BEACON FEN
ENERGY PARK

Planning Inspectorate Reference: EN010151

Statement of Common Ground (Final) Between the Applicant and Natural England

Document Reference: 8.16

February 2026

The Planning Act 2008
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 - Regulation 5(2)(a)
The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (SI 2017/572) – Regulation 14

Quality information

Prepared by	Checked by	Verified by	Approved by
TB + DR	TB	TB	LM

Revision History

Revision	Revision date	Details	Authorized	Name	Position
2	06/02/26	Update to reflect discussions with Natural England	TB	TB	TD

Abbreviation	Description
AC	Alternating Current
AIS	Air Insulated Switchgear
Applicant	Beacon Fen Energy Park Ltd
BBC	Boston Borough Council
BESS	Battery energy storage system
CCTV	Closed circuit television
DC	Direct Current
DCO	Development Consent Order
EA	Environment Agency
ES	Environmental Statement
GIS	Gas Insulated Switchgear
HGV	Heavy Good Vehicle
HOT	Head of Terms
HV	High Voltage
IDB	Internal Drainage Board
LCC	Lincolnshire County Council
LFR	Lincolnshire Fire and Rescue Service
Low Carbon	Low Carbon Ltd
MW	Megawatts
NE	Natural England
NGR	National Grid Reference
NKDC	North Kesteven District Council
NPSs	National Policy Statements
NSIP	Nationally Significant Infrastructure Project
OBSMP	Outline Battery Safety Management Plan
OCEMP	Outline Construction Environmental Management Plan
OCTMP	Outline Construction Traffic Management Plan
ODEMP	Outline Decommissioning Environmental Management Plan
OLEMP	Outline Landscape and Ecological Management Plan
OSMP	Outline Soil Management Plan
Order	The Beacon Fen Energy Park Order
PCU	Power Conversion Unit
PINS	Planning Inspectorate
PEIR	Preliminary Environmental Information Report
Proposed Development	The entire development to be constructed and operated within the Site, as set out in Schedule 1 of the draft DCO
PRoW	Public Right of Way
PV	Photovoltaic
RR	Relevant Representation(s)
SLR	SLR Consulting, formerly Wardell Armstrong (WA)
SoCC	Statement of Community Consultation
SoCG	Statement of Common Ground
SoS	Secretary of State

The Site	The entire draft Order Limits or red line boundary located approximately 6.5 km northeast of the village of Sleaford and 2.5 km north of Heckington

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1. Introduction

1.1 Overview

1.1.1 This Statement of Common Ground ('SoCG') with Natural England **(Document Ref: 8.16)** has been prepared on behalf of Beacon Fen Energy Park Ltd (the 'Applicant'). It relates to the application (the 'Application') for a Development Consent Order ('DCO'), that has been submitted to the Secretary of State (the 'SoS') for the Department for Energy Security and Net Zero, under Section 37 of the Planning Act 2008 (the '2008 Act').

1.1.2 The Applicant is seeking development consent for a ground-mounted solar photovoltaic ('PV') electricity generation and battery energy storage system ('BESS'), together with associated grid connection infrastructure (the 'Proposed Development'), at an area sited approximately 6.5 km northeast of the village of Sleaford and 2.5 km north of Heckington (the 'Site'). The Proposed Development would have a generation capacity of approximately 400 megawatts ('MW') of electricity, with a 600MW BESS.

1.1.3 The Site corresponds to the entire Order Limits and represents the entire land area required for construction, operation and decommissioning of the Proposed Development. It is made up of the Solar Array Area (comprising the solar PV and BESS infrastructure) the Cable Route Corridor (comprising an electrical connection from the Solar Array Area to the Bicker Fen National Grid 400kV substation) and the Bespoke Access Corridor (for a bespoke access from the A17 to the Solar Array Area). This is termed the Bespoke Access Road.

1.1.4 The Proposed Development falls within the definition of a 'Nationally Significant Infrastructure Project' ('NSIP') under Section 14(1)(a) and Sections 15(1) and (2) of the 2008 Act, as it is an onshore generating station in England that would have a generating capacity greater than 50MW electrical output. As such, a DCO application is required to authorise the Proposed Development in accordance with Section 31 of the 2008 Act.

1.1.5 The DCO, if made by the SoS, would be known as 'The Beacon Fen Energy Park Order 202[]' (the 'Order').

1.2 The Applicant

1.2.1 The Applicant is a subsidiary of Low Carbon Ltd ('Low Carbon'). Low Carbon is a privately-owned global renewable energy company.

1.3 The Site

1.3.1 The Site represents the entire Order Limits and is located east of Sleaford in Lincolnshire. It extends to approximately 758ha and comprises of three functional areas: the Solar Array Area, the Cable Route Corridor and the Bespoke Access Corridor.

Solar Array Area

1.3.2 The Solar Array Area is approximately 529ha in size and located to the north of Heckington, centred at the National Grid Reference ('NGR') 514682 347825. The Solar Array Area is located wholly within the administrative areas of North Kesteven District Council ('NKDC') and Lincolnshire County Council ('LCC').

