

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

**The Examining Authority's third written questions and requests for information (ExQ3)**

**Issued on 26 January 2026**

The following table sets out the Examining Authority's (ExA's) third set of written questions and requests for information – ExQ3.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the [Rule 6](#) letter of 12 August 2025. The questions have arisen from the ExA's consideration of the application documents and representations. The answers to them will help the ExA to consider the application against relevant legislation and policy.

Column 2 of the table indicates who each question is directed to. Please could each party answer all questions directed to them, providing a substantive response, or indicating why the question is not relevant to them. This does not prevent an answer to any question being provided by any party if it is relevant to their interests.

Each question has a unique reference number which starts with an alphabetical code and then has an issue number and a question number. For example, the first question on the draft Development Consent Order (dDCO) is identified as DCO.3.1. **When you are answering a question, please start your answer by quoting the question reference number.**

You should respond to the questions by using the **Have your say** function on the [project page](#) of the National Infrastructure website and selecting 'Responses to Examining Authority's Third Written Questions (ExQ3)' when asked.

If you are responding to a small number of questions, you can submit your answers by choosing 'Make a comment' and entering your answers in the 'Your comments' box. If you are answering a larger number of questions you should download a copy of the Microsoft Word version of the document, enter your answers and save the document using an appropriate file name. You can then submit the completed document by selecting 'Upload files'.

[Microsoft Word version](#)

**Responses are due by Deadline 7 on Monday 9 February 2026.**

**Abbreviations used:**

<b>APs</b>	Affected Persons	<b>LPA</b>	Local Planning Authority
<b>Art</b>	Article	<b>MP Order</b>	The Infrastructure Planning (Model Provisions) Order 2009
<b>ALA 1981</b>	Acquisition of Land Act 1981	<b>MW</b>	Megawatts
<b>BESS</b>	Battery Energy Storage System	<b>NE</b>	Natural England
<b>BMV</b>	Best and Most Versatile	<b>NKDC</b>	North Kesteven District Council
<b>BoR</b>	Book of Reference	<b>NPS</b>	National Policy Statement
<b>BNG</b>	Biodiversity Net Gain	<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>CA</b>	Compulsory Acquisition	<b>PA2008</b>	The Planning Act 2008
<b>CAH</b>	Compulsory Acquisition Hearing	<b>PRoW</b>	Public Right of Way
<b>dDCO</b>	Draft DCO	<b>PV</b>	Photovoltaic
<b>EA</b>	Environment Agency	<b>R</b>	Requirement
<b>EM</b>	Explanatory Memorandum	<b>RIES</b>	Report on Implications for European Sites
<b>ES</b>	Environmental Statement	<b>RR</b>	Relevant Representation
<b>ExA</b>	Examining Authority	<b>SAC</b>	Special Area of Conservation
<b>Fig.</b>	Figure	<b>SPA</b>	Special Protection Area
<b>HGVs</b>	Heavy Goods Vehicles	<b>SI</b>	Statutory Instrument
<b>HLAs</b>	Host Local Authorities	<b>SoS</b>	Secretary of State
<b>IPs</b>	Interested Parties	<b>SUs</b>	Statutory Undertakers
<b>ISH</b>	Issue Specific Hearing	<b>TP</b>	Temporary Possession
<b>LCC</b>	Lincolnshire County Council	<b>WMS</b>	Written Ministerial Statement
<b>LIR</b>	Local Impact Report		

**The Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[Examination Library](#)

It will be updated as the examination progresses.

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ExQ3	Question to:	Question:
<b>1. General and cross-topic matters</b>		
GCT.3.1	Applicant	Can the applicant confirm that Tables 1A to 1D of the Planning Statement [APP-277] have been updated in order to reflect the changes submitted by LCC and NKDC to the latest list of projects within or overlapping the Order Limits which should be considered by the applicant?
GCT.3.2	Applicant	The 2025 versions of the National Policy Statement (NPS) EN1, NPS EN3 and NPS EN5 came into force on the 6 January 2026. Does the applicant believe that any of the documents submitted in support of the proposed development need to be changed in light of the version of the NPSs?
GCT.3.3	Applicant Environment Agency	The proposed development includes a Battery Energy Storage System (BESS) which, in case of a fire, may require the use of chemicals, such as PFBs or PFAs, to be extinguished. These chemicals, if not contained, can have a significant detrimental effect on the wider environment. Can the applicant please confirm how it has considered the potential need for the use of such chemicals and how it has mitigated against its release? Can the applicant also confirm if a lead line base is proposed as potential mitigation?
<b>2. Need, site selection and alternatives</b>		
NED.3.1	LCJ Mountain Farms	<p>Throughout the examination, LCJ Mountain Farms and Matthew Mountain, on behalf of LCJ Mountain Farms Ltd, have submitted several representations raising concerns regarding the applicant's approach to the proposed development, particularly in relation to the proposed cable corridor route. Following from CAH1 (see [EV-003]) and in order to progress discussions on this issue, the ExA asked the applicant to carry a comparative analysis between the applicant's cable route corridor and LCJ Mountain Farm Ltd's proposed alternative route. Responses to this were submitted at deadline 5 (Appendix 1 of [REP5-046] and [REP5-047]) to which LCJ Mountain Farms Ltd responded to in [REP6-046] and [REP6-047]. In response to ExQ3, the ExA requests LCJ Mountain Farms Ltd to submit:</p> <ul style="list-style-type: none"> <li>• A summary of outstanding issues and concerns in relation to the applicant's approach to alternatives and preferred cable corridor route;</li> <li>• A summary of any other additional concerns that LCJ Mountain Farms Ltd may have.</li> </ul>
NED.3.2	Applicant	As set out in NED.3.1 the ExA asked the applicant to carry a comparative analysis between the applicant's cable route corridor and LCJ Mountain Farm Ltd's proposed alternative route.

