



# BEACON FEN ENERGY PARK

Planning Inspectorate Reference: EN010151

Statement of Common Ground (Draft) with North Kesteven Council

Document Reference: 8.2

~~October~~April 2025



## Quality information

Prepared by	Checked by	Verified by	Approved by
ED	JM	JM	CT

## Revision History

Revision	Revision date	Details	Authorised	Name	Position
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## Glossary

Abbreviation	Description
AC	Alternating Current
AIS	Air Insulated Switchgear
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>
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
<u>SLR</u>	<u>SLR Consulting</u>

Abbreviation	Description
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 North Kesteven District Council ('NKDC') (~~Application Document Ref. 8.2~~) has been prepared on behalf of Beacon Fen Energy Park Ltd (the 'Applicant'). ~~It relates to the -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 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 Asgarby Road and Heckington Road cross 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 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').
- 1.4.3 A 600MW BESS adjacent to the On-Site 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, and the inverters to the onsite transformers. Higher voltage cables 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 sSubstation 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 a standard post and wire, deer fencing up to 3m tall around the Solar Array Area. Security fencing, up to 3.4m will be installed around the Onsite Substation compound 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 large vehicles (including first responder access to 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 Proposed Development. The exact route of the permissive path will be determined via the discharge of requirement in the **Draft DCO (AS-008)**, but it is anticipated to run in a south easterly direction along Car Dyke and then heading south west on the north side of Hodge Dike. An undetermined number of footbridges (unlikely to be more than 8 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 in parallel with the discharge of the requirement.

## Cable Route

- 1.4.11 The Cable Route 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.

### 1.4.12

- ~~1.4.13 The Cable Route Corridor perimeter will include replacement planting of vegetation and hedgerows lost during construction of the Cable Route and will be re-instated where possible subject to easement restrictions. Vegetation and hedgerows lost during the construction of the Cable Route will be re-instated where possible in relation to easement restrictions.~~

### 1.4.13

## Bespoke Access Road

- 1.4.14 A dedicated access from the A17 to the Solar Array Area is required. The Bespoke Access Road will be constructed in advance of material construction commencing on 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. During construction, temporary construction compounds will be required which may be anywhere along the route.



#### ~~1.4.14~~

- 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 Vegetation and hedgerows lost during the construction of the Bespoke Access Road 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 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 ~~of to~~ the Draft Development Consent Order DCO (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 then be~~ has been submitted to 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 parties on matters relevant to the examination of the Application, in order to ~~and~~ assist the Examining Authority to understand the progress of negotiations between parties.— It has been prepared with 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)~~Planning Act 2008: examination of applications for development consent' (Department for Communities and Local Government, March 2015).~~

~~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.

~~1.6.21.6.3~~ 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.

~~1.6.3~~

## 1.7 Role of key stakeholders

1.7.1 This SoCG refers to communications and correspondence between a number of key stakeholders. The role of each stakeholder is summarised in 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)
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
<del>Wardell Armstrong</del> <u>SLR Consulting</u> ( <u>'WASLR'</u> )	Environmental assessment consultants for the Applicant
Pier	Communication and stakeholder engagement consultants for the Applicant
<u>Herbert Smith Freehills Kramer LLP</u> ( <u>'HSF Kramer'</u> )	<u>Solicitors for the Applicant</u>
<u>Ardent Management Limited ('Ardent Management')</u>	<u>Land referencing consultants for the Applicant</u>

~~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.

## 1.8 Status of this Version

1.8.1 This SoCG is intended to be prepared in collaboration with NKDC, and as such, the Applicant ~~is providing this draft version~~has provided a draft version of the SoCG to NKDC for comment on the matters outlined in Section 3 ahead of submission into examination.

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 NKDC can agree on a ~~draft final~~ version of the document ~~for submission with the DCO application~~ahead of Deadline 8.

1.8.4 The document is structured as follows:

- Section 2 – summarises the consultation undertaken with NKDC, and correspondence sent by each party prior to examination;
- Section 3 – sets out the matters agreed between NKDC and the Applicant during pre-application stage;
- Section 4 – sets out the matters agreed between NKDC and the Applicant during pre-examination stage;
- Section 5 – sets out the matters currently still subject to discussion between NKDC and the Applicant.

~~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.~~

~~Section 2 of this document summarises the consultation undertaken with NKDC 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 NKDC.

**Table 2.1 – Summary of Correspondence**

DATE	FORM OF CORRESPONDENCE	NOTES
14/03/2023	Email to NKDC	Letter introducing the project and providing initial plans.
29/03/2023	Meeting with NKDC, <u>WA-SLR</u> and DWD	Introductory meeting including project overview and information. NKDC provided feedback to the Applicant on key matters.
04/04/2023	Email to NKDC	Updates provided to NKDC on PPA and environmental impact assessment (EIA) scoping items including list of consultees for technical/ EIA purposes. NKDC responded with feedback on 11 April 2023 and 19 April 2023.
19/04/2023	Email to NKDC	Provision of EIA screening notification and scoping opinion request to NKDC.
28/04/2023	Email to NKDC	Provision of updated engagement strategy following consultation with Council.
03/05/2023	Email from NKDC	Response to email regarding updated engagement strategy.
07/08/2023 – 09/08/2023	Emails between NKDC and DWD	Discussion regarding the proposed Planning Performance Agreement ('PPA'), process for engagement with NKDC and agricultural land classification methodology.
28/06/2023	Meeting with NKDC	Meeting with NKDC to gather baseline data to inform the assessment of the projects socio-economic impact.
30/08/2023	Meeting with NKDC, <u>WA-SLR</u> and DWD	Meeting to discuss the proposed soil survey methodology with NKDC's landscape adviser.
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.
08/11/2023	Meeting with NKDC and DWD.	Meeting to provide NKDC with an update on the project, including the proposed Bespoke Access Road, the Statement of Community Consultation ('SoCC') and statutory consultation.
08/11/2023	Email from NKDC	NKDC provided detailed feedback on the draft SoCC.
08/11/2023	Email from NKDC	NKDC request for a document correlating public feedback, ecological consultee EIA