1.3.3 The Solar Array Area predominantly comprises agricultural land in arable use, divided by ditches with sparse tree cover that is limited to small woodland blocks and scattered hedgerow trees. A small reservoir is located in the south-west of the Solar Array Area.

1.3.4 The Solar Array Area is bound to the south, west and north by local highways, and bound to the east by the Car Dyke. Public Right of Way ('PRoW') Ewer/12/1 extends across the north-eastern corner of the Site, close to the northern Site boundary. There are no other PRoW within the Solar Array Area.

1.3.5 Villages in proximity to the Solar Array Area include:

- Howell immediately to the south-west, with Heckington c. 1.7km beyond;
- Ewerby Thorpe immediately to the west, with Ewerby c. 1.1km beyond;
- Anwick c. 2.7km to the north-west;
- North Kyme c. 2.4km to the north; and
- South Kyme c. 1.5km to the east.

Cable Route Corridor

1.3.6 The Cable Route Corridor is approximately 183 ha in size and extends c. 13km south-east from the Solar Array Area to Bicker Fen substation, at NGR TF 19684 38599. The Cable Route Corridor is located wholly within the administrative area of LCC. The majority of the Cable Route Corridor is located within the administrative area of NKDC, however the southern section is located within BBC's administrative area.

1.3.7 Land use within the Cable Route Corridor is predominantly agricultural. A number of local highways cross the Cable Route Corridor, and the A17 crosses east to west within the north-west section of the Corridor. The railway linking Heckington west to Sleaford and east to Swineshead intersects the mid-section of the Corridor. There are a number of PRoW within the Cable Route Corridor, including one alongside the South Forty Foot Drain which also crosses the Cable Route Corridor.

Bespoke Access Corridor

1.3.8 The Bespoke Access Corridor is approximately 45.4 ha in size comprising predominantly agricultural land and extends approximately 3km south-west from the Solar Array Area to the A17. The Bespoke Access Corridor is located wholly within the administrative areas of LCC and NKDC.

1.3.9 The Bespoke Access Corridor has been refined during the pre-application stage, informed by results from environmental surveys and consultation feedback.

1.3.10 Asgarby Road and Heckington Road crosses the Bespoke Access Corridor and there are four PRoW located within the route.

1.4 The Proposed Development

1.4.1 The main components of the Proposed Development are summarised below and defined in Schedule 1 of the **Draft DCO** (**APP-039**).

Solar Array Area

1.4.2 The Solar Array Area consists of solar PV panels and modular ground-mounting structures. The height of the panels considered will be up to 3.9m above ground level in fields to the east and 3.5m above ground level in fields to the west, south and an isolated field in the north. The proposal is for a fixed (i.e., static) panel orientation, facing due south which is commonly seen on existing UK solar farms, and angled 10° to 45° from horizontal. Supporting infrastructure includes inverters, combiner boxes, transformers and switchgear converting the Direct Current ('DC') to Alternating Current ('AC') and stepping up the voltage so it can be exported to the National Grid. An inverter, transformer and switchgear comprised together is termed a Power Conversion Unit (PCU).

1.4.3 A 600MW BESS adjacent to the Onsite Substation is included in the Proposed Development within the Solar Array Area. This will allow the electricity generated by the panels to be stored on site at times when grid demand is low, then exported at times of higher demand. The BESS containers and switch rooms are anticipated to be up to 8m x 3m in size, with a height of up to 4.5m.

1.4.4 Low voltage onsite electrical cabling is required to connect the PV modules and BESS to the inverters, and the inverters to the onsite transformers. Higher voltage cables are required between the transformers and the switchgear and from switchgear to the substation.

1.4.5 A new Onsite Substation is proposed and would have up to four High Voltage (HV) transformers with a maximum footprint of no more than 40,000m2 (e.g. 250m x 160m (or 200m x 200m)) and a height of up to 13m). The Onsite Substation will include a 33kV switchroom, control and storage buildings that would house office space and welfare facilities, as well as operational monitoring and maintenance equipment and equipment for reactive compensation and/or harmonic filtering. The design control building and office/welfare will be defined as part of detailed design.

1.4.6 The perimeter fence would likely comprise standard post and wire, deer fencing up to 3m tall around the Solar Array Area. Security fencing, up to 3.4m will be installed around the substation compounds and, possibly, other infrastructure / compounds. Acoustic fencing, up to 4m tall, may be required around the BESS, subject to the detailed design and layout.

1.4.7 Mounted internal-facing closed circuit television (CCTV) systems will likely be deployed around the perimeter of the operational areas of the Site; anticipated to be 5m high. The CCTV cameras would have fixed view sheds and will be aligned to face along the fence. Motion detection security lighting will be used around the electrical infrastructure and potentially at other pieces of critical infrastructure.

1.4.8 During construction, temporary construction compounds will be required, as well as temporary roadways, to enable access to all the land within the Site.

