <b>ES Appendix 11.1: Flood Risk Assessment (APP-162)</b> outlines the proposed firewater runoff management measures, noting that fire water can be contained within a lined lagoon at the centre of the BESS platform if necessary. Shutoff valves could be used by fire crews to contain and reuse water or to prevent potentially contaminated water from being discharged to the watercourse. After the fire has been managed, such contained firewater will be tested and either released to the watercourse or removed from the Site for treatment and off-site disposal.</u></p> <p><u>A drainage strategy has been prepared for the Proposed Development (see the <b>FRA (APP-162)</b>).</u></p> |
|                      |   |   |

## 7. LFR: Matters yet not agreed during Pre-Examination Stage

7.1.1 The below Table 7.1 contains a list of 'matters not agreed' between the LFR and the Applicant, correct as at the date of the submission of this SoCG into the Examination along with a concise commentary of what the item refers to.

**Table 7.1 – List of Matters not yet agreed during Pre-Examination Stage**

| <u>MATTER</u>   | <u>COMMENTARY</u>   | <u>APPLICANT POSITION</u>   |
|---|---|---|
| <u>Detailed Emergency Response Plan</u>               | <u>This is not capable of being agreed at this stage since the detailed layout and technology choice is not available. As such it is not appropriate to agree it at this stage and it is appropriately secured by Requirement 6 (Detailed BSMP) of the Draft DCO (AS-008).</u>  | <u>The Applicant believes this will be fully resolved post consent via the discharge of Requirement 6.</u>  |
| <u>Adequate separate distances between BESS units</u> | <p><u>Noting that battery technology hasn't been confirmed as yet, LFR retain the right to request evidence of testing to demonstrate that adequate spacing between BESS units, in-line with the relevant national guidance.</u></p> <p><u>LFR have requested that this matter is included in the 'matters not yet agreed' section of this SoCG, as a final determination cannot be made until detailed design.</u></p> | <p><u>The Applicant notes that incoming NFPA 855 (2026) mandates that every BESS must undergo Large Scale Fire Testing (LSFT) to establish minimum equipment spacing distances where a BESS fire does not propagate to adjacent BESS. Testing must demonstrate that firefighters are not required to intervene to prevent fire propagation.</u></p> <p><u>At the detailed design stage, once a BESS technology has been selected, a detailed BSMP will be developed in accordance with relevant standards and guidance to define measures applicable to the selected BESS enclosures. The detailed BSMP will be submitted to and approved by the relevant planning authority (LCC) in accordance with Requirement 6 in Schedule 2 to the Draft DCO (AS-008). LFR will be consulted when the application to discharge Requirement 6 is being determined.</u></p> |

INSERT SIGNATURE

Signed: NAME

On behalf of: Lincolnshire County Council

Date:

INSERT SIGNATURE

Signed: NAME

On behalf of: Lincolnshire Fire and Rescue Service

Date:

INSERT SIGNATURE

Signed: NAME

On behalf of: Beacon Fen Energy Park Ltd

Date:

# Appendices

## Appendix 1 – Procedure for Discharge of DCO Requirements

WITHOUT PREJUDICE TO APPLICANT'S FINAL SUBMISSION VERSION

### PROCEDURE FOR DISCHARGE OF REQUIREMENTS

#### Interpretation

##### ~~19. In this Part of this Schedule—~~

~~“discharge” means any consent, agreement or approval required by—~~

- ~~(a) a requirement;~~
- ~~(b) a document referred to by a requirement; or~~
- ~~(c) a document that has been approved pursuant to a requirement;~~

~~“requirement consultee” means any body or authority named in a requirement as a body to be consulted by the relevant planning authority in discharging that requirement; and~~

~~“start date” means the date of the notification given by the Secretary of State under paragraph 22(2)(c).~~

#### Applications made under requirement

~~20.— Where an application has been made to the relevant planning authority for any discharge, the relevant planning authority must give notice to the undertaker of its decision on the application within a period of ten weeks beginning with the later of—~~

- ~~(a) the day immediately following that on which the application is received by the authority;~~
- ~~(b) the day immediately following that on which further information has been supplied by the undertaker under paragraph 21; or~~
- ~~(c) such longer period that is agreed in writing by the undertaker and the relevant planning authority.~~

~~(2) Subject to paragraph 22, in the event that the relevant planning authority does not determine an application within the period set out in sub-paragraph (1), the relevant planning authority is to be taken to have granted all parts of the application (without any condition or qualification) at the end of that period.~~

~~(3) Any application made to the relevant planning authority pursuant to sub-paragraph (1) must—~~