		scoping (or subsequent) feedback, and overlays of ecological data mapping.
21/11/2023	Meeting with NKDC and <u>WASLR</u> .	Meeting to undertake consultation with an NKDC Conservation Officer regarding built heritage with a focus on locally listed buildings.
01/12/2023	Email to NKDC	Request for feedback on the proposed list of developments (including NSIPs) to be considered in for cumulative impact assessment. NKDC provided a response on 4 December 2023.
10/01/2024	Joint meeting with LCC, NKDC and BBC with DWD, <u>WASLR</u> and Pier.	Meeting to brief LCC, BBC and NKDC. Discussed the Bespoke Access Road, mitigation masterplan and future engagement.
17/01/2024	Letter from DWD (on behalf of Applicant) to NKDC	Section 42 statutory consultation with project information, including the PEIR and non-technical summary.
07/02/2024	Joint meeting with LCC, NKDC and BBC with DWD, <u>WASLR</u> and Pier	Meeting to provide update to Council's during the statutory consultation period regarding progress and discuss biodiversity mapping.
01/03/2025	Statutory Consultation response from NKDC	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 Council's 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.
13/05/2024	Joint meeting with LCC, NKDC and BBC	Meeting to discuss community benefits.
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.
26/09/2024	Email to NKDC	Information regarding the sequential and exception tests and the proposed access route. NKDC provided a response with feedback on 27 September 2024.
06/11/2024	Emails between NKDC and DWD	Feedback and discussion regarding the proposed agenda for the upcoming joint Council briefing.
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.

06/12/2024	Email from NKDC	NKDC comments on the Adequacy of Consultation Milestone, providing feedback on consultation to date.
12/12/2024	Email from NKDC	Feedback from NKDC regarding proposed Targeted Consultation for project updates.
13/12/2024	Letter from DWD (on behalf of Applicant) to NKDC	Targeted Consultation letter regarding project updates and changes, of which NKDC did not have comments.
18/12/2024	Email from NKDC	NKDC feedback on the proposed agenda for a project update meeting.
10/01/2025	Email from NKDC	Email relating to Examination PPA.
13/01/2025	Email from NKDC	Responses from NKDC on review of updated list of cumulative developments to be considered in the ES.
15/01/2025	Joint meeting with LCC, NKDC and BBC with DWD	Meeting to provide Councils with a general update and discuss Council's s42 responses. Also discussed SoCGs and community benefit fund.
15/01/2025	Targeted Consultation Response from NKDC	In response to Targeted Consultation which commenced 13 December 2024.
<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>01/07/2025</u>	<u>Representation from NKDC</u>	<u>Relevant Representation made to the Planning Inspectorate.</u>

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

3.1.1 The below Table 3.1 contains a list of 'matters 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 3.1 – List of Matters agreed during Pre-Application Stage**

MATTER	COMMENTARY
Adequacy of consultation	<p>NKDC 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). NKDC provided comments on the draft SoCC, which were taken into account before the SoCC was published, as set out in the <b>Consultation Report (APP-046)</b>.</p> <p>The applicant has consulted with NKDC 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 Act.</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. 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>
Principles regarding the proposed construction access arrangements (Solar Array Area)	<p>The Proposed Development will also include a new Bespoke Access Road from the A17 to the Solar Array Area. 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. The Bespoke Access Road would be constructed prior to commencing concurrent construction of the solar array area and cable connection, to facilitate access to the site. It will comprise a priority T-junction from the existing layby to the south-west of Asgarby with a 6.0m wide carriageway. During construction, temporary construction compounds will be required, as well as temporary roadways, to enable access to all the land within the Energy Park boundary. An <b>Outline Construction Environmental Management Plan ('OCEMP') (APP-077)</b> will be submitted alongside the Application. The detailed CEMP submitted at the requirement discharge stage would detail the full proposed mitigation measures to be followed during construction, including access requirements and site access changes required.</p>

	<p>The principle of retention of the bespoke access road for operation/decommissioning is not yet agreed as set out separately in Section 4 of this document.</p>
Planning history	<p>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.</p>
List of requirement discharge documents – agreement to principle	<p>The Applicant has provided a list of documents to be submitted at requirement discharge stage (see <b>Appendix 32</b>) that are proposed to mitigate likely effects or provide enhancement or policy benefits. The <b>Draft Development Consent Order (DCO) submitted with the application DCO (AS-008)</b> sets out the proposed timings and contents of these documents.</p>
National planning policy	<p>It is agreed that the following National Policy Statements ('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 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 Central Lincolnshire Local Plan (adopted April 2023) is the development plan in force within the administrative area of NKDC.</p> <p>It is further agreed that the following policies from the Central Lincolnshire Local Plan are most relevant to the Proposed Development.</p> <ul style="list-style-type: none"> <li>• S1 - The Spatial Strategy and Settlement Hierarchy</li> <li>• S5, Part E - Development in the Countryside (Part E: Non-residential development)</li> <li>• S8 - Reducing Energy Consumption – Non-Residential Buildings</li> <li>• S9 - Decentralised Energy Networks and Combined Heat and Power</li> <li>• S10 - Supporting a Circular Economy</li> <li>• S11 - Embodied Carbon</li> </ul>

