

Planning Inspectorate

[via PINS portal]

**Our ref:** XA/2025/100456/02-L02

**Your ref:** EN010151

**Date:** 21 October 2025

Dear Sir/Madam

**ENVIRONMENT AGENCY RESPONSE TO EXAMINING AUTHORITY  
QUESTIONS EXQ1. BEACON FEN ENERGY PARK, LINCOLNSHIRE.**

We have reviewed the questions directed to us within your letter dated 1 October 2025 [\[PD-007\]](#) and have responded below. The Environment Agency's latest position is shown in Appendix A.

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
GCT.1.3	Host local authorities (HLAs) Statutory Consultees	Table 15.1 of appendix 1.1. Scoping Report [APP-071] includes the summary of what has been scoped in and scoped out of the EIA? Are the HLAs and statutory consultees content with the applicant's approach?
<b>Environment Agency Response:</b>		
The Environment Agency (EA) are content with the Applicant's approach to the scope of the EIA.		

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
GCT.1.5	HLAs Statutory Consultees	<b>Updates on development</b> Please provide an update on any submitted planning applications or consents granted since the application was submitted that could either affect the proposed development or be affected by the proposed development and whether these would affect the conclusions reached in the Environmental Statement (ES).
<b>Environment Agency Response:</b>		
The EA have carried out checks and cannot find any Flood Risk Activity Permits or exemptions within the vicinity of the draft Order Limits that may affect the proposals or the conclusions within the Environmental Statement.		
We defer to the HLAs to provide an update on any submitted planning applications that could impact or be impacted by the Proposed Development.		

ExQ1	Question to:	Question:
GCT.1.7	Applicant HLAs All local authorities Prescribed consultees Interested parties (IPs)	<b>Central Government Policy and Guidance</b> Are you aware of any updates or changes to Government Policy or Guidance (including emerging policies) relevant to the determination of this application that have occurred since it was submitted? If yes, what are these changes and what are the implications for the application?
<b>Environment Agency Response:</b>		
The EA are unaware of any updates or change to Government Policy or Guidance relevant to the determination of this application.		

ExQ1	Question to:	Question:
GCT.1.8	HLAs All local authorities Prescribed consultees IPs	Issues for Examination Requests have been made to the ExA, at both the Preliminary Meeting (PM) and Issue Specific Hearing 1 (ISH1), for certain topics to be considered for future hearings. The ExA asks for a list of topics to be submitted which you believe would benefit from being examined in a hearing context and why a hearing, as opposed to written representations, would be needed?
<b>Environment Agency Response:</b>		
The EA has no specific request for issues to be discussed.		

ExQ1	Question to:	Question:
GCT.1.16	Applicant Environment Agency (EA)	The Environment Agency (EA) in its representation [RR-006], have raised a number of concerns regarding the applicant's approach to flood risk which were also the subject of discussions at ISH1. The ExA would just like to clarify that it is hoping to see significant progress on this matter at the early stages of the examination as to avoid the need for any significant changes to be made to the proposed development at a later stage in the examination process.
<b>Environment Agency Response:</b>		
Since ISH1, the EA has held two meetings with the Applicant to discuss how to progress the issues raised within our Relevant Representation <a href="#">[RR-006]</a> . Flood risk and modelling were discussed within the first of those meetings, on 7 <sup>th</sup> October 2025. Since then, the Applicant has continued to engage with our modelling specialist to progress the outstanding model review. We are now comfortable with their baseline design event modelling, which is reflective on the 1 in 100 year plus higher central climate change scenario ( 32%) for the 2080s epoch and which means we can now move forward with the Applicant to agree their mitigation. We have two outstanding questions for the Applicant to address regarding the fluvial credible maximum scenario (1 in 100 year plus upper climate change ( 57%) for the 2080s epoch) and the embankment failure (breach) modelling. We are continuing to work with the Applicant to resolve these outstanding concerns.		

Issues EA21 to EA30 of our Relevant Representation were raised in regard to flood risk. Additional commentary on the progress against these issues has been provided in our other response for Deadline 2 (our ref XA/2025/100456/02-L01).

ExQ1	Question to:	Question:
CA.1.3	Affected Persons (APs) Interested Persons (IPs)	The BoR [APP-015/016] identifies, on a plot-by-plot basis, all parties who own or occupy land and/or have an interest in or right over the land affected by the proposal, and/or who may be entitled to make a 'relevant claim' as defined in section 57 of the PA2008. Are any APs or IPs aware of any inaccuracies in the c? If so, please set out what these are and provide details.

**Environment Agency Response:**

The EA are not aware of any inaccuracies in the BoR.

ExQ1	Question to:	Question:
CA.1.4	APs IPs	Are any APs or IPs aware of any inaccuracies in the Statement of Reasons (SoR) [AS013/014] or Land Plans [AS-005/006]? If so, please set out what these are and provide details.

**Environment Agency Response:**

The EA are not aware of any inaccuracies in the Statement of Reasons or Land Plans.

ExQ1	Question to:	Question:
CA.1.8	APs	Do any APs have concerns that they have not yet raised about the legitimacy, proportionality or necessity of the CA or TP powers sought by the applicant that would affect land that they own or have an interest in?

**Environment Agency Response:**

The EA does not have any concerns regarding this matter.

ExQ1	Question to:	Question:
LSV.1.2	LPAs IPs	Are the relevant LPAs and other IPs content with the methodology used by the applicant to identify the landscape and visual effects of the proposed development?

**Environment Agency Response:**

No comments.

ExQ1	Question to:	Question:
SEC.1.2	All IPs	The applicant states in paragraph 15.6.60 of Chapter 15 of the ES that the land take for the temporary access road will lead to long-term economic displacement of farming activities. However, landowners will be compensated for economic displacement as embedded mitigation. Does any IP



		wish to comment on this specific issue in relation to viability and feasibility of any farming activities?
<b>Environment Agency Response:</b>		
No comments.		

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
SEC.1.4	Applicant EA	The ExA noted on its Unaccompanied Site Inspection, and the applicant has confirmed at ISH1, that PRoW LL Ewer 12/1 is currently not accessible nor used. The applicant also states, in paragraph 15.6.64 that as part of embedded design enhancements, PRoW LL Ewer 12/1 is being extended. It is assumed that the current barriers to access and use by NMUs will be lifted, however confirmation of this is being sought from the EA and the applicant if this is to be considered a benefit of the proposal. Can therefore the applicant and EA please confirm that it their intention to open PRoW LL Ewer 12/1 for NMUs and how this will be secured?

**Environment Agency Response:**

The EA does not have any specific information about why this PRoW is not used and can only give comment on the safety of the footbridge which will be required for the extended PRoW. This will require the Applicant to obtain a flood risk activity permit from the EA and we are currently working with the Applicant to secure the necessary design criteria for the new bridge to ensure its safety for the lifetime of the development. This will look to ensure the soffit height of the bridge is 600mm above the design flood event, abutments are set back appropriately to ensure there are no adverse effects to the riverbanks of flood defences and all railings which may be necessary are as open as possible to reduce the possible build-up of debris.

<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
WFR.1.2	Applicant EA NE IPs	In relation to the Wash SPA and Ramsar and the Wash and North Norfolk Coast SAC, paragraph 4.3.2 sets out that "Measures to contain pollutants and avoid them entering the water courses have been set out in the OCEMP (Document ref 6.3 ES vol 2, 6.3.7) in particular Section 4.5. A minimum 5 m buffer will be maintained from all water courses. The hydrological regime has been considered in the OCEMP section 6.11, and water levels are maintained by the Internal Drainage Board."  The ExA seeks views from the EA, NE and other IPs as to whether the information provided in the oCEMP in relation to monitoring provides sufficient detail and therefore security to be relied upon to inform the final CEMP.

**Environment Agency Response:**

The EA does not believe that the information provided in the Outline Construction Environmental Management Plan (oCEMP) [[REP1-010](#)] is currently sufficient. Further details are provided below:

#### Frequency of Monitoring and Maintenance

Section 6.11.21 states that SuDS features within the Order Limits will undergo regular monitoring and maintenance. The Applicant should include within the oCEMP a summary of the frequency of the intended monitoring and maintenance for each type of SuDs (i.e. weekly, monthly, annually etc).

#### Monitoring Locations

Section 6.11.22 states that monitoring locations would include surface water locations, such as upstream and downstream of watercourse crossings and or watercourses within the Solar Array Area. While the EA agrees with this approach, we will need to see a map and definitive locations of monitoring locations provided in the final CEMP.

#### Sampling

Section 6.11.22 states that in-situ testing will be carried out using handheld water quality meters, although there may be the need for actual water samples to be taken. Samples should be sent to a United Kingdom Accreditation Service (UKAS) accredited laboratory to undergo chemical analysis to check for hazardous chemicals listed here: [Surface water pollution risk assessment for your environmental permit - GOV.UK](#)

We would recommend sampling/testing is carried out once per month, starting at least six months prior to construction. During the first three months of construction (and during any earthworks or works involving concrete), we would suggest that the frequency of sampling should increase to once every two weeks. Monitoring should continue monthly until six months after construction is complete.

The monitoring plan should include enough monitoring samples to detect any variation as a result of seasons or weather conditions. We note that often monitoring details are set out in a Water Management Plan (in the CEMP) post-consent, but we request to see further details of the monitoring early to ensure that it is suitably designed and able to detect relevant trends, if any, on water quality during the construction and operation phases.

We trust this advice is useful.

Yours faithfully

**Miss Lizzie Griffiths**  
**Sustainable Places - Planning Specialist**

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[Redacted contact information]

## APPENDIX A – SUMMARY OF ENVIRONMENT AGENCY POSITION

Subject	Work package	Scope	Method and Assumptions	Results of Assessment (i.e Impact)	Mitigation / Enhancements Agreed	Requirement	RR ID
Ecology  Water Resources	Biodiversity Net Gain Strategy					8	
	Ecological Assessment					7	EA01, EA02, EA03, EA04, EA05, EA06, EA20
	Water Environment Regulations Compliance						EA01, EA02, EA03, EA04, EA05, EA06
	Water Supply Strategy						EA08, EA15
Flood Risk	Flood Risk Assessment						EA01, EA02, EA03, EA21, EA22, EA23, EA24, EA25, EA26, EA27, EA28, EA29, EA30
	Hydraulic Model						EA23, EA26, EA29
Water Quality	Outline Construction Environmental Management Plan					12	
	Decommissioning Environmental Management Plan					18	
	Outline Battery Safety Management Plan					6	EA32
	Foul & Surface Water Drainage					10	EA10, EA33
	Water Environment Regulations Compliance						EA05
Groundwater Protection	Outline Construction Environmental Management Plan					12	EA13, EA14, EA19
	Groundwater Protection						EA09, EA10, EA12, EA13, EA19, EA31, EA32, EA33
	Decommissioning Environmental Management Plan					18	EA17, EA19
Waste	Waste Management Strategy						EA16
Geomorphology	Water Environment Regulations Compliance						EA01, EA02