- ~~(a) include a statement to confirm whether it is likely that the subject matter of the application will give rise to any materially new or materially different environmental effects compared to those in the environmental statement and if it will then it must be accompanied by information setting out what those effects are; and~~
- ~~(b) include confirmation that the application has been notified and provided to the requirement consultees in accordance with sub-paragraph (5), if the provision governing or requiring the application specifies that consultation with a requirement consultee is required (such confirmation to include contact details for the requirement consultees).~~

~~(4) Where an application has been made to the relevant planning authority for any discharge and the relevant planning authority does not determine the application within the period set out in sub-paragraph (1) and the application is accompanied by a report pursuant to sub-paragraph (3)(a) which states that the subject matter of such application is likely to give rise to any materially new or materially different environmental effects compared to those in the environmental statement then the application is to be taken to have been refused by the relevant planning authority at the end of that period.~~

~~(5) Where an application has been made to the relevant planning authority for any discharge, the undertaker will also submit a copy of that application to any requirement consultee.~~

### **Further information and consultation**

~~21.— In relation to any application to which this Schedule applies, the relevant planning authority may request such reasonable further information from the undertaker as is necessary to enable it to consider the application.~~

~~(2) In the event that the relevant planning authority considers such further information to be necessary and the provision governing or requiring the application does not specify that consultation with a requirement consultee is required, the relevant planning authority must, within 20 working days of receipt of the application, notify the undertaker in writing specifying the further information required.~~

~~(3) If the provision governing or requiring the application specifies that consultation with a requirement consultee is required, the relevant planning authority must issue the consultation to the requirement consultee within 10 working days of receipt of the application, and must notify the undertaker in writing specifying any further information the relevant planning authority considers necessary or that is requested by the requirement consultee within 10 working days of receipt of such a request and in any event within 20 working days of receipt of the application (or such other period as is agreed in writing between the undertaker and the relevant planning authority).~~

~~(4) In the event that the relevant planning authority does not give notification as specified in sub-paragraph (2) or (3) it is deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker.~~

~~(5) Where further information is requested under this paragraph in relation to part only of an application, that part is to be treated as separate from the remainder of the application for the purposes of calculating time periods in paragraph 20 and paragraph 21.~~

### **Appeals**

~~22.— The undertaker may appeal in the event that —~~

- ~~(a) the relevant planning authority refuses an application for any discharge or grants it subject to conditions;~~
- ~~(b) the relevant planning authority is deemed to have refused an application pursuant to paragraph 20(4);~~
- ~~(c) on receipt of a request for further information pursuant to paragraph 21 the undertaker considers that either the whole or part of the specified information requested by the relevant planning authority is not necessary for consideration of the application; or~~
- ~~(d) on receipt of any further information requested, the relevant planning authority notifies the undertaker that the information provided is inadequate and requests additional information which the undertaker considers is not necessary for consideration of the application.~~

~~(2) The steps to be followed in the appeal process are as follows —~~

- ~~(a) any appeal by the undertaker must be made within 42 days of the date of the notice of the decision or the determination, or (where no determination has been made) the expiry of the time period set out in paragraph 20(1), giving rise to the appeal referred to in sub-paragraph (1);~~
- ~~(b) the undertaker must submit the appeal documentation to the Secretary of State and must on the same day provide copies of the appeal documentation to the relevant planning authority and any requirement consultee;~~
- ~~(c) the Secretary of State must appoint a person to determine the appeal as soon as reasonably practicable and must forthwith notify the appeal parties of the identity of the appointed person and the address to which all correspondence for the appointed person's attention should be sent;~~
- ~~(d) the relevant planning authority and any requirement consultee must submit written representations to the appointed person in respect of the appeal within 10 working days of the start date and must ensure that copies of their written representations are sent to each other and to the undertaker on the day on which they are submitted to the appointed person;~~
- ~~(e) the undertaker may make any counter submissions to the appointed person within 10 working days of receipt of written representations pursuant to sub-paragraph (d);~~
- ~~(f) the appointed person must make their decision and notify it to the appeal parties, with reasons, as soon as reasonably practicable; and~~



~~(g) the appointment of the person pursuant to sub-paragraph (c) may be undertaken by a person appointed by the Secretary of State for this purpose instead of by the Secretary of State.~~

~~(3) In the event that the appointed person considers that further information is necessary to enable the appointed person to consider the appeal they must as soon as reasonably practicable, notify the appeal parties in writing specifying the further information required.~~

~~(4) Any further information required pursuant to sub-paragraph (3) must be provided by the relevant party to the appointed person and the other appeal parties on the date specified by the appointed person (the “specified date”), and the appointed person must notify the appeal parties of the revised timetable for the appeal on or before that day. The revised timetable for the appeal must require submission of written representations to the appointed person within 10 working days of the specified date, but otherwise the process and time limits set out in sub-paragraphs (d) to (f) of sub-paragraph (2) apply.~~