	<ul style="list-style-type: none"> <li>• S12 - Water Efficiency and Sustainable Water Management</li> <li>• S14 - Renewable Energy</li> <li>• S15 - Protecting Renewable Energy Infrastructure</li> <li>• S16 - Wider Energy Infrastructure</li> <li>• S20 - Resilient and Adaptable Design</li> <li>• S21 - Flood Risk and Water Resources</li> <li>• S28 – Spatial Strategy for Employment</li> <li>• S34 - Non-designated Employment Proposals in the Countryside</li> <li>• S45 - Strategic Infrastructure Requirements</li> <li>• S47 - Accessibility and Transport</li> <li>• S48 - Walking and Cycling Infrastructure</li> <li>• S49 - Parking Provision</li> <li>• S53 - Design and Amenity</li> <li>• S54 – Health and Wellbeing</li> <li>• S57 - Historic Environment</li> <li>• S59 - Green and Blue Infrastructure Network</li> <li>• S60 - Protecting Biodiversity and Geodiversity</li> <li>• S61 - Biodiversity Opportunity and Delivering Measurable Net Gains</li> <li>• S66 - Tress, Woodland and Hedgerows</li> <li>• S67 - Best and Most Versatile Agricultural Land</li> </ul>
PRoW and recreation (Solar Array Area)	<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>). It is agreed that the Applicant will commit 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 project only.</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 Access Route Corridor. These are detailed discussed in detail in the Environmental Statement Chapter 15: Socio-Economics.</p>



## 4. Matters agreed during Pre-Examination Stage

4.1.1 The below Table 4.1 contains a list of 'matters agreed' correct at the date of submission of this SoCG, along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

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

<b>MATTER</b>	<b>COMMENTARY</b>
<u>Procedure for discharge of DCO requirements</u>	<u>The Applicant has provided the draft of the procedure for the discharge of DCO requirements in Part 2 of Schedule 2 of the <b>Draft DCO (AS-008)</b> to NKDC. Following further discussions, the Applicant has agreed to include costs as suggested NKDC, 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>
<u>Best and Most Versatile (BMV) Agricultural Land</u>	<p><u>NKDC are satisfied that the Agricultural Land Classification report has been undertaken by a professional team in agreement with Natural England. The agricultural land surveyed represents a total of 529ha of Solar Array Area and 45ha of Bespoke Access Corridor. LCC consider that the detailed Agricultural Land Classification (ALC) survey results are considered reliable. The survey has informed the design of the development and the <b>outline Soil Management Plan (APP-176)</b>.</u></p> <p><u>NKDC note that while the Cable Route Corridor was not surveyed, the ES is based on higher grades of agricultural land (predominantly Grade 2 with some Grade 1 and Grade 3 land), and as such it would be unlikely that the impact would be worse after the survey, unless all the land is Grade 1 classification.</u></p>
<u>Landscape and Visual Impact</u>	<u>NKDC acknowledges how significant effects on Landscape have been identified and while these are a concern, the judgement within the LVIA appears to be well reasoned subject to a more detailed review.</u>
<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 Proposed 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 NKDC have concerns about the environmental impact of the retention of the Bespoke Access Road to the Solar Array Area during operation and will provide further comments on this, NKDC has no objection to the principle, subject to the views of LCC as Local Highway Authority.</u></p>

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

~~4.1.15.1.1~~ The below Table 4.1 contains a list of ‘matters not yet agreed’ correct at the date of the submission of ~~the this Application SoCG~~, along with a concise commentary of what the item refers to and how it came to be agreed between the two parties. Any environmental/topic areas not explicitly listed in Table 3.1 of this document should also be taken as not yet agreed.

Table 5.1 – List of Matters Not Agreed during Pre-Application Stage

MATTER	COMMENTARY
The content of requirements	The specific drafting of the requirements in Schedule 2 of the <b>Draft DCO (AS-008)</b> is not yet agreed. NKDC officers and the Applicant will continue to engage constructively and regularly and seek to reach agreement on the matters within Schedule 2 prior to and during examination.
Principles regarding the proposed operational access arrangements (Solar Array Area)	<p><del>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.</del></p> <p><del>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.</del></p> <p><del>NKDC wishes to review the Environmental Statement and other application documents before forming a view on the principle of the access remaining in place for the operational stage. As such, the Applicant and NKDC have not reached agreement on this matter.</del></p>
Procedure for discharge of DCO requirements	<del>The Applicant has provided a draft of the procedure for the discharge of DCO requirements to NKDC at <b>Appendix 1</b> of this document. The Applicant will consider any comments provided by NKDC during pre-examination and examination and reflect as necessary in the procedure set out in Schedule 10 of the Draft DCO submitted with the DCO Application (<b>Document Ref: 3.1</b>).</del>

