

By email to:

beaconfen@planninginspectorate.gov.uk

Justine Foster
Infrastructure Manager
Planning Services
Lincolnshire County Council
County Offices
Newland
Lincoln LN1 1YL
Email: nsips@lincolnshire.gov.uk

Date: 31 October 2025

Dear Sir/Madam

Application by Beacon Fen Energy Park Limited for an Order Granting Development Consent for the Beacon Fen Energy Park Project

This letter contains Lincolnshire County Council's ('the Council') comments on further information and submissions received at Deadline 2.

The Council notes the updated application documents submitted by the Applicant, along with submissions from interested parties at deadline 2. The Applicant's submissions encompass updates to chapters and appendices of the Environmental Statement (ES), revised plans, updated management plans, a revised draft Development Consent Order (dDCO), responses to ExQ1 and the Applicant's response to Local Impact Reports (LIR) and written representations, which are the focus of the Council's comments.

Due to the limited time between deadlines 2 and 3 to review these submissions and considering that they were not made available on the National Infrastructure Planning website until 24 October, the Council is able to provide the following comments at this stage. Further feedback will be provided in future written submissions, through the Statement of Common Ground (SoCG) and during examination hearings, as appropriate.

Policy Comments

Written Ministerial Statements (WMS)

The applicant's comments at 5.16-5.17 of Applicant's comments on Local Impact Reports [REP2-041] and the response to ExQ1[REP2-040] LUS 1.1 and 1.2 are noted.

The applicant response at LUS 1.1 states that:

"The Applicant is considering the option to utilise the Solar Array Area of the Proposed Development for grazing opportunities. In that way, the Proposed Development could still contribute to the agricultural supply chain, if a local grazier was interested in this opportunity. This opportunity is mentioned in the OLEMP (APP-089), secured via Requirement 7 of Schedule 2 of the Draft DCO (Document Ref: 3.1)."

Grazing has been suggested as a potential option for land use; however, there is no firm commitment to its implementation. Consequently, LCC considers that grazing cannot be

regarded as secured under Requirement 7. In the absence of a confirmed agricultural grazing use, the land beneath the solar arrays would be classified as non-agricultural. This would result in the loss of Best and Most Versatile (BMV) land from agricultural production, meaning it would no longer contribute to the agricultural supply chain. The applicant has acknowledged in its response to LUS 1.2 that grazing should not be given weight in the planning balance, a position with which LCC agrees.

Landscape and Visual

The Council acknowledges the applicant response to our LIR and written representation. The Council's position remains as set out in the LIR and in the SoCG and we have no further comments to make at this stage. However, the Council welcomes continued dialogue with the applicant and notes at 7.16 of REP2-041 that the applicant proposes further engagement regarding the contents of the AAH report, to identify key issues and information requirements and to look to resolve these matters over the course of the examination.

Ecology

Chapter 7 Ecology (Revision 2) [REP2-015]

The Council notes the updates made in REP2-015 and has the following comments to make:

- 7.6.54: The Council remains concerned about the predicted permanent impact on skylark and by association other populations of ground nesting farmland birds. This is particularly the case given the number of other solar developments in the county which have the potential to reduce the area of nesting habitat available. The Applicant is encouraged to provide additional information on measures that will be incorporated to avoid permanent negative impacts on populations of ground nesting birds species.
- 7.6.6: The Council welcomes the clarification provided that no trees with bat roosting features will be removed.
- 7.6.80: The Council welcomes the updated information in relation to decommissioning effects on Local Wildlife Sites and confirmation that these will not be significant.
- 7.7.4: The Applicant's commitment to undertaking pre-works habitat suitability assessment for fish and post-construction monitoring to ensure recovery is welcomed.

Biodiversity Net Gain Strategy (Revision 2) (Tracked) [REP2-029] and Biodiversity Net Gain Strategy: BNG Metric [REP2-031]

The Council notes the updates made in REP2-029 and REP2-031 and has the following comments to make:

- The updated predictions for the levels of BNG to be delivered of 30.23% area habitat units, 10.79% hedgerow units and 15.95% watercourse units are noted.
- The Council considers that habitats have now been assigned the correct strategic significance in line with Central Lincolnshire Biodiversity Opportunity mapping.
- The Council notes the Applicant's updated assumption at 2.5.7 in relation to Arable margins / Other Neutral grassland and considers this an acceptable approach.
- Areas of Priority woodland habitat are now correctly included in the Applicant's Biodiversity metric (REP2-031).