~~(5) The appointed person may—~~

~~(a) allow or dismiss the appeal; or~~

~~(b) reverse or vary any part of the decision of the relevant planning authority (whether the appeal relates to that part of it or not),~~

~~and may deal with the application as if it had been made to them in the first instance.~~

~~(6) The appointed person may proceed to a decision on an appeal taking into account only such written representations as have been sent within the relevant time limits.~~

~~(7) The appointed person may proceed to a decision even though no written representations have been made within the relevant time limits, if it appears to them that there is sufficient material to enable a decision to be made on the merits of the case.~~

~~(8) The decision of the appointed person on an appeal is to be final and binding on the parties, unless proceedings are brought by a claim for judicial review.~~

~~(9) If an approval is given by the appointed person pursuant to this Schedule, it is to be deemed to be an approval for the purpose of Part 1 of this Schedule as if it had been given by the relevant planning authority. The relevant planning authority may confirm any determination given by the appointed person in identical form in writing but a failure to give such confirmation (or a failure to give it in identical form) is not to be taken to affect or invalidate the effect of the appointed person’s determination.~~

~~(10) Save where a direction is given pursuant to sub-paragraph (11) requiring the costs of the appointed person to be paid by the relevant planning authority, the reasonable costs of the appointed person must be met by the undertaker.~~

~~(11) On application by the relevant planning authority or the undertaker, the appointed person may give directions as to the costs of the appeal parties and as to the parties by whom the costs of the appeal are to be paid. In considering whether to make any such direction and the terms on which it is to be made, the appointed person must have regard to advice on planning appeals and award costs published in Planning Practice Guidance: Appeals (March 2014) or any circular or guidance which may from time to time replace it.~~

## Fees

**23.** ~~Where an application is made to the relevant planning authority for any consent, agreement or approval required by a requirement, a fee is to apply and must be paid to the relevant planning authority for each application.~~

~~(2) The fee payable for each application under sub-paragraph (1) is as follows—~~

~~(a) a fee of £298 for an application pursuant to a requirement expressed as able to be discharged in respect of a “part” of the authorised development, where that application relates to a part of the full extent of the authorised development that is comprised within that relevant planning authority’s area;~~

~~(b) a fee of £894 for an application pursuant to a requirement expressed as able to be discharged in respect of a “part” of the authorised development, where that application relates to the full extent of the authorised development that is comprised within that relevant planning authority’s area; and~~

~~(c) a fee of £894 for an application pursuant to any other requirement.~~

~~(3) Any fee paid under this Part of this Schedule must be refunded to the undertaker within four weeks of—~~

~~(a) the application being rejected as invalidly made; or~~

~~(b) the relevant planning authority failing to determine the application within the relevant period in paragraph 20(1);~~

~~unless within that period the undertaker agrees, in writing, that the fee is to be retained by the relevant planning authority and credited in respect of a future application.~~

~~(4) The fees specified in sub-paragraph (2) shall be adjusted on each anniversary of the date this Order comes into force by a percentage equal to the index value of the Consumer Price Index (CPI) most recently published prior to that anniversary, provided that in no event shall any annual adjustment exceed 5%.~~

## Appendix 2~~1~~ – Planning History

There is no relevant Lincolnshire County Council Planning History within the red line boundary for Beacon Fen Energy Park.

### **Nationally Significant Infrastructure Projects**

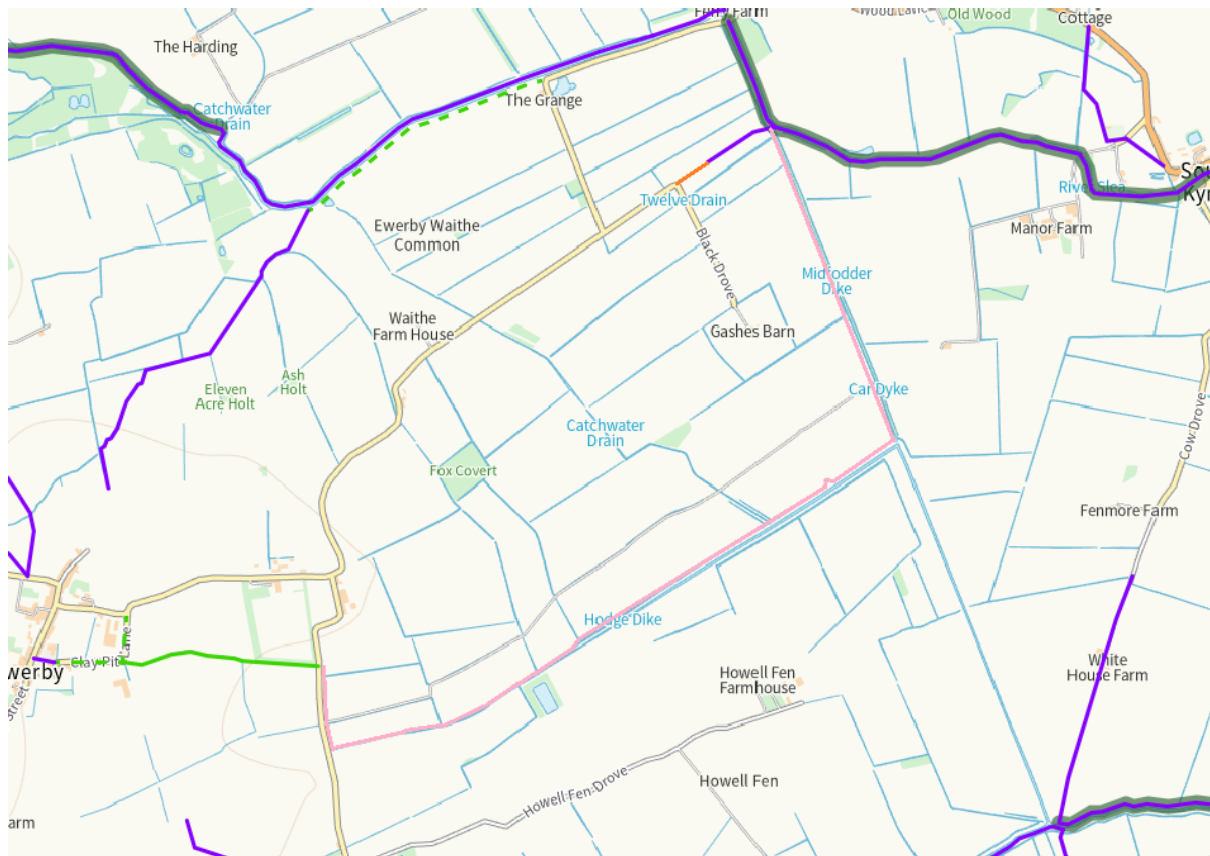
| REFERENCE NUMBER                         | ADDRESS   | DESCRIPTION OF DEVELOPMENT   | APPLICANT NAME                          | STATUS                |
|--|---|--|---|-----------------------|
| EN010123                                 | The site is located on land to the north of East Heckington and 3.5km south east of South Kyme. | The Proposed Development will comprise the construction, operation and decommissioning of a solar photovoltaic (PV) electricity generating facility exceeding 50 megawatt (MW) output capacity, together with associated energy storage. The installed capacity of the solar generation is expected to be in the order of 500MW.   | Ecotricity (Heck Fen Solar) Limited     | Granted<br>24/01/2025 |
| EN020019<br>(Connect to same substation) | 33km off the Lincolnshire coast to the Triton Knoll Substation in Lincolnshire                  | Triton Knoll Electrical System works are needed to transmit the electricity generated by the consented Triton Knoll Offshore Wind Farm to the National Grid. The Secretary of State for Energy and Climate Change directed on 14 November 2013 (in accordance with section 35) that these works require development consent under the Planning Act 2008. The electrical system will include: onshore and offshore buried export cables and associated works; an intermediate electrical compound to provide voltage stability and compensate for electrical losses; and a substation located in the vicinity of the grid connection point. | Triton Knoll Offshore Wind Farm Limited | Granted<br>06/09/2016 |

## Appendix ~~3~~2 – List of Requirement Discharge Documents

The list of documents proposed to be submitted at requirement discharge stage.

| DOCUMENT   |
|--|
| Battery safety management plan                           |
| Landscape and ecological management plan                 |
| Biodiversity net gain strategy                           |
| Scheme of archaeological investigation                   |
| Construction environmental management plan               |
| Construction traffic management plan                     |
| Operational Noise Assessment                             |
| Soil management plan                                     |
| Skills, supply chain and employment plan (or equivalent) |
| Decommissioning environmental management plan            |

## Appendix 43 – Permissive pathway indicative route



- **Orange:** Introducing a new section of permissive pathway which continues on from the existing PROW (0.5km). This route requires one pedestrian footbridge with a span of up to 14.5m
- **Pink:** New proposed permissive path that links up existing PROW Ewer/9/1 and Ewer/1103/1. This route is indicative and will require ~~a few~~ an undetermined number of footbridges (unlikely to be more than eight in number) to cross existing watercourses ~~pedestrian footbridges~~ with spans ranging from 4-15m.