ExQ3	Question to:	Question:
		<p>Having reviewed the information submitted into examination up to this point, there seems to not be a direct response to Table ES-1 of LCJ Mountain Farm Ltd's submission [REP6-046]. The ExA asks for the applicant to provide a concise response to Table ES-1, respecting the structure of the Table and:</p> <ul style="list-style-type: none"> <li>• Confirms if the numbers and information set in the table in relation to all different "aspects" is correct or not? And amend accordingly if not correct;</li> <li>• Add any other comments, in summary, that the applicant wishes to raise and respond to in relation to any of the information included in table ES-1 of [REP6-046].</li> </ul>
<b>3. Compulsory Acquisition (CA), Temporary Possession (TP), Land Rights and related matters</b>		
CA.3.1	Melbourne Holdings Ltd	<p>In [REP5-059], Melbourne Holdings Ltd, as the freeholder of plots 7-1, 7-2 and 7-3, objects to the CA of land due to concerns regarding the permanent loss and fragmentation of productive agricultural land, impact on soil structure, drainage and irrigation infrastructure, and the wider effect on the operation and viability of the farm. Can Melbourne Holdings Ltd please clarify if it believes that the effects of the proposed development would result in blight of the agricultural unit and/or make the agricultural units economically unviable? And if so, does Melbourne Holdings Ltd have any economic or financial evidence of such impact?</p>
CA.3.2	LCJ Mountain Farms	<p>As set out in RR-026, L.C.J. Mountain Farms Limited objects to the CA of right and the TP of land in relation to plots 9-9, 9-11, 11-2, 11-3, 11-4, 11-5, 11-6, 11-7, 11-8, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 12-10, 12-11, 12-12, 12-13, 12-14, 12-16, 12-17, 12-18, 12-19, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6 and 13-8. The reasons stated to this objection have been set out in several representations during the course of the examination, the latest of which being REP6-046 and REP6-047. Can LCJ Mountain Farms confirm if it believes that the effects of the proposed development would result in blight of the agricultural unit and/or make the agricultural units economically unviable? And if so, does it have any economic or financial evidence of such impact?</p>
CA.3.3	Applicant	<p>The applicant states in REP6-013 that agreement is not expected to be reached during the examination with Network Rail Infrastructure Limited in relation to plot 10-14. Can the applicant please provide an update stating what the main differences are between both parties and why agreement is unlikely to be reached? Also, the applicant is asked to set out what further actions is proposing to do in order to reach agreement before the end of the examination.</p>

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ExQ3	Question to:	Question:
CA.3.4	Applicant	The applicant states in REP6-013 that is still expecting to reach agreement with several other Statutory Undertakers before the end of the examination. The applicant is asked to set out what further actions it will take in order to reach agreement before the end of the examination.
CA.3.5	Applicant	Can the applicant provide and update on its negotiations in relation to Crown land?
<b>4. Development Consent Order (DCO) and other consents</b>		
DCO.3.1	Applicant	Following from CA.3.1 and CA.3.2 the applicant is asked to comment and clarify how disputes over compensation would be dealt and resolved and how this process is set out within the DCO?
DCO.3.2	Applicant	The ExA acknowledges the applicant's response to CA.2.2, namely the existence of a confidential voluntary agreement that may adequately secure access to Gashes Barn, which can be done only via plot 1-4. However, such agreement has not been shared with the ExA and therefore the ExA has not seen evidence that appropriate levels of access will be secured if consent is granted. The ExA therefore asks where, in the draft DCO, is access secured to residents, visitors and users of Gashes Barn via plot 1-4 during the construction, operational and decommissioning phases of the development?
DCO.3.3	Applicant	Further to DCO.3.2 Article 16 Temporary prohibition or restriction of use of streets and public rights of way seeks to allow the undertaker to temporarily close, prohibit the use of, restrict the use of and street or public right of way for any reasonable time. In light of this article can the applicant please explain how access to Gashes Barn will be guaranteed for any residents, visitors and users? The ExA also notes Art 16(2) however it does not think that considering the distances and the lack of alternative routes, that pedestrian access only is sufficient.
<b>5. Biodiversity and ecology</b>		
BIO.3.1	Applicant	Can the applicant please confirm any consequential changes deemed necessary (if any) to the HRA as a result of the latest update to the Ecology Chapter [REP5-013/014]?
BIO.3.2	Applicant LHAs Natural England	Significant changes have been made to Ecology Chapter [REP5-013/014] following from concerns raised with the applicant at ISH2. The Local Host Authorities (LHAs) and Natural England are asked to review and revise Chapter 7 Ecology of the ES [REP5-013/014] and provide a summary of any outstanding concerns that remain in relation to issues addressed in Chapter 7 of the ES.