Localised earthworks to form suitable development platform for the substation and BESS will also be required.

1.4.9 There will be one primary access on the western edge of the Solar Array Area and a secondary access to the north, both of which will allow larger vehicles (including first responder vehicles) to access the BESS and Onsite Substation. Tertiary operational access primarily for smaller vehicles is provided to the north west and south.

1.4.10 PRoW Ewer/12/1 is being extended in a south and westerly direction as a permissive path terminating in the vicinity of Ewerby Thorpe, and will be in place for the operational duration of the Proposed Development. The exact route of the permissive path will be determined via the discharge of a requirement in the **Draft DCO (APP-039)**, but is anticipated to run in a south easterly direction along Car Dyke then heading south west on the north side of Hodge Dike. An undetermined number of footbridges (unlikely to be more than eight in number) to cross existing watercourses will be required and will require the usual water course crossing agreements to be sought with the relevant Internal Drainage Board (IDB) in parallel with the discharge of the requirement.

Cable Route

1.4.11 The Cable Route running between the Solar Array Area and the Bicker Fen 400kV Substation will be constructed through trenched methods and, where required, trenchless methods.

1.4.12 During construction, temporary construction compounds will be required approximately every 1-3 km, as well as temporary roadways, to enable access to all land. It is anticipated that there will be 6 main compounds that are distributed at approximately equal distances along the cable route to facilitate proper construction management. Smaller temporary compounds may also be located anywhere within the final working area.

1.4.13 Vegetation and hedgerows lost during construction of the Cable Route will be re-instated where possible subject to easement restrictions.

Bespoke Access Road

1.4.14 A dedicated access from the A17 to the Solar Array Area is required. It will be constructed in advance of material construction commencing on the Solar Array Area and will facilitate construction in that area. During construction, temporary construction compounds will be required which may be anywhere along the route.

1.4.15 The Bespoke Access Road will likely be the last component of the Proposed Development to be removed as it will be used to facilitate decommissioning of the Solar Array Area. Whilst it is assumed for the **Environmental Statement ('ES') (APP-050 to APP-285)** that the road will be removed (unless otherwise stated in the relevant chapter), it is possible that engagement with the landowners at that time will establish a preference for it to be retained. Optionality has been deliberately retained in the Application to facilitate such a scenario.

1.4.16 There will be no permanent lighting installed and access will be controlled through gates at all stages.

1.4.17 Following decommissioning subject to the road being removed, vegetation and hedgerows lost during construction of the Bespoke Access Road will be re-instated.

In any or all of the above areas

1.4.18 Along with the above, in any or all of the three areas, the Proposed Development will include the following (subject to certain requirements):

- Access tracks of between 3.5m to 9m width for construction access and routine maintenance when operational. Access tracks located adjacent to drainage ditches will incorporate the necessary ecological, Environment Agency (EA) and/or Internal Drainage Board (IDB) buffers where required;
- Boundary treatments, means of enclosure, security measures, and paths;
- Landscaping and reinstatement planting and Biodiversity Net Gain related habitats;
- Flood resilience measures including swales and storm water attenuation, and works to existing irrigation systems;
- Utility diversions;
- Bunds, embankments, protective works to buildings, maintenance and improvement of streets; and
- Construction related (and decommissioning related) work sites.

Bicker Fen Substation Works

1.4.19 The extension of Bicker Fen substation will include a new generation bay, a new generation bay control room and a perimeter access road. A new generation bay will also include electrical equipment required for connection to the transmission system.

1.4.20 National Grid Electricity Transmission plc ('NGET') have requested that there be optionality within the design of the extension to Bicker Fen substation. The two design options that have been assessed in the **ES (APP-050 to APP-285)** and included in the Application are: Air Insulated Switchgear ('AIS') and Gas Insulated Switchgear ('GIS').

1.4.21 A Change Request was accepted by the Examining Authority into examination in a procedural decision dated 19 December 2025 (PD-015). This relates to a change to the proposed extension to the Bicker Fen Substation following from continued engagement between the applicant and National Grid Electricity Transmission plc. The new design of the proposed extension includes the construction of a new overhead line (OHL) tower of up to 56.2 metres (m) in height with 4 legs, each supported on a square excavation of up to 7m by 7m wide and up to 5m deep. In addition, it also includes new 400kV cabling and associated works. This henceforth forms part of the Application.

Draft Development Consent Order

1.4.22 The Proposed Development is described in detail in Schedule 1 to **the Draft DCO (APP-039)**, and the areas in which each component (the 'Work Numbers') may be constructed are shown on the **Works Plans (APP-010)**.