Best and Most  
Versatile (BMV)  
Agricultural Land  
in respect of  
green  
infrastructure

While NKDC is satisfied generally with the assessment methodology applied in **ES Chapter 14: Soils and Agricultural Land (APP-065)**, NKDC outlined concerns over how the impact on land use on agricultural land is covered in Table 14.3, as it does not include the amount of agricultural and BMV land which would be lost due to new green infrastructure (temporary and permanent) and BNG provision within the Solar Array Area and Bespoke Access Corridor. It is noted that other NSIPs (notably the Springwell Solar Farm) have assessed that certain elements of green infrastructure and BNG provision should be classed as a permanent loss on the basis that not all of the green infrastructure elements (especially woodland planting) would be reverted back to agriculture at the end of the operational period.

The Applicant's response is that areas of green infrastructure will have no detrimental impact on soil quality. All areas of tree and hedgerow planting are proposed for field margins and areas not currently in agricultural use, and no new woodland is proposed. With minimal management changes on this land using standard agricultural practices, it will be returned to agricultural use and retain its agricultural quality.

Following decommissioning, the soils will be reinstated to match the baseline soil profile characteristics of soil type, horizon depth and soil structure.

There is no intention by the Applicant or landowner (and no commitment proposed) for the BNG to be retained in perpetuity, nor is that appropriate in planning terms, as it could represent a permanent land use change. As such, it is submitted that the areas of green infrastructure should not be considered as agricultural land loss.

Using the IEMA guidance, these changes in land use can be considered as Minor: "reversible loss of one or more soil functions or soil volumes), or temporary, reversible loss of soil-related features" or Negligible impacts: "No discernible loss or reduction or improvement of soil functions or soil volumes that restrict current or proposed land use" impacts.

In this case, loss of soil function is the loss of its biomass production potential which is reversible. For the ecological enhancement areas, it can be seen that there will be no loss or reduction in soil function in relation to soil quality/soil carbon.

The green infrastructure areas are also providing additional ecosystem services for the Site. This should, therefore, be weighed up against the food security contribution that the BMV land provides.

The Solar Array Area will be returned to agricultural production after decommissioning of the Site and, therefore, we do not

	<p><u>agree that this should be considered a permanent loss of agricultural land, only a temporary loss in agricultural production.</u></p> <p><u>NKDC have requested that the Applicant provide plans and details showing the area, amount and ALC grade of the land where green infrastructure is proposed and the type of green infrastructure that is proposed.</u></p>
<u>Landscape Character Areas</u>	<p><u>NKDC has concerns regarding the Cumulative Effects on national, county and regional landscape areas. The cumulative effects of nearby projects combined has the potential to lead to adverse effects on landscape character across published character areas. This would also be an issue when experienced sequentially for visual receptors travelling through the landscape and experiencing multiple schemes over several kilometres. The repeated views and presence of large scale solar would be combined over time to create a perception of change. This would require an update of any published landscape character assessment, including at national level.</u></p> <p><u>The Applicant recognises that at a local level the agricultural character of the Site will be diminished, but it has been found that the characterising influence of solar development will not be strongly perceived beyond the immediate context of the Solar Array Area. This finding is confirmed in <b>ES Chapter 6 Landscape and Visual (APP-057)</b> of the Environmental Statement where effects on the host Fenland Sub Area would reduce to minor adverse (Not Significant) at year 15 following establishment of mitigation planting. Effects on the Holland Reclaimed Fen will also reduce to Minor adverse (not significant) at Operation year 0 following cessation of construction activity.</u></p>
<u>Cultural Heritage</u>	<p><u>NKDC is broadly satisfied with the analysis and outcomes of <b>ES Chapter 8: Cultural Heritage (APP-059)</b> in relation to the above ground heritage assets including the identification of minor adverse impacts on the principal heritage assets. However, NKDC have identified several areas of disagreement where they are of the view that additional information needs to be provided, assessment undertaken and impacts should be increased.</u></p> <p><u>Following a meeting on the 15 August 2025 the Applicant held with NKDC and LCC, it was agreed to hold a site meeting to view and discuss issues regarding the setting of designated and non-designated heritage assets. This site meeting was held at and near various heritage assets on the 5 September 2025. Details on the information gathered from the site visits and meeting is reflected within the <b>Applicant Responses to Relevant Representations (Document Ref: 9.2)</b>.</u></p>
<u>Battery Energy Storage System (BESS) and Fire Safety</u>	<p><u>NKDC has strong concerns about the potential risk to human health arising from fire related accidents at BESS developments.</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 OBSMP. The guidance was also used to</u></p>

