

Planning Inspectorate

[via PINS portal]

Our ref: XA/2025/100456/05-L01

Your ref: EN010151

Date: 12 January 2026

Dear Sir/Madam

ENVIRONMENT AGENCY COMMENTS ON DEADLINE 5 SUBMISSIONS. BEACON FEN ENERGY PARK, LINCOLNSHIRE.

This response constitutes the Environment Agency's (EA) Deadline 6 response. We have reviewed the Deadline 5 submissions, in particular:

- Draft Development Consent Order [[REP5-003](#) and [REP5-004](#)]
- Chapter 7 Ecology (Revision 3) [[REP5-013](#) and [REP5-014](#)]
- Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)]
- Outline Construction Environment Management Plan (Revision 4) [[REP5-017](#) and [REP5-018](#)]
- Outline Decommissioning Environmental Management Plan (Revision 3) [[REP5-019](#) and [REP5-020](#)]
- Appendix 11.1 Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)]

A summary of our latest position is provided in Appendix A to this letter.

EA01 Temporary Bridge Design and EA02 Permanent Bridge Design

We are pleased to see updates made to the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] which confirms the Applicant will raise soffit levels of bridges to sufficient heights.

As a result, we consider this issue to be sufficiently addressed.

EA03 Use of Culverts

We are pleased with the updates made to the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] in relation to culverts.

As a result, we consider this issue to be sufficiently addressed.

EA04 Protection of Fish and EA06 Drain Downs - Risk to Fish

We disagree with the fish baseline for the South Forty Foot Drain and other waterbodies affected by the Proposed Development, presented in Section 7.5.65 of Chapter 7 Ecology (Revision 3) [[REP5-013](#) and [REP5-014](#)]. Only desk-based survey data has

been relied on, which presents significant limitations such as data being outdated or unavailable for specific locations within the Zone of Influence (Zol).

The South Forty Foot Drain system and surrounding linear waterbodies are known to support a diverse assemblage of coarse fish species typical of slow-flowing lowland rivers, such as roach, rudd, pike, perch, and bream. Ideally direct fish surveys would have been included in the scope to inform the baseline more robustly.

We do, however, welcome the proposal to use trenchless crossing techniques for the South Forty Foot Drain, Hodge Dike, and Heckington Eau. Given the limitations of the baseline data, we strongly recommend that the mitigation measures outlined in Section 7.6.21 of Chapter 7 Ecology (Revision 3) [[REP5-013](#) and [REP5-014](#)] be implemented with a precautionary approach.

We note that a pre-works habitat assessment for fish is to be carried out (Section 6.7.13 of the Outline Construction Environment Management Plan (Revision 4) [[REP5-017](#) and [REP5-018](#)]). This should be carried out and submitted in writing to the Environment Agency for consultation prior to any works commencing. We also welcome the additional detail within Sections 6.7.14 to 6.7.16 of the Outline Construction Environmental Management Plan (Revision 4) [[REP5-017](#) and [REP5-018](#)].

As a result, we consider these issues to be sufficiently addressed.

EA05 Watercourse Buffers

We are pleased to see that Section 6.11.8 of the Outline Construction Environmental Management Plan (Revision 4) [[REP5-017](#) and [REP5-018](#)] and Section 11.7.1 of Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)] have been updated with further details on buffer zones for watercourses. We are pleased to see clarification regarding how long materials will temporarily be stored within 5 to 9, of watercourses and waterbodies (no longer than one month).

As a result, we consider this issue to be sufficiently addressed.

EA10 Drainage Scheme

We are satisfied that Section 11.6.22 of Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)] has been updated to confirm that foul water will be disposed of via a cesspit and tankered to a licenced waste facility. We are also pleased to see confirmation that portacabins with built in foul storage tanks are to be used for the construction and decommissioning phases. We agree with tankering to a licenced waste facility, and for portacabins with built in foul storage tanks to be used for the construction and decommissioning phases.

Additionally, we are pleased to see that the draft Development Consent Order [[REP5-003](#) and [REP5-004](#)] has been updated to include the Environment Agency as a named consultee for the discharge of Requirement 10.

As a result, we consider this issue to be sufficiently addressed.

EA11 Fuels and Oils - Risk to Groundwater

We are pleased to see that Section 11.6.28 of Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)] has been updated to specifically mention

free-phase and dissolved phase contamination. We note that Section 11.6.29 has not been updated, but with the changes to Section 11.6.28, it is now clearer that this specifically relates to sediment only.

In combination with the changes made elsewhere, the revisions to Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)] mean that we consider this issue to be sufficiently addressed.

EA12 CSM - Fire Water and Thermal Effects

We are pleased to read that Sections 11.6.36 to 11.6.39 of Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)] have been updated to include a narrative on thermal effects from buried cables and how this will be considered further during the detailed design phase.

As a result, we consider this issue to be sufficiently addressed.

EA13 Unsuspected Contamination

We are pleased to read that our request for measures to manage unsuspected contamination during the operation phase to be added to relevant documents has been completed. In particular we are pleased to see the updates made to Table 11.13 of Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)], Section 3.13 of the Outline Construction Environmental Management Plan (Revision 4) [[REP5-017](#) and [REP5-018](#)] and Sections 2.7.13 to 2.7.24 of the Outline Decommissioning Environmental Management Plan (Revision 3) [[REP5-019](#) and [REP5-020](#)].

We note that the draft Development Consent Order [[REP5-003](#) and [REP5-004](#)] has been updated to include an additional Requirement (Requirement 21 - Contaminated Land and Groundwater). We are satisfied with the addition of Requirement 21, as long as the Development Consent Order references the correct relevant Sections (it currently correctly states Section 11.7 of Chapter 11 Water Resources and Flood Risk (Revision 2) [[REP5-015](#) and [REP5-016](#)]), in the event that Chapter 11 was updated and the paragraph numbers subsequently changed.

As a result, we consider this issue to be sufficiently addressed.

EA17 Leaving Cables In-Situ

We are pleased to see that Section 1.4.5 of the Outline Decommissioning Environmental Management Plan (Revision 3) [[REP5-019](#) and [REP5-020](#)] has been updated so that it now specifies that a prior to the start of decommissioning works, an environmental risk assessment (including consideration of controlled waters) on leaving the cable route in-situ will be prepared, and the findings to be incorporated into the detailed Decommissioning Environmental Management Plan.

As a result, we consider this issue to be sufficiently addressed.

EA21 Flood Risk - Works to Substation

Sufficient detail has been included within the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] to demonstrate that the Proposed Development will not cause an increase in flood risk elsewhere. Additionally, we are pleased to see that the

Applicant has proposed adequate mitigation and resilience measures to ensure the site will remain safe and operational during times of flood.

As a result, we consider this issue to be sufficiently addressed.

EA22 Updates to Flood Mapping

Sections 5.5.2 and 5.5.3 of the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] have been updated so that the document now references the latest updated version of the Flood Map for Planning.

As a result, we consider this issue to be sufficiently addressed.

EA23 Credible Maximum Scenario

It has not been confirmed if the invertor stations which are outside the design event but within the credible maximum extent are going to be raised above the credible maximum level. We will need to see this confirmed by the Applicant before we can resolve this issue.

EA23 remains outstanding.

EA24 Insufficient Freeboard

We are pleased to see confirmed within the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] that all infrastructure within the design event will be raised above the design flood event with a 600mm freeboard.

As a result, we consider this issue to be sufficiently addressed.

EA25 Flood Risk - Stockpiling & Bunds

We are satisfied that the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] has been updated to include a plan showing where the proposed stockpile may go. We are pleased to see confirmation that the Applicant has undertaken an assessment of the loss of floodplain and that appropriate compensation is being provided.

As a result, we consider this issue to be sufficiently addressed.

EA26 Floodplain Compensation

We are satisfied with the additional detail provided in the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] in relation to the provision of the 200mm sliced breakdown of the loss of floodplain capacity. We note that the proposed floodplain compensation has been grouped in larger slices than 200mm, however the Applicant has confirmed that all 200mm slices have been compensated fully and in many cases with a betterment. We are satisfied with this detail at this stage, however the Applicant will need to provide compensation in 200mm slices at the detailed design stage. As mentioned in Section 9.2.12 of the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)], the Applicant will be carrying out detailed floodplain loss and compensation assessments at the detailed design stage in consultation with the Environment Agency, therefore we are satisfied that this matter can be dealt with post-consent.

As a result, we consider this issue to be sufficiently addressed.

EA27 Flood Risk - Construction Phase

We are satisfied with the updates made to the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] in relation to flood risk mitigation proposed for the construction phase.

As a result, we consider this issue to be sufficiently addressed.

EA28 Design Flood Level

We are satisfied that there are known design levels for different areas of the site due to topography. We are pleased to see the inclusion of drawings showing this have been added to the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)].

As a result, we consider this issue to be sufficiently addressed.

EA29 Flood Risk - Solar Panels

We are satisfied with the additional information provided in the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] regarding raising the solar panels above the design event, and the floodplain compensation which will be provided. However, we still require the Applicant to provide detail of a maintenance plan for the clearing of any debris after a flood event to allow the free flow of water. We will need the Applicant to provide this before this issue can be resolved.

EA29 remains outstanding.

EA30 Impacts on Flood Assets

We are satisfied with the updates made to the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)] in relation to buffer zones for flood assets.

As a result, we consider this issue to be sufficiently addressed.

EA32 Fire Water - Worst Case Scenario and EA33 BESS Drainage Design

We are satisfied with the updates made to the Outline Battery Safety Management Plan (Revision 2) [[REP5-035](#) and [REP5-036](#)]. We note that the maintenance of the penstock is only minorly referenced in Section 8.3.2 of the Flood Risk Assessment (Revision 3) [[REP5-027](#) and [REP5-028](#)]. However, as the draft Development Consent Order [[REP5-003](#) and [REP5-004](#)] has been updated to include the Environment Agency as a named consultee for the discharge of Requirement 6, we are satisfied that any outstanding issues relating to EA32 and EA33 can be dealt with post-consent (if required).

As a result, we consider these issues to be sufficiently addressed.

EA34 Requirement 7 – LEMP and EA35 Requirement 12 – CEMP

In our Relevant Representation [[RR-006](#)], issue IDs EA34 and EA35 related to the inclusion of the Environment Agency as a named consultee on the details submitted to discharge Requirement 7 (Landscape & Ecological Management Plan) and 12 (Construction Environment Management Plan). While the Applicant has informally agreed with us that we will be added as a named consultee for these requirements in an

updated draft Development Consent Order, the most recent version of the Draft Development Consent Order which was submitted at Deadline 5 [[REP5-003](#) and [REP5-004](#)] does not name us on said Requirements.

EA34 and EA35 remain outstanding.

We trust this advice is useful.

Yours faithfully


Planning Specialist - National Infrastructure Team

E-mail: NITeam@environment-agency.gov.uk

APPENDIX A – SUMMARY OF EA POSITION

Subject	Work package	Scope	Method and Assumptions	Results of Assessment (i.e Impact)	Mitigation / Enhancements Agreed	Requirement	RR ID
Ecology	Biodiversity Net Gain Strategy					8	
	Ecological Assessment					7	EA01, EA02, EA03, EA04, EA05, EA06, EA20
Water Resources	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