- The Council notes that previously proposed lowland meadow habitat creation has been changed to 'Other neutral grassland' in the Applicant's Biodiversity Metric (REP2-031). The creation of this habitat type is considered more realistic. Table 10 in REP2-029 does not appear to have been updated to reflect this change.
- The trading rules in the metric are not currently being met and the Council would welcome further discussion with the Applicant on how this could be achieved by provision of additional areas of high distinctiveness habitat.
- The Council has previously queried whether there are opportunities to deliver biodiversity enhancements at Bicker Fen substation. This query does not yet appear to have been addressed.

Habitats Regulations Assessment Report (Revision 2) [REP2-013]

The updates to REP2-013 are noted and that Natural England is in agreement with the proposed mitigation measures.

Appendix 2 4 Outline CEMP (Revision 3) [REP2-017]

The Council notes the updated Outline CEMP and welcomes the confirmation that pre-construction ecological surveys will include otter surveys.

Applicant's Comments on Local Impact Reports [REP2-041]

The Council notes Applicant's comments in relation to Ecology and Biodiversity and welcomes the clarification provided in updated documents submitted by the Applicant at Deadline 2. The Council has provided comments on the updates made to relevant documents and notes that further updates will be provided by the Applicant at Deadline 3 (REP2-041, 8.24).

The Council also has the following observations on the Applicant's responses to comments relating to ecology and biodiversity made in the LIR:

8.24: The Council disagrees that it is not practical to undertake specific botanical surveys for scarce arable flowers. However, the Applicant's approach of retaining existing field margins or reinstating the seedbank is considered acceptable.

8.26: The Council maintains its opinion that a programme of post-construction bat monitoring should be secured in order to further the understanding of the impacts of large-scale solar developments on local bat populations.

8.27: Confirmation is requested that pre-commencement breeding bird surveys will be undertaken in such a way as to enable the detection of breeding quail (as well as other Schedule 1 species) within the project area as the species is known to occur in North Kesteven.

There appears to be an editing error at 8.32. Comments from the Council's LIR have been transposed into the 'Applicant's response' column rather than details of how the Council's comments have been addressed.

Built Heritage

The Council has reviewed the applicant's response to built heritage matters as set out in REP2-041 (9.12 to 9.22) and offers the following comments:

9.12 – Methodology and Group Value

The Council accepts the methodological framework for individual assets set out in Table 8.2 for cultural heritage; however, it disagrees that the current methodology is able to reflect the group value of certain assets, namely historic farmsteads within the affected landscape.

EN-1 paragraph 5.9.3 states that significance derives not only from a heritage asset's physical presence but also from its setting. The setting of a heritage asset is the surroundings in which it is experienced; historic farmsteads collectively contribute to the area's rural historic character, yet no group assessment is included in the ES. A group-value approach (as adopted in other NSIP schemes such as Springwell) should inform the ES to support a proportionate understanding of their collective setting and to inform appropriate mitigation.

9.13 – Asgarby Hall and Church

Following the site meeting of 5 September 2025 and review of the supporting information, the Council is satisfied that intervisibility between the proposed access infrastructure and these receptors is very limited and that the overall effect is correctly assessed by the applicant. No further assessment or specific mitigation is considered necessary, though continued attention to boundary planting and screening during detailed design is supported to maintain this outcome.

9.14 – Austhorpe Farm, Thorpe House and Ewerby Thorpe Farm

The Council disagrees with the applicant's conclusion that no meaningful change would occur to the setting of Austhorpe Farm (Grade II) and Thorpe House (Grade II). The wider setting, including approaches and spatial views around these properties, would be noticeably altered, affecting their rural character and the way they are experienced. A re-evaluation of setting impacts, alongside consideration of more sympathetic screening or design refinement, is required to address the level of harm identified. The offset planting proposed around the nearby non-designated Ewerby Thorpe Farm is noted as a positive measure but the wider group of assets within this locality would remain adversely affected by the proposed development. The Council requests additional approach-route viewpoints to evidence the sequential visual experience of the landscape and to inform the design of screening measures.