	<p><u>develop the project design. As confirmed in the <b>Outline Battery Safety Management Plan (Outline BSMP) (APP-279)</b>, the Applicant intends to have regard to the NFCC guidance in the preparation of the detailed BSMP, which must be submitted to and, in consultation with NKDC and Lincolnshire Fire and Rescue Service ('LFR'), approved by the relevant planning authority in accordance with Requirement 6 in Schedule 2 to the <b>Draft DCO (AS-008)</b>.</u></p> <p><u>NKDC considers that there is a need to agree the battery type proposed within the BESS as part of the requirement to agree the BSMP in view of the changing market trends and the need to minimise the impact on human health following any major accident or disaster, and the 'perception of harm' to public amenity, safety and wellbeing as a material planning consideration.</u></p> <p><u>It is the Applicant's view that the battery type is not a material planning matter and should not be set as part of any planning decision.</u></p>
<u>Ecology and Arboriculture</u>	<p><u>NKDC notes that six trees will be removed in the Solar Array Area and a number of high value trees located within the Cable Route Corridor are close to an access track for construction purposes. NKDC has concerns that the impact on these trees may be greater than anticipated in the ES.</u></p> <p><u>The Arboricultural Impact Assessment identifies that some trees may need to be removed within the Cable Route Corridor depending on final design. NKDC would like clarification that the six veteran trees within the Bespoke Access Corridor would not be impacted by construction works.</u></p> <p><u>The Applicant has held a meeting (between the Applicant, Applicant's ecologist, NKDC and LCC on 14 August 2025), to discuss these matters. The Applicant has identified where there are areas requiring further clarification and will provide this.</u></p>
<u>Biodiversity Net Gain</u>	<p><u>At present, NKDC is not satisfied that the current BNG Strategy is adequately robust. NKDC notes a current commitment to delivering 30% habitat units, 10% hedgerows and 10% watercourses. NKDC note that the ExA assigned 'great weight' (positive) in the overall planning balance for Heckington Fen where a minimum of 65% BNG was committed to. NKDC would expect the applicant to be able to significantly exceed a minimum of 10% BNG across all three habitat types.</u></p> <p><u>The Applicant's position on this matter is set out in the <b>Applicant Responses to Relevant Representations (Document Ref: 9.2)</b>. In summary, the Applicant considers that this commitment, particularly in the absence of any existing target for NSIP's to deliver BNG, should be afforded positive weight. The Applicant will seek to deliver gains above 30% if feasible.</u></p>



## Decommissioning

NKDC do not consider that funding for decommissioning is suitably addressed within the **Draft DCO (AS-008)** as it does not provide sufficient security that decommissioning could be funded by the Applicant. NKDC request a Requirement for the provision for funding for decommissioning.

NKDC would support an additional Requirement to fix the replacement rate of solar panels and other equipment that is set out in the DCO application.

The Applicant has prepared a robust **Funding Statement (APP-043)** confirming how it will fund the Project as a whole. Accordingly, the Applicant does not consider it necessary that a funding requirement for decommissioning be included within the **Draft DCO (AS-008)** but will engage with NKDC to seek to find a way forward on this matter.

## Draft Development Consent Order/s Section 106 Agreement

NKDC wishes to provide detailed comments on the **Draft DCO (AS-008)** and to participate in an Issue Specific Hearing in relation to the drafting of the DCO. NKDC outline concerns around the unrestricted powers around tree lopping and felling that would be afforded under Article 43. Amendments to the draft Requirements in Schedule 2 are likely to be requested following the finalisation of the Council's LIR.

The Applicant notes that Article 43 is subject to the controls and restrictions contained within the Requirements contained within Schedule 2 of the **Draft DCO (AS-008)** such as in the detailed CEMP (Requirement 12).

NKDC seek to ensure that an appropriate fee is set for monitoring BNG, ecology and landscape mitigation works. NKDC expect that a s106 agreement will be required. The Applicant awaits NKDC's fee estimates with regards to BNG monitoring and will consider this upon receipt.

NKDC notes that the **Draft DCO (AS-008)** provides for a time period of 8 weeks for determination of any consent, agreement or approval required (save for applications made pursuant to Part 2 of Schedule 2). NKDC consider that a time period of 10 weeks would be more consistent with the timeframe for the discharge of requirements.

NKDC will be seeking commitments to delivering a Skills and Education package which NKDC consider should engage a financial contribution. The Applicant is currently considering further detail on this matter provided in the recently published draft version of NKDC's Local Impact Report and will

The Applicant is currently considering further detail provided on the above matters in the published draft version of NKDC's Local Impact Report, and will review the final report when available.

INSERT SIGNATURE

Signed: NAME

On behalf of: North Kesteven District Council

Date:

INSERT SIGNATURE

Signed: NAME [Project Team Company 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.—(1) 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.—(1) 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.—(1) 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.**—(1) 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

The table below sets out the planning history within the redline boundary for the portion of Beacon Fen Energy Park that sits within North Kesteven District Council.