1.4.23 The Proposed Development is split into 10 Work Numbers as follows:

- Work No. 1 – a ground mounted solar photovoltaic generating station with a gross electrical output capacity of over 50 megawatts;
- Work No. 2 — a battery energy storage system compound and associated works (including fire safety infrastructure);
- Work No. 3 — development of an onsite substation and associated works;
- Work No. 4 — works in connection with electrical cabling and associated compounds;
- Work No. 5 — works to the existing Bicker Fen National Grid substation to create a new generation bay, overhead line tower and cabling and substation extension;
- Work No. 6 — various ancillary works relating to the Solar Array Area, including cabling, fencing, security features, access tracks, watercourse crossings and landscaping and biodiversity mitigation measures;
- Work No. 7 — construction and decommissioning compounds in connection with Work Nos. 1, 2 and 3;
- Work No. 8 — works to create the Bespoke Access Road;
- Work No. 9 — areas of habitat management; and
- Work No. 10 — works to facilitate access to Work Nos. 1 to 9.

1.4.24 In addition, Schedule 1 to the **Draft DCO (APP-039)** lists other associated works (referred to as "further associated development") which may be carried out in connection with the construction of Work Nos. 1 to 10.

1.5 The Development Consent Order Process

1.5.1 As a NSIP, the Applicant is required to seek a DCO to obtain planning and other powers to construct, operate and maintain the generating station, in accordance with Section 31 of the 2008 Act. Sections 42 to 48 of the 2008 Act govern the consultation that an applicant must carry out before submitting an application for a DCO and Section 37 of the 2008 Act governs the form, content and accompanying documents that are required as part of a DCO application.

1.5.2 An application for development consent for the Proposed Development has been submitted to and accepted for examination by the Planning Inspectorate ('PINS') acting on behalf of the SoS. PINS is now examining the Application and will make a recommendation to the SoS, who will then decide whether or not to make (grant) the DCO.

1.6 Purpose of this Document

1.6.1 This document is intended to summarise clearly the agreements reached between the Applicant and the parties on matters relevant to the examination of the Application, in order to assist the Examining Authority to understand progress of negotiations between the parties. It has been prepared having regard to the guidance in *Planning Act 2008: Pre-examination stage for Nationally Significant Infrastructure Projects* and *Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects* (Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, April 2024).

1.6.2 Once finalised, the SoCG will be submitted to the Examining Authority who will decide whether to accept it into the examination of the Application.

1.6.3 It is intended that the SoCG will provide information for the examination process, facilitating a smooth and efficient examination and managing the amount of material that needs to be submitted. Updates to this document will be made periodically (and on request) during the examination, with a view to submitting a final version of the SoCG at the end of the examination.

1.7 Role of Key Stakeholders

1.7.1 This SoCG refers to communications and correspondence with Natural England. The role of Natural England and how it relates to the Application is summarised, below.

1.7.2 Natural England is a statutory nature conservation body (SNCB) established by the Natural Environment and Rural Communities Act 2006. (NERC Act) Natural England's general purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England is financed by the Department for the Environment Food and Rural Affairs (Defra) but is a Non-Departmental Public Body, which forms its own views based on the best scientific evidence available.

1.7.3 Natural England is a prescribed consultee in respect of all DCO applications that are likely to affect land in England. Annex C of Advice Note 11 'Working with Public Bodies'[1] produced by PINS sets out in detail the role of Natural England in the DCO process, including the level of input and agreement be expected from Natural England. The Applicant has consulted Natural England throughout development of the Proposed Development.

1.7.4 Natural England's role covers various matters, including the following:

- Advice on impacts on protected nature conservation sites (Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar Sites, Sites of Special Scientific Interest (SSSI), Marine Conservation Zones (MCZ)) and designated landscapes (National Parks, The Broads and National Landscapes (legally defined as Areas of Outstanding Natural Beauty)) within England and out to 12 nautical miles of the English coastline.
- Acting at the consenting and licensing body for protected species licensing in the terrestrial environment in England (this applies to all activities undertaken landward of the mean low water mark).
- Advice on EIA, the Habitats Regulations, the regulation of SSSI under the Wildlife & Countryside Act 1981 (as amended) (WCA), as the licensing body in respect of protected species.
- Advice as a statutory consultee for development of 'best and most versatile' agricultural land and for the reclamation of minerals and waste sites to agriculture.

[1] Available online at: https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-nsip-advice-on-working-with-public-bodies-in-the-infrastructure-planning-process-annex-c-natural-e

- Advice on other issues within Natural England's statutory remit e.g. on green infrastructure or environmental enhancement opportunities.

1.7.5 It can be taken that any matters not specifically referred to in the 'Matters Agreed during Pre-Examination Stage' or 'Matters not yet agreed during Pre-Examination Stage' sections of this SoCG are not of material interest or relevance to Natural England representations and have, therefore, not been considered in this SoCG.

1.7.6 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties, where agreement has not been reached (and that is the parties' final position) and where discussions are still ongoing.

1.8 Status of this Version

1.8.1 This SoCG is prepared in collaboration with Natural England and represents the final agreed version of the SoCG. This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties.