9.15 – Howell Hall Cluster

The Council welcomes the embedded mitigation along Howell Fen Drove but awaits further detail on the effectiveness of existing northern screening to Howell Hall and nearby properties and seeks confirmation this screening (including vegetation along Howell Fen Drove) will be secured, maintained and replaced through enforceable DCO requirements.

9.16 – Kyme Tower and Church of St Mary and All Saints

The Council does not agree with the applicant's conclusion that the magnitude of impact on Kyme Tower and the nearby Church of St Mary and All Saints is low. While direct intervisibility

may be limited, the wider medieval fenland setting contributes materially to the significance of these assets. The proposed development would alter that open, agrarian landscape to one of semi-industrial character, interrupting the legibility and experiential integrity of the historic environment.

Although the upper floors of Kyme Tower no longer survive, its spiral stair remains intact and historical accounts (Newton, *A History of South Kyme*, 1995) confirm that views from the top once extended across the Fens to Boston Stump, Lincoln Cathedral and Tattershall Castle. The tower continued to serve as a lookout post during the Second World War, underscoring its visual and functional relationship with the surrounding landscape. On this basis, the current assessment underestimates both the experiential and potential visual harm to the tower's wider setting. The Council considers that the level of harm falls within the higher end of less-than-substantial harm and that this should carry considerable weight in decision-making. The *Wormegay Castle* appeal (APP/V2635/W/24/3351873) similarly recognises that change to an undeveloped historic setting can constitute significant harm even where direct intervisibility is limited. The Council also notes cumulative effects with the consented Heckington Fen Solar Farm, which further reinforce the need for re-evaluation and landscape-led mitigation. The Council requests that visibility from the approximate height of the tower be modelled or otherwise considered, where proportionate, to reflect its original prominence and intended visibility within the historic landscape. This would help clarify the extent to which the proposed development may affect its wider historic visual relationships.

9.17 – Group Value of Farmsteads

The Council considers that the ES underplays the collective value of historic farmsteads, which contribute to the coherence of the rural landscape. Consistent with the Springwell Solar Farm approach, a re-evaluation of group value and cumulative effects is required, with mitigation reflecting this wider historic context. The Council recommends a proportionate framework, similar to that developed for the Springwell NSIP, should be applied to assess the group value of historic farmsteads, considering their integrity, spatial coherence and contribution to landscape character.

9.18 – Farmstead Assessment and Weighting

The Council maintains that the ES fails to recognise the group value of historic farmsteads, whose collective presence defines the rural landscape's character; field-pattern retention alone does not mitigate this harm and further assessment and mitigation are required. The Council invites a short "Farmstead Group Mitigation Note" summarising shared characteristics, cumulative sensitivities and proposed mitigation across the affected cluster.

9.19 – Other Farmsteads

The Council reserves its position pending further review of ES mapping; additional farmsteads may warrant inclusion where they contribute to the historic agricultural landscape. Should further assets be confirmed, the Council will seek proportionate assessment using the same group-value framework.

9.20 – Overall Harm and Weighting

The Council considers that the ES understates the degree of harm to several heritage assets and the wider historic landscape. Further assessment and tailored mitigation are required to ensure that the nature and extent of harm are properly understood and that appropriate weight is given to heritage considerations in the decision-making process. The ES should be updated to clearly set out how the identified harm to the assets discussed above will be addressed through secured design and mitigation measures.

9.21 – Application of National Policy

The Council agrees that the relevant national policy tests are clear but considers that their application within the ES gives insufficient weight to setting, group value and landscape character when determining significance and harm. The Council asks that these issues are fully addressed and evidenced before any residual harm is balanced against the scheme's public benefits.

9.22 – Overall Conclusion

The Council acknowledges that the assessment follows recognised methodology and that the delivery of renewable energy represents a nationally important public benefit. However, methodological compliance alone does not demonstrate that the level of harm to heritage assets has been fully or convincingly justified. The ES places limited weight on the experiential, associative and cumulative dimensions of change that affect the legibility of the historic landscape and the coherence of heritage settings. While embedded mitigation is welcomed, it does not fully address the residual impact on character and setting. On this basis, the Council considers that the proposal would result in harm to both designated and non-designated heritage assets. Further assessment and refinement of mitigation will be required to demonstrate that this harm has been clearly and convincingly justified in accordance with national heritage policy.