### North Kesteven District Council

REFERENCE NUMBER	ADDRESS	DESCRIPTION OF DEVELOPMENT	APPLICANT NAME	STATUS
24/1265/FUL	Land Lying To The South Of Little Hale Drove Little Hale Fen Sleaford NG34 9BG	Erection of 99MW Battery Energy Storage System (BESS) and associated infrastructure	Root-Power (South) Limited	Approved 14/03/2025
23/1021/FUL	Land South Of Little Hale Drove Little Hale Fen Sleaford Lincs	Development of a photovoltaic solar array (49.995MW export capacity) with associated grid corridor works, access improvements and ancillary development	AGR Solar 3 Limited	Refused - 07/11/2024
24/0311/EIASC	Land Lying To The South Of Little Hale Drove Little Hale Fen Sleaford NG34 9BG	Proposed development of a Battery Energy Storage System (BESS)	Sharon Thomas	Non EIA 16/08/2024
23/0174/PNND	Top Barn Yard Off Swaton Road Thorpe Latimer Sleaford Lincolnshire NG34 0RF	Proposed conversion of agricultural buildings into two dwellings	Robert Watts Limited	Approved 26/04/2023
22/1235/LDEXI	Boughton Barns C402 A17 To C379 Howell Asgarby Sleaford Lincolnshire NG34 9QB	Application for a lawful development certificate for an existing use - change of use from dwellinghouse (C3) to a learning and non-residential institution (F1)(A) for the provision of education in the form of a cookery school	Mr and Mrs Christopher Edgar Deborah Catherine Hopkins	Withdrawn – 12/10/2022
22/0716/FUL	Land Off Star Fen Heckington Sleaford Lincolnshire	Proposed single storey eco-dwelling	Mr & Mrs Andrew Mitchell	Refused – 26/07/2022
22/0425/FUL	Brandy Barn Eau End Farm North Drove Helpringham Sleaford Lincolnshire NG34 0BS	Installation of a horse exerciser on the area behind the existing stable block.	Mrs Jane Francis	Approved – 17/06/2022

20/1665/FUL	Boughton Barns C402 A17 To C379 Howell Asgarby, Sleaford, Lincolnshire NG34 9QB	Demolition of existing modern agricultural building to allow conversion of and extension to remaining barns to form dwelling and cookery school. (Amended Description)	Mr C Hopkins	Refused – 31/03/2022
20/1666/LBC	Boughton Barns C402 A17 To C379 Howell Asgarby, Sleaford Lincolnshire, NG34 9QB	Demolition of existing modern agricultural building to allow conversion of and extension to remaining barns to form dwelling and cookery school. (Amended Description)	Mr C Hopkins	Refused – 31/03/2022
21/0221/FUL	The Meadows North Drove Helpringham, Sleaford Lincolnshire, NG34 0BS	Demolition of existing attached outbuildings and erection of attached annex and double garage	Mr and Mrs Wood	Approved – 28/10/2021
21/1337/EIASC	Land At Little Hale Fen, To The East Of Helpringham, To The South East Of Little Hale, And To The North West Of Bicker And Donington, Including Grid Connection Cabling Extending To The National Grid Substation To The East, Lincolnshire	Proposed solar farm (up to 49.995MW generating capacity) and associated infrastructure including grid connection cabling to Bicker Fen Substation	AGR Solar 2 Limited	Screening opinion issued 6 October 2021 – it does not constitute EIA development and therefore an ES is not required.
21/1166/DISCON	Installation Of High Voltage Direct Current (DC) Cables For The Viking Link Interconnector Project Between Proposed Landfall At Boygriff In East Lindsey To A Proposed Converter Station At North Ing Drove In South Holland	Application to discharge condition 14 (Archaeological Mitigation) attached to application 17/1200/FUL - Works to facilitate the Viking Link electrical interconnector with an approximate capacity of 1400 megawatts (MW) extending from Revsing, Jutland, (Denmark) to Bicker Fen, Lincolnshire (UK) comprising: - Installation of two (2) subsea high voltage direct current (DC) cables	Brendan Maloney	Approved - 10/09/2021

between Mean Low Water Springs (MLWS) and landfall at Boygrift in East Lindsey;

- Installation of two (2) onshore DC cables between the landfall at Boygrift and the converter station at North Ing Drove in South Holland;
- Construction of associated Temporary Construction Compounds (TCC) and Temporary Works Areas (TWA) and temporary vehicle access arrangements required for DC and AC cable installation;
- Erection of converter station buildings together with the formation of internal roads, permanent access road from the A52, erection of security fencing, formation of landscaping with associated temporary construction compounds;
- Installation of up to six (6) onshore high voltage alternating current (AC) cables between the converter station at North Ing Drove and the existing Bicker Fen 400 kilovolt (400kV) Substation owned and operated by National Grid Electricity Transmission Plc (NGET);
- Installation of link pillars along the AC cable route for inspection and maintenance purposes, these will be contained within fenced areas;
- Installation of two substation bays at Bicker Fen Substation to allow Viking Link to be connected to the National Grid electricity transmission system;
- Installation of all associated drainage

		<p>mitigation works; and</p> <ul style="list-style-type: none"> <li>- Installation of fibre-optic cable(s) with the high voltage AC and DC cables (A bay consists of switching equipment including circuit breakers, disconnector and measuring equipment. NGET will be providing Viking Link the space available to connect to Bicker Fen).</li> </ul>		
21/0282/DISCON	<p>Installation Of High Voltage Direct Current (DC) Cables For The Viking Link Interconnector Project Between Proposed Landfall At Boygrift In East Lindsey To A Proposed Converter Station At North Ing Drove In South Holland;</p>	<p>Application to discharge condition 5 (Landscape Restoration) attached to planning permission 17/1200/FUL - Works to facilitate the Viking Link electrical interconnector with an approximate capacity of 1400 megawatts (MW) extending from Revsing, Jutland, (Denmark) to Bicker Fen, Lincolnshire (UK) comprising:</p> <ul style="list-style-type: none"> <li>- Installation of two (2) subsea high voltage direct current (DC) cables between Mean Low Water Springs (MLWS) and landfall at Boygrift in East Lindsey;</li> <li>- Installation of two (2) onshore DC cables between the landfall at Boygrift and the converter station at North Ing Drove in South Holland;</li> <li>- Construction of associated Temporary Construction Compounds (TCC) and Temporary Works Areas (TWA) and temporary vehicle access arrangements required for DC and AC cable installation;</li> <li>- Erection of converter station buildings together with the formation of internal roads, permanent access road from the</li> </ul>	Brendan Maloney	Approved - 30/07/2021