1.8.2 It can be taken that any matters not specifically referred to in the 'Matters Agreed during Pre-Examination Stage' (Section 3) or Matters Agreed during Examination Stage' (Section 4) of this SoCG are not of material interest or relevance to Natural England representations and have, therefore, not been considered in this SoCG.

1.8.3 Matters not agreed but not considered to be material (Section 5) lists one matter that has been considered and could not be agreed, but Natural England agree is not considered to be material.

1.8.4 Section 2 of this document summarises the consultation undertaken with Natural England to date and Section 3 sets out the matters agreed between the parties during the pre-examination stage in respect of the Application.

2. Summary of Consultation

2.1.1 Table 2.1, below, contains a record of pertinent correspondence between the Applicant and Natural England.

Table 2.1 – Summary of Correspondence

DATE	FORM OF CORRESPONDENCE	NOTES
18/05/2023	EIA Scoping Report and response	Natural England provided and opinion in response to the EIA Scoping Request which was returned to the applicant via PINS in May 2023. All of the points from this response are included in Section 3 – Matters Agreed during Pre-Examination Stage
June / July 2023	Discretionary Advice Service meeting soils	Natural England and the Applicant discussed the proposed Agricultural Land Classification (ALC) survey methodology approach for the Solar Array Area and Cable Route Corridor. Meeting notes were provided by Natural England summarising the discussions (Notes of Beacon Fen Energy Park DAS – JAH 11/07/2023). The points discussed and agreed are included in Section 3 – Matters Agreed during Pre-Examination Stage
01/03/2024	Response to statutory consultation	Natural England reviewed the Preliminary Environmental Information Report (PEIR) and provided a response in March 2024. All of the points from this response are included in Section 3 – Matters Agreed during Pre-Examination Stage
29/08/2024	Discretionary Advice Service meeting	Natural England and the applicant discussed the inclusion of wintering birds as receptors in the Habitat Regulations Assessment (HRA) in particular gadwall. A high level approach to the great crested newt mitigation licence was discussed along with the timing of further surveys.
16/05/2025	Discretionary Advice Service meeting	Natural England and the applicant discussed further details of the GCN mitigation licence, the process for applying. Further comments from Natural England would follow in the Relevant Representation response.
02/07/2025	Letter	Natural England submitted its Relevant Representation (RR) (RR-15).
21/08/2025	Licence application email	The Applicant issued the great crested newt draft licence application to Natural England.
02/09/2025	Licence application email	Natural England confirmed receipt of the great crested new licence email.
19/09/2025	Licence application/SoCG email	Follow up email on the great crested newt licence and SoCG status. Natural England confirmed the licence was being reviewed and requested confirmation that all 'Amber' risks were included in the matters yet to be agreed section (Section 4). The Applicant confirmed this was the case in an email on 29/09/25.
23/09/2025	Letter of no impediment	A letter of no impediment (Natural England Reference 2024-68077-EPS-AD1) was granted on 23rd September 2025. This confirmed that Natural

DATE	FORM OF CORRESPONDENCE	NOTES
		England see no impediment to a licence being issued should the DCO be granted.
05/11/2025	Discretionary Advice Service meeting	Pre-hearing meeting to discuss Matters not yet Agreed during pre-examination Stage.
11/11/2025	NE Response to Applicant's response to RR's (October 2025) via email	Natural England's comments on the Applicant's response to Relevant Reps (October 2025) an update on matters discussed during DAS meeting (05/11/2025). NE have provided their comments, along with an updated Risk & Issues Log.
09/01/2026	NE Response from soils specialist regarding reinstatement of Agricultural Land commitment	Natural England's formal response for a matter discussed during the DAS meeting (05/11/2025) on the commitment standard for reinstatement of agricultural land with advice for a suggested update to the oSMP.
04/02/2026	Meeting between Natural England and the Applicant	Meeting to agree mitigation measures in respect of gadwall and lapwing.

3. Matters Agreed during Pre-Examination Stage

3.1.1 Table 3.1, below, contains a list of 'matters agreed' at the date of submission of the document to Natural England, along with a concise commentary of what each item refers to and how it came to be agreed between the two parties.

3.1.2 In addition, Annex G of the Rule 6 Letter from PINS explicitly states that the SoCG with Natural England should include the following:

- Effects on internationally designated sites, protected species (including otters, water voles and wintering birds) land use and soils (including best most versatile agricultural land) and any other relevant ecology and biodiversity features;
- Effects on sites and features relevant to a Habitats Regulations Assessment (HRA), including but not limited to qualifying features assessed and approach to in-combination assessment;
- Effects on any other habitats, species or relevant habitats;
- The suitability and appropriateness of the Agricultural Land Classification (ALC) assessment;
- Mitigation and enhancement measures, including the appropriateness and effectiveness of the Outline Soil Management Plan (oSMP), the oCEMP and the oDEMP;
- Biodiversity Net Gain (BNG); and
- Protected species licences.