ExQ3	Question to:	Question:
	<b>6. Historic environment</b>	
HEN.3.1	Applicant LHAs Historic England	Following from Action Number 8 of ISH2 Action Points [EV4-010], the applicant submitted a supplementary heritage appraisal of the potential effects of the proposed development on Kyme Tower. This is set in Appendix 4 of [REP5-046]. The ExA invites further comments from LHAs and Historic England on the assessment submitted by the applicant.
	<b>7. Landscape and visual</b>	
LSV.3.1	Applicant	The ExA acknowledges the applicant's response to CA.2.1 [REP5-048] insofar as it relates to the visual and landscape effects of the proposed development. Can the applicant confirm what it meant by " <i>the residual effects not being significant</i> " in relation to Gashes Barn as set out in its response to CA.2.1 which states: "Applicant's position remains as set out above that the residual effect (which is not significant and whilst it could be perceived as "overwhelming" is it not "overbearing" in the medium term) (...)?"
LSV.3.2	Applicant	Following from LSV.3.1, can the applicant please clarify if it believes, as it appears to state in response to CA.2.1 [REP5-048], that landscape and visual effects of the proposed development on Gashes Barn could be perceived as "overwhelming" in the medium term, but not "overbearing"?
LSV.3.3	Applicant	The ExA acknowledges the applicant's response to LSV.2.4 [REP5-048] in which the applicant states that the substantial offset distance from Gashes Barn to the proposed solar panels would help to ensure that any proposed mitigation planting would not be overbearing or provide the sense that the property is overly enclosed with no wider visibility. Although the ExA accepts that there is some distance between Gashes Barn building itself and the proposed solar panel area, the solar panel area does encircle Gashes Barn from all 4 sides and, from most angles, the panel areas do come right up to the boundary with Gashes Barn land. In this context, can the applicant please explain its reasoning for finding that the property would not be "overly enclosed with no wider visibility"?
LSV.3.4	Applicant	The ExA acknowledges the applicant submission of REP5-065 Appendix 6.4 Visual Assessment (Revision 2) (Tracked). In this document the applicant has downgraded the effects of the proposed development on certain receptors, for example: View from Public Footpath Ewer 12/1, Great Hale, Northorpe Village, R1a Ewerby Thorpe Farm and b. Lodge, R3. Copperhill Kennels, R4 Gashes Barn, R10 White House Farm, R13 Kingtree Lodge, R14

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<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
		Butlers, Acorn Lodge, Milldrain Lodge. Considering the comparative advantage of the assessment for the applicant, can the applicant please provide further justification for this “downgrade” of effects on a case by case basis?
LSV.3.5	Applicant	Can the applicant also please check both documents REP5-064 Appendix 6.4 Visual Assessment (Revision 2) and REP5-066 Appendix 6.5 Residential Visual Amenity Assessment (Revision 2) for consistency? For example, effect on R10 is assessed as Minor adverse (not significant) at Operation (Year 0) in REP5-064 but Minor adverse (significant) in REP5-066.
<b>8. Land Use</b>		
LUS.3.1		No further questions at this stage.
<b>9. Socio-economics</b>		
SEC.3.1		No further questions at this stage.
<b>10. Traffic and transport</b>		
TT.3.1		No further questions at this stage.
<b>11. Water environment and flood risk</b>		
WFR.3.1	Applicant EA	The ExA acknowledges [REP6-044] submitted by the Environment Agency (EA) which highlights that issues in relation to the effects of the proposed development on Flood Risk remain outstanding, namely issue EA23 Credible Maximum Scenario and issue EA29 Floor Risk. In light of the above and considering the examination timetable, the ExA would like to state that it has now significant concerns regarding the ability to adequately scrutinise the overall applicant's assessment on flood risk or any outstanding concerns that may remain from other any interested party in relation to flood risk.
<b>12. Cumulative effects</b>		
CU.3.1		No further questions at this stage.