Archaeology

The Council has reviewed the submitted Archaeological Mitigation Strategy [REP2-019] which is considered to be acceptable and agreed with the Applicant through the SoCG.

Access and Traffic

The Applicant's Comments on Local Impact Reports [REP2-041] provides an appropriate update on recent discussions with the Highway Authority on passing places on Carterplot Road and Great Hale Drove and such has no further comments.

Water Resources and Flood Risk

The applicant's response in REP2-041 regarding the Council's concerns about the sequential test is noted. The Council has no further comments at this stage, noting that the Water Environment and Flood Risk are matters for discussion at ISH3.

Soils and Agriculture

The Council acknowledges the applicant's response at paragraph 12.25 of REP2-041 regarding concerns over the loss of agricultural land due to green infrastructure. The applicant has

clarified that all proposed tree and hedgerow planting will be located on field margins and areas not currently in agricultural use, and that no new woodland is planned.

The response at paragraph 12.32 of REP2-041 is also noted. However, the Council maintains that there will be a permanent loss of Best and Most Versatile (BMV) agricultural land across all areas of the development, as outlined in Table 14.13 of the Environmental Statement [APP-065].

While the applicant's comments at paragraph 12.36 of REP2-041 are acknowledged, the Council continues to assert that the cumulative assessment does not accurately reflect the situation in Lincolnshire and requires revision, as detailed in our LIR.

In summary, the Council remains concerned about the loss of agricultural land, including both temporary and permanent impacts on BMV land, particularly when considered cumulatively alongside other developments in Lincolnshire.

Socio-economics

The applicant's response to the Council's LIR, section 13 of REP2-041 is noted. The Council has no further comments at this stage.

S106 Agreement

The Council notes the applicant's response to ExQ1 GCT.1.11 [REP2-040]. For clarification, the Council has not changed its position. As stated in our Relevant Representation, the measures outlined in Chapter 15 of the applicant's Environmental Statement, relating to education, skills, and the supply chain, must be secured through the application process, specifically via DCO requirements.

Paragraph 13.5 of the Council's LIR welcomes the inclusion of a DCO requirement to secure the Skills, Supply Chain and Employment Plan (SSCEP). In addition, the Council recommends a funding contribution towards education and skills, which we believe would be most appropriately secured through a Section 106 agreement. This approach has precedent in other NSIPs within Lincolnshire.

The Council also notes the applicant's comments regarding Biodiversity Net Gain (BNG) monitoring, the establishment of an Ecological Steering Group, and the potential need for a Section 106 agreement. The Council would welcome further discussion with the applicant and North Kesteven District Council on these matters.

Public Rights of Way

The Council notes the submission of the Public Rights of Way Management Plan [REP2-039], which is welcomed. The applicant's response to the Council's concerns regarding the impact of the development on the Public Rights of Way (PROW) network, as set out in Section 13 of REP2-041, is also acknowledged.

These documents are currently under review by the Council's PROW Officers. Any feedback will be provided through further written submissions and as part of the SoCG process.

Human Health

No further comments at this stage.

Waste

The Council has reviewed the applicant's response in REP2-041 (15.8 - 15.20) to concerns raised regarding waste management in our LIR. The concerns we expressed largely remain. Whilst the applicant has provided some information, including in the cross-referenced Waste and Recycling Strategy [APP-189], we would like to see more detail, specifically:

- Preliminary forecasts for waste arisings in each phase (construction, operation & decommissioning) including type, quantity and proposed fate. We need to be confident that they look reasonable, especially in terms of contentious wastes such as PV panels, and any assumptions used in calculating the tonnages (e.g. annual failure rate of PV panels). APP-189 provides very little in terms of tonnage forecasts, particularly for PV panels. Neither the outline Construction Environmental Management Plan (oCEMP) or the outline Decommissioning Environmental Management Plan (oDEMP) provide any arisings forecasts either, and there isn't an outline Operational management Plan (oOEMP) at all for the operational phase.
- Provision of updated waste forecasts throughout the project lifecycle, secured via the DCO. While the draft DCO [REP2-004] includes requirements for the production of a CEMP and a DEMP, which are expected to contain accurate forecasts of waste arisings, there is currently no mechanism, such as an OEMP, to ensure the provision of updated forecasts for operational waste. The Council seeks assurance that forecasts covering the type, quantity, and proposed fate of waste would be regularly reviewed and provided throughout all phases of the development. The Council refer to its comments at Guarantees (via DCO) that updated forecasts (including type, quantity and proposed fate) would be provided throughout the project. The draft DCO [REP2-004] secures the production of CEMP and DEMP and it would be expected that these would include accurate waste arisings forecasts, but in the absence of an OEMP or of another way to give us forecasts for operational waste arisings.

Cumulative Effects

The applicant's response to the Council LIR REP2-041 in terms of cumulative effects has been reviewed. The Council has the following comments.

There appears to be an editing error at 17.6, comments from the Council's LIR have been transposed into the 'Applicant's response' column rather than details of how the Council's comments have been addressed.

The Council remains concerned about the assessment of cumulative waste arisings and has reviewed the applicant's response in REP2-041 (17.11 to 17.15). Some additional information is provided, however, in our view, there is still a lack of comprehensive forecasting of waste arisings across all phases of the development, both individually and cumulatively with other projects.

Specifically, for the construction and decommissioning phases, the applicant has not provided forecasts for waste arisings from photovoltaic (PV) panels. Instead, 17.12 simply states that figures will be provided at a later stage, for example within the Site Waste Management Plan (SWMP). The Council considers this insufficient and seeks greater clarity and commitment at this stage of the application.

While the Council acknowledges the applicant's responses, we remain concerned about the potential for significant inter-project effects arising from this development in combination with other schemes. In our view, these cumulative impacts continue to be underestimated, as outlined in our LIR.

Draft Development Consent Order (DCO) [REP2-004]

Definition of 'maintain'

The Council notes the applicant's updates to the definition of 'maintain' and their response to the Council's suggestion that the DCO include a requirement to limit panel replacement. While the applicant's position is acknowledged, the Council continues to prefer the inclusion of such a requirement, for the reasons set out in our LIR and by the Springwell ExA.

The ExA proposed changes to the dDCO for the Springwell Solar included the following requirement:

Replacement solar PV panels

21. The number of solar PV panels replaced over the lifetime of the authorised development shall not exceed 5%. Details of the number of solar PV panels replaced, including an overall percentage figure that includes all previous years, shall be submitted to the relevant planning authority on a yearly basis.

The ExA's reasoning:

To ensure that impacts above those assessed in the Environmental Statement [APP-048] do not occur the ExA propose an additional requirement to restrict the replacement of solar PV panels to 5% across the lifetime of the Proposed Development.

Notwithstanding the Applicant's view in terms of Article 5 and Schedule 16 of the dDCO [REP3-004], in the absence of any requirement to keep the relevant planning authority informed of the number of panels being replaced, it is difficult to see how it could monitor whether the extent of replacement is likely to have materially new or different significant effects from those assessed in the ES.

Article 12 - Application of the permit scheme

It is noted the draft DCO has been updated to include a new article regarding the application of the Council permit scheme which is welcomed.

Articles 15 (now 16) (Temporary prohibition or restriction of use of streets and public rights of way), 43 (now 44) (Felling or lopping trees or removal of hedgerows) and 45 (now 46) (Procedure in relation to certain approvals, etc.)

The applicants comments in REP2-041 are noted.

Requirements

Requirements 5, 7, 12, 18 and 19

The applicant's updates are noted and welcomed.

Requirement 8

The Council considers that Requirement 8 should be re-drafted to refer to the delivery of predicted percentages of BNG as stated in the BNG Strategy (REP2-029). This approach would be consistent with the wording of Requirements relating to BNG in other local solar DCOs i.e.: Cottam (Requirement 9(2)), West Burton (Requirement 9(2)) and more recently Tillbridge Solar (Requirement 8(2)).

Requirement 16

The Council would welcome further discussion with applicant and NKDC on the discharging authority.

Requirement 18

The applicant's comments in REP2-041 are noted.

Schedule 2 Part 2, 23. Fees

The applicant's amendment is noted and welcomed.

The Council intends to participate in ISH3, where the draft DCO will be examined in further detail. We will provide additional input on DCO drafting matters, particularly those raised in our LIR and written representations that remain outstanding. The Council would welcome further discussions with the applicant on outstanding matters and will seek to progress through the SoCG.

Yours faithfully,



For Neil McBride

Head of Planning