3.1.3 These points, as well as the other key matters, have been addressed in the table(s), below.

Table 3.1 – List of Matters agreed during Pre-Examination Stage

MATTER	COMMENTARY
Internationally & nationally designated Sites: Study Area	Natural England queried that Impact Risk Zones are not included but are satisfied through discussion with the Applicant that the screening distances identified for designated sites in the **Ecology Chapter (APP058)** and **Habitats Regulations Assessment (APP-050)** are appropriate, and that all relevant sites have been identified and that the study area (see Table 7.3 of **Chapter 7 Ecology (Document Ref: 6.2 ES Vol 1, 6.2.7) (APP-058)**) is appropriate.

Internationally designated sites: Identification of relevant sites	Natural England are satisfied with the inclusion of the Wash Special Protection Area (SPA) and Ramsar, and the Wash and North Norfolk Coast Special Area of Conservation (SAC) in the **HRA (Document Ref: 5.2) (APP-050).**
Internationally designated sites: Wash and North Norfolk Coast SAC: Functionally linked land	Natural England are satisfied that the mitigation included in the **HRA (Document Ref: 5.2) (APP-050),** namely, the use of horizontal directional drilling (HDD) will avoid impacts on otter, a qualifying species of the Wash and North Norfolk Coast SAC, and, therefore, an adverse effect on the SAC is not anticipated. Natural England note that update protected species surveys will be undertaken pre-commencement and mitigation will be updated as required to avoid adverse effects.
Internationally designated sites: Hydrological connectivity	Natural England have reviewed the **HRA (Document Ref: 5.2) (APP-050)** with respect to hydrological connectivity from the (Proposed Development) Site to the international sites. Natural England are satisfied that, with the pollution control measures outlined in **Appendix 2.4 outline Construction Environmental Management Plan (oCEMP) (Document Ref: 6.3 ES Vol 2, 6.3.7) (APP-077)**, there will be no adverse effects on the internationally designated sites.
Nationally Designated sites: Air Quality	Natural England have reviewed the impact of changes in air quality on Wilsford & Rauceby Warrens Site of Special Scientific Interest (SSSI) as detailed in Section 7.6.33 of **Chapter 7 Ecology (Document Ref: 6.2 ES Vol 1, 6.2.7) (APP-058)** and assessed in **Chapter 16 Air Quality (Document Ref: 6.2 ES Vol 1, 6.2.16) (APP-067)**. Natural England are satisfied that the change in air quality as a result of the Proposed Development will have no adverse impact on Wilsford & Rauceby Warrens SSSI or any other nationally designated sites.
Biodiversity Net Gain	Natural England are satisfied that a **Biodiversity Net Gain (BNG) strategy** (**Document Ref: 7.3**) **(APP-280)** has been completed and note the current figures for net gain for habitat areas, hedgerows and watercourses, all of which are greater than 10%.
Nationally designated landscapes	Natural England are satisfied that the Proposed Development is not within, or within the setting of any nationally designated landscapes. Natural England welcome the consideration of National Character Areas in **Chapter 6 Landscape and Visual (Document Ref: 6.2 ES Vol 1, 6.2.6) (APP-057)**.

Ancient woodland and ancient / veteran trees	Natural England are satisfied with the information included within **Appendix 6.6 Arboricultural Impact Assessment Report (Document Ref: 6.3 ES Vol 2, 6.3.18) (APP-088)**, including that pertaining to ancient and veteran trees identified onsite (which are to be retained and protected during construction and subsequent decommissioning) and the embedded mitigation measures (which will be secured post-consent in the detailed CEMP and DEMP by Requirement 12 and Requirement 18 of the **Draft DCO (Document Ref: 3.1) (APP-039)**).
Public Rights of Way (PRoW) / Permissive Path	**Chapter 15 Socio Economics (Document Ref: 6.2 ES Vol 1, 6.2.15) (APP-066)** of the ES records the absence of accessible PRoW within the Solar Array Area, but the presence of PRoWs crossing both the Bespoke Access Corridor and Cable Route Corridor. Natural England is satisfied with the embedded mitigation included in Table 15.2 of Chapter 15, which states that, 'for temporary closures of PRoWs, signs and posters will be installed on relevant PRoWs and local walking groups, relevant parish councils and district councils will be notified regarding any temporary footpath closures through the Community Liaison Officer'. Natural England is satisfied with the proposal for PRoW Ewer/12/1 to be enhanced as a permissive path that will be in place for the operational duration of the project (see **Chapter 6 Landscape and Visual (Document Ref: 6.2 ES Vol 1, 6.2.6) (APP-057)** and **Chapter 7 Ecology (Document Ref: 6.2 ES Vol 1, 6.2.7) (APP-058)**). With a small footbridge is to be created over the watercourse, the permissive path will link to ecological corridors and information boards will be erected along its route to provide the public with information on local wildlife
Agricultural Land Classification: Survey Methodology	During the Discretionary Advice Service (DAS) meeting for soils, Natural England agreed that an ALC survey is undertaken within the solar PV areas, with flexibilities around density depending on land quality identified in the reconnaissance ALC survey and Predictive ALC Mapping Report. In the circumstances, a semi detailed survey (1 auger per 2 ha plus representative pits) is acceptable where the Site is clearly expected to be non-Best and Most Versatile (BMV) land, but where BMV has been identified, a detailed ALC survey (1 auger per 1 ha plus representative pits) would be expected to accurately map the ALC boundaries and transitioning soil types. Natural England broadly agree with the approach to soil survey locations provided, however a flexible approach is expected during the survey, with an increased survey density expected on the boundaries of the Subgrade 3a/3b; where soil variability increases or where currently unmapped BMV is identified. Owing to the varied distribution of BMV / non-BMV identified by a low density reconnaissance level survey, it was decided that the Solar Array Area survey and Bespoke Access Road survey were carried out on a detailed 1 point per ha basis; thereby going above Natural England's survey requirement.

Agricultural Land Classification: Bespoke Access Track Survey	Within the PEIR Responses, Natural England note that detailed ALC surveys for the cable and access routes had not been conducted at the time of writing the PEIR. NE acknowledge the PEIR assessment was based on high level desk-based information with interpolation of soils and ALC data, however, they state that detailed ALC surveys would "best inform" the soil management plan and that the survey methodology is to be confirmed with NE following further consultation. This was noted by the Applicant and a detailed ALC survey of the Bespoke Access Corridor was carried out in September 2024 to inform the ES chapter and its accompanying **Outline Soil Management Plan (oSMP) (Appendix 14.4, Document Ref: 6.3 ES Vol.2, 6.3.95) (APP-176).**
Agricultural Land Classification: Survey methodology	The ALC survey for the Solar Array Area is detailed within **Appendix 14.2 Agricultural Land Classification (Document Ref: 6.3 ES Vol. 2, 6.3.93) (APP-174)** and the ALC survey for the Bespoke Access Road is reported in **Appendix 14.3 Agricultural Land Classification – Access Track (Document Ref: 6.3 ES Vol. 2, 6.3.94) (APP-175).** Natural England has reviewed the ALC surveys undertaken by the Applicant and the full detailed resolution of the survey (1 auger boring per hectare) is welcomed for both the Solar Array Area and the Bespoke Access Corridor.
Outline Soil management Plan	Natural England are satisfied with the content of **Appendix 14.4 Outline Soil Management Plan (oSMP) (Document Ref: 6.3 ES Vol. 2 6.3.95) (APP17-176)**. Natural England welcome the inclusion of rainfall "stop" criteria, meaning soil handing must take account of prevailing weather conditions in order to minimise the risk of damage to soil structure. Natural England also welcome the proposal which states that "*where possible, the work is phased so that construction elements involving soil trafficking, stripping, handling and formation of stockpiles is avoided during periods of the year where the soils are most likely to be in a wet state (December to March*)".
Embedded Mitigation & Avoidance of BMV land	**Chapter 14 Soils and Agricultural Land (Document Ref: 6.2 ES Vol 1, 6.2.14) (APP-065)** includes details for the embedded mitigation. Natural England have welcomed the approach to avoid BMV land during the site selection process (paragraph 14.13.11) and that ALC grading was also considered in siting the BESS and onsite substation within the Solar Array Area in order to avoid hard development on Grade 2 quality land. (paragraph 14.13.12).
Presentation of Land Take	Within the PEIR Responses, Natural England recommend further breakdown of land take into permanent and temporary land take and the proportion/amount of BMV and non-BMV land take for each element of the development.

	The applicant addressed this within the ES. Land take is broken down into permanent and temporary land take for BMV and non-BMV land in Section 14.5 of **Chapter 14: Soils and Agricultural Land (Document Ref: ES Vol. 1, 6.2.14) (APP-065).**
Project Lifespan – Temporary land use change	Natural England welcome the inclusion of a 40-year maximum operational lifespan for the solar arrays and BESS, as detailed in **Chapter 2 Proposed Development (Document Ref: 6.2 ES Vol 1, 6.2.2) (APP-053)**. The inclusion of the time limit within the DCO provides further certainty the proposed temporary land use changes will remain temporary as described, subject always to appropriate soil management.

4. Matters agreed during Examination Stage

4.1.1 Table 4.1, below, contains a list of 'matters agreed' correct at the date of submission of the document to Natural England along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

Table 4.1 – List of Matters Agreed during Examination Stage

MATTER	COMMENTARY
Internationally designated Sites: In combination effects	During the DAS meeting of 05/11/2025, Natural England confirmed they had reviewed the cumulative impact assessment for projects identified in the **Cumulative Assessment Short List (Document Ref: 6.3 ES Vol 2, 6.2.12) (APP-082)**. Natural England confirmed that they agree with the updated list of projects and once the **HRA (REP2-013/014)** has been updated and reviewed, they will confirm in writing that they agree with this matter. Natural England confirmed in their response to the Applicant dated 11/11/2025 that they welcomed the clarifications set out in the updated **HRA (REP2-013/014)** and had no further comments.
Protected species licencing	Natural England and the Applicant have discussed the processes for draft protected species mitigation licences. To date only great crested newts (GCN) have been identified as requiring licences and Natural England have requested a draft licence application. The Letter of No Impediment (Natural England reference 2024-68077-EPS-AD1) was received on 23rd September, confirming Natural England see no impediment to granting the licence if the DCO is granted. During the DAS meetings of 29/08/24 and 16/05/25, the Applicant discussed that full surveys have not yet been completed for GCN, but environmental DNA (eDNA) surveys have located their presence in ponds near to the Site. Natural England agreed the surveys could be conditioned as part of the Letter of No Impediment issued following approval of the draft licence application (Natural England reference 2024-68077-EPS-AD1). Natural England note that update surveys will occur for other protected species (notably otters and water voles) and request that they are notified rapidly if they are found to be impacted by the proposed works (for example if new dwellings are found in the Cable Route Corridor). In this case a licence may be required, and this has been acknowledged in the Other Consents and Licences Statement updated at Deadline 1 (REP1-006). During the DAS meeting of 05/11/25, Natural England agreed that with the Letter of No Impediment in place and the position clarified on other protected species licencing, this matter is now resolved.

Embedded Mitigation & Avoidance of BMV land	A response was provided to Natural England within the Applicant Responses to Relevant Representations (REP1-029), RR0-15. Having reviewed the approach for the site selection process and design evolution Natural England confirmed during the DAS meeting on the 05-11-2025 that they now agree on this matter that the applicant has sought to avoid BMV land through the site selection and design evolution processes. Confirmed in NE note *Response to Applicant's response to RR's (October 2025)* (Received by the Applicant 11th November 2025).
Permanent Loss of BMV – Ecological Enhancement areas	A response was provided to Natural England within the Applicant Responses to Relevant Representations (REP1-029), RR-015. Having reviewed the approach for how ecological enhancement areas have been assessed and that areas of tree plantings are confined to areas of non-productive agricultural land, Natural England confirmed during the DAS meeting on the 05-11-2025 that they now agree on this matter. Confirmed in NE note *Response to Applicant's response to RR's (October 2025)* (Received by the Applicant 11th November 2025).
Reinstatement of Agricultural Land	Paragraph 7.6.1 of **Appendix 14.4 Outline Soil Management Plan (oSMP) (Document Ref: 6.3 ES Vol.2, 6.3.95) (APP-176)** states that "*By following the measures included, below, impacts on the agricultural capability of the land can be mitigated and the Site can be returned to agricultural use after decommissioning*". Natural England advise that this reinstatement commitment should specify that all agricultural land to be restored will be returned to its original ALC grade, informed by the pre-development ALC surveys. **Chapter 14 Soils and Agricultural Land (Document Ref: 6.2 ES Vol 1, 6.2.14) (APP-065)** and the oSMP state the land will be returned to its baseline condition and agricultural use. The applicant provided the following response to RR-015 within **Applicant Responses to Relevant Representations (REP1-029)** - *"Following decommissioning, the soils will be reinstated to match the baseline soil profile characteristics of soil type, horizon depth and soil structure. The resulting ALC grade is dependent on future climatic conditions. Returning to the previous ALC grade is only possible if the climatic data set for ALC grade calculations remains constant, and climatic interactions such as soil water regime and flooding are also the same as the baseline conditions. Both are external factors that cannot be controlled by the Applicant. External management from the local drainage boards is also a key requirement for the soils within the order limits retaining their ALC grade. Returning soils to their previous ALC grade would therefore also require the drainage boards maintaining the required water table levels. For these reasons, it is not possible for the Applicant to take on responsibility for attaining a specific ALC grade some years in the future, but instead can take on responsibility for a particular good practice process of soil management."* This was discussed during the DAS meeting on the 05-11-2025 and remained a matter yet to be agreed. Natural England provided the following response by email (09-01-2026) to address this matter: *"The ALC system is designed to assess the*

	long-term inherent capability of land based on soil type, horizon depth, structure, and site characteristics. Where soils are carefully restored to their baseline profile and managed appropriately, the land can regain its former classification. The current, or indeed future agricultural use of the land does not influence the grade nor does the grade necessarily reflect the current economic value of the land. Where long-term limitations outside the control of the applicant will be introduced (or removed) in the near future through the implementation of a major scheme, such as new arterial drainage, the land is classified as if the changes have already been carried out. Where no such scheme is proposed (as is the case here), or there is uncertainty about implementation, the current limitations as surveyed will be taken into account. It is acknowledged that larger scale water management changes, such as IDB changes in water table depth, may alter the Wetness limitation across a site. It is therefore NE's advice that the commitment should remain to ensure the land is returned to the baseline ALC grade ***wherever possible****, noting that where external factors outside the applicant's control, such as long-term IDB-driven changes to water-table levels, prevent restoration to the baseline, deviations from the original grade may be unavoidable."* The Applicