

WRITTEN REPRESENTATION on behalf of Melbourne Property Ltd

BEACON FEN ENERGY PARK (EN010151)

Application for Development Consent under the Planning Act 2008

1. Introduction and land interest

1.1 This Written Representation is submitted on behalf of Melbourne Property Ltd, which forms part of the Melbourne Holdings Group and is the freehold owner of land affected by the proposed Beacon Fen Energy Park grid connection works.

1.2 Our land is identified within the Application as Plot 7-2 (permanent acquisition of new rights) and Plot 7-3 (temporary possession) and forms part of Block 7 on the Land Plans.

1.3 We object to the inclusion of our land within the Order Limits and to the compulsory acquisition of permanent rights over it. We do not consent to the use or acquisition of our land and wish to continue farming it as part of an active agricultural enterprise.

2. Description of the proposed works on our land (Block 7)

2.1 The Book of Reference confirms that the Applicant seeks:

- permanent acquisition of new rights over approximately 67,546.89 square metres (c. 6.75 hectares) of agricultural land, track, hedges and drain (Plot 7-2); and
- temporary possession of approximately 24,232.05 square metres (c. 2.4 hectares) of agricultural land and drain (Plot 7-3).

2.2 The Land Plans show that our land within Block 7 forms a long, continuous and strategically important section of the cable route, connecting adjoining sections of the scheme.

2.3 The proposed cable route across our land extends for approximately one kilometre and, as shown by the Order Limits on the Land Plans, occupies a corridor of approximately 60 metres in width for much of its length, with further land required on a temporary basis during construction.

2.4 The alignment broadly follows an existing agricultural drain. While this may be presented as minimising impact, the effect is to place permanent statutory rights alongside a key item of agricultural infrastructure, with long-term implications for drainage access, maintenance and future improvement.

2.5 While the land would not be permanently occupied following construction, the Applicant would retain permanent rights over the corridor, which would continue to restrict how the land can be used and managed.

3. Scale, duration and permanence of impact

3.1 The Applicant's Construction Method Statement confirms that:

- the cable route will be constructed predominantly using open-cut trenching;
- the working area will accommodate heavy plant, haul roads and soil storage; and
- temporary construction compounds will be required at intervals of approximately 1 to 3 kilometres, with smaller compounds capable of being located anywhere within the working area.

3.2 The Applicant further states that:

- construction of the cable route may take 24 to 48 months;
- the operational life of the development is 40 years; and
- critically, the 400kV cable will not be removed at decommissioning and will remain in situ permanently.

3.3 In practice, this means our land would be subject to:

- several years of intensive construction activity;

- permanent rights that restrict how the land can be farmed;
- underground infrastructure that remains in place indefinitely; and
- long-term limits on cultivation depth, drainage works, irrigation infrastructure and future land management.

3.4 These impacts are not temporary and cannot be fully reversed. They represent a lasting burden on productive agricultural land.

4. Agricultural and operational impact

4.1 Our land is actively farmed as part of a wider commercial agricultural unit. The proposed works would:

- disturb soil structure through stripping, heavy trafficking and reinstatement;
- increase the risk of compaction and reduced crop performance;
- limit access to, and maintenance of, existing agricultural drainage;
- restrict future improvements to drainage and irrigation systems; and
- reduce flexibility in how the farm is managed and operated.

4.2 The permanent acquisition of rights alongside an existing drain places long-term constraints along a key piece of farm infrastructure and creates an ongoing risk to the efficient operation and long-term productivity of the holding.

4.3 The permanent rights sought over the cable corridor would also materially constrain the future use of the land for Biodiversity Net Gain (BNG) delivery. BNG is an increasingly established and policy-supported land use, and permanent easements typically restrict habitat creation, planting and long-term management within affected areas. In practice, land subject to permanent cable easements is often excluded or heavily discounted for BNG purposes, reducing both its environmental and commercial potential.

5. Route selection and reasonable alternatives

5.1 The Land Plans demonstrate that Block 7 is a route-defining corridor within the overall cable alignment, rather than a minor or incidental land interest.

5.2 The alignment through our land is not dictated by topographical or physical constraints. It appears to have been selected for convenience and efficiency rather than because it is the only viable option.

5.3 We understand that avoiding our land would require a longer cable route. However, we have not seen any clear or transparent assessment of alternative alignments, or any explanation as to why routes that avoid productive agricultural land were discounted.

5.4 Our land extends to the east and west of the proposed alignment at Block 7, meaning that avoiding our holding would require a substantial diversion of the cable route rather than a minor adjustment.

5.5 In our view, the permanent acquisition of rights over working farmland has been proposed without properly demonstrating that reasonable alternatives have been explored. The chosen alignment appears to prioritise ease of delivery rather than minimising long-term impacts on agricultural land.

6. Compulsory acquisition is not justified

6.1 The Applicant is seeking permanent compulsory powers over our land because it has not been able to secure agreement with all landowners. In our view, this does not justify the permanent taking of rights over productive agricultural land.

6.2 The scale of what is proposed on our land goes beyond what is reasonably needed for a single cable route. Permanent rights are being sought over a wide corridor, together with additional temporary land, despite the fact that alternative routes are possible.

6.3 The Applicant's own documents indicate that compulsory powers are being sought largely to provide certainty of delivery, rather than because our land is unavoidable.

6.4 Using compulsory powers to override a principled landowner objection, where alternative routing options exist, is not a reasonable or proportionate approach.

6.5 The long-term impact on our land would be significant and lasting. The cable would remain in place permanently, continuing to restrict how the land can be used even after the project is decommissioned.

7. Land and rights negotiations - clarification

7.1 The Applicant's Land & Rights Negotiations Tracker states that an "agreement is expected to be reached before or during Examination" in relation to our land.

7.2 This does not reflect our position. We have made it clear that we do not consent to the permanent acquisition of rights over our land and have not agreed Heads of Terms. Our objection is a principled one, based on the long-term and permanent impact of the proposed cable route.

7.3 The wording in the tracker appears to reflect the Applicant's expectation rather than any agreement or indication from us, and should not be taken as evidence that a voluntary agreement is likely or that our objection has been resolved.

8. Conclusion and requested outcome

8.1 For the reasons set out above, and given the scale and permanence of the land take proposed, we do not consider that the permanent acquisition of rights over our land has been properly justified.

8.2 We therefore ask that:

- our land (Plots 7-2 and 7-3) is removed from the Order Limits; or
- if that is not the case, that compulsory acquisition powers are not granted over our land.

8.3 If neither of these outcomes is reached, we ask that significant weight is given to the permanent impact the proposed cable route would have on productive agricultural land and on the long-term operation of the farm. In our view, the use of compulsory powers in these circumstances would not be reasonable or proportionate.

For and on behalf of
Melbourne Property Ltd