		<p>A52, erection of security fencing, formation of landscaping with associated temporary construction compounds;</p> <ul style="list-style-type: none"> <li>- Installation of up to six (6) onshore high voltage alternating current (AC) cables between the converter station at North Ing Drove and the existing Bicker Fen 400 kilovolt (400kV) Substation owned and operated by National Grid Electricity Transmission Plc (NGET);</li> <li>- Installation of link pillars along the AC cable route for inspection and maintenance purposes, these will be contained within fenced areas;</li> <li>- Installation of two substation bays at Bicker Fen Substation to allow Viking Link to be connected to the National Grid electricity transmission system;</li> <li>- Installation of all associated drainage mitigation works; and</li> <li>- Installation of fibre-optic cable(s) with the high voltage AC and DC cables (A bay consists of switching equipment including circuit breakers, disconnector and measuring equipment. NGET will be providing Viking Link the space available to connect to Bicker Fen).</li> </ul>		
21/0677/HOUS	Bramble Cottage Great Hale Drove Great Hale Sleaford Lincolnshire NG34 9GJ	Proposed single storey front extension	Mr and Mrs Cope	Approved – 14/06/2021
21/0393/FUL	White House Great Hale Drove Great Hale Sleaford Lincolnshire NG34 9LT	Proposed erection of new brick meter house and siting of shipping container to house pump-house equipment, (together with installation of underground mains	Mr Matthew Mountain	Approved - 18/05/2021

		electricity supply from existing farmyard to agricultural lagoon) to provide pumping equipment for the extraction of water from lagoon.		
21/0960/HOUS	The Meadows North Drove Helpringham, Sleaford Lincolnshire, NG34 0BS	Change of use of part of paddock to a menage and lighting columns and stable block	Mrs Anne Wood	Approved – 13/04/2021
20/0743/DISCON	Installation Of High Voltage Direct Current (DC) Cables For The Viking Link Interconnector Project Between Proposed Landfall At Boygrift In East Lindsey To A Proposed Converter Station At North Ing Drove In South Holland	Application to discharge conditions 2 (Ecological Management Plan), 3 (Pre-commencement surveys), 4 (Programme of mink control), 6 (Construction Traffic Management Plan and Access Route), 8 (Preconstruction condition survey), 13 (Construction Environmental Management Plan), 16 (Drainage) and 21 (Contaminated material treatment scheme) attached to application 17/1200/FUL - Works to facilitate the Viking Link electrical interconnector.	Mr Chris Sharp	Approved - 07/09/2020
20/0298/FUL	White House Great Hale Drove Great Hale Sleaford Lincolnshire NG34 9LT	Siting of 2 no. shipping containers for the storage of chemicals and formation of concrete base	Mr Matthew Mountain	Approved – 25/05/2020
20/0485/DISCON	Installation Of High Voltage Direct Current (DC) Cables For The Viking Link Interconnector Project Between Proposed Landfall At Boygrift In East Lindsey To A Proposed Converter Station At North Ing Drove In South Holland	Application to discharge condition 7 (Contact for queries or complaints) attached to application 17/1200/FUL - Works to facilitate the Viking Link electrical interconnector with an approximate capacity of 1400 megawatts (MW) extending from Revsing, Jutland, (Denmark) to Bicker Fen, Lincolnshire (UK) comprising: - Installation of two (2) subsea high	Mr Chris Sharp	Approved - 05/05/2020

voltage direct current (DC) cables between Mean Low Water Springs (MLWS) and landfall at Boygrift in East Lindsey;

- Installation of two (2) onshore DC cables between the landfall at Boygrift and the converter station at North Ing Drove in South Holland;
- Construction of associated Temporary Construction Compounds (TCC) and Temporary Works Areas (TWA) and temporary vehicle access arrangements required for DC and AC cable installation;
- Erection of converter station buildings together with the formation of internal roads, permanent access road from the A52, erection of security fencing, formation of landscaping with associated temporary construction compounds;
- Installation of up to six (6) onshore high voltage alternating current (AC) cables between the converter station at North Ing Drove and the existing Bicker Fen 400 kilovolt (400kV) Substation owned and operated by National Grid Electricity Transmission Plc (NGET);
- Installation of link pillars along the AC cable route for inspection and maintenance purposes, these will be contained within fenced areas;
- Installation of two substation bays at Bicker Fen Substation to allow Viking Link to be connected to the National Grid electricity transmission system;

		<ul style="list-style-type: none"> <li>- Installation of all associated drainage mitigation works; and</li> <li>- Installation of fibre-optic cable(s) with the high voltage AC and DC cables</li> </ul> <p>(A bay consists of switching equipment including circuit breakers, disconnector and measuring equipment. NGET will be providing Viking Link the space available to connect to Bicker Fen).</p>		
19/1510/FUL	White House Great Hale Drove Great Hale Sleaford Lincolnshire NG34 9LT	Erection of two grain silos.	Mr Matthew Mountain	Approved – 24/12/2019
18/1730/HOUS	Home Farm House Little Hale Drove Little Hale Sleaford Lincolnshire NG34 9BG	Extension and alterations to create home office.	Mr & Mrs Needham	Approved – 02/04/2019
17/1200/FUL	Installation Of High Voltage Direct Current (DC) Cables For The Viking Link Interconnector Project Between Proposed Landfall At Boygrift In East Lindsey To A Proposed Converter Station At North Ing Drove In South Holland;	Works to facilitate the Viking Link electrical interconnector with an approximate capacity of 1400 megawatts (MW) extending from Revsing, Jutland, (Denmark) to Bicker Fen, Lincolnshire (UK) comprising, Installation of two (2) subsea high voltage direct current (DC) cables between Mean Low Water Springs (MLWS) and landfall at Boygrift in East Lindsey. Installation of two (2) onshore DC cables between the landfall at Boygrift and the converter station at North Ing Drove in South Holland. Construction of associated Temporary Construction Compounds (TCC) and Temporary Works Areas (TWA) and temporary vehicle access arrangements required for DC and AC cable installation. Erection of converter	Ms Liz Wells 35 Homer Road Solihull B91 3QJ West Midlands	Approved - 18/08/2018

		<p>station buildings together with the formation of internal roads, permanent access road from the A52, erection of security fencing, formation of landscaping with associated temporary construction compounds. Installation of up to six (6) onshore high voltage alternating current (AC) cables between the converter station at North Ing Drove and the existing Bicker Fen 400 kilovolt (400kV) Substation owned and operated by National Grid Electricity Transmission Plc (NGET). Installation of link pillars along the AC cable route for inspection and maintenance purposes, these will be contained within fenced areas. Installation of two substation bays at Bicker Fen Substation to allow Viking Link to be connected to the National Grid electricity transmission system. Installation of all associated drainage mitigation works and Installation of fibre-optic cable(s) with the high voltage AC and DC cables (A bay consists of switching equipment including circuit breakers, disconnector and measuring equipment. NGET will be providing Viking Link the space available to connect to Bicker Fen)</p>		
18/0890/OHL	Burton Road Heckington Sleaford Lincolnshire NG34 9QS	Proposed 11kv overhead line.	Peter Scott	No objections – 08/08/2018
17/1762/EIASCRC	Ewerby Waithe Common Ewerby Sleaford	Solar Farm	James Jamieson	EIA Development - 15/12/2017



Ref 17/1122/FUL Appeal Ref: APP/R2520/W/18/ 3198226	Land Adjacent to Bramble Cottage, Screddington Road, Burton Pedwardine, Sleaford NG34 0BY	Erection of dwelling and detached double garage with associated site works (Re- submission 17/0280/FUL)	Mrs Lynda Targosz	Refused - 28/09/2017 Appeal dismissed - 08/08/2018
14/1003/FUL	Land Associated With Ewerby Thorpe Farm Ewerby Thorpe Sleaford NG34 9PR	Development of a solar photovoltaic power generating installation with associated inverter cabinets, transformers, switchgear, internal access tracks, security fencing and cameras	Mr Tom Vernon	Approved - 03/10/2014
14/1034/EIASCR	Land At Ewerby Thorpe	Erection of solar array with generating capacity of up to 28 MW and associated infrastructure	Andrew Troup	Non EIA - 18/08/2014
13/1257/EIASCR	Land Off Cow Drove West Of White House Farm Cow Drove South Kyme Lincoln LN4 4AL	Request for a screening opinion in respect of the proposed erection of solar photovoltaic development on land off Cow Drove, west of White House Farm, Cow Drove, South Kyme, Lincoln LN4 4AL	Sally Walker	EIA Development - 15/11/2013
13/0604/EIASCR	Land West Of Cow Drove South Drove South Kyme	Erection of a 30MWp solar farm	Sam Jones	EIA Development - 11/06/2013
13/0001/HOUS	Mastins Farmhouse Great Hale Drove Great Hale Sleaford Lincolnshire NG34 9LS	Erection of detached double garage and store	Mr And Mrs Mountain	Approved - 27/02/2013
09/0963/FUL	Layby A17 Near Boons Cottage Sleaford Road Asgarby Sleaford NG34 9QF	Siting of a mobile catering unit	S Rudd	Refused - 03/02/2010
08/0457/FUL	Mastins House Great Hale Fen Great Hale	Erection of double garage	Mr Mountain	Refused - 03/07/2008
07/1302/FUL	Mastins Farmhouse Great Hale Fen	Reroofing of dwelling including the installation of dormer windows, erection of double garage and porch	Mr and Mrs Mountain	Approved - 20/12/2007
07/0731/FUL	Gashes Barn Ewerby Fen	Erection of 9.6m high windturbine	Mr & Mrs R Dolby	Approved - 07/08/2007

### **Nationally Significant Infrastructure Projects**

<b>REFERENCE NUMBER</b>	<b>ADDRESS</b>	<b>DESCRIPTION OF DEVELOPMENT</b>	<b>APPLICANT NAME</b>	<b>STATUS</b>
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 24/01/2025
EN020019 (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 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



- **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
- **Light blue:** New proposed permissive path that links up existing PROW Ewer/9/1 and Ewer/1103/1. This route is indicative and will require an undetermined number of ~~four pedestrian~~ footbridges (unlikely to be more than eight number) to cross existing watercourses with spans ranging from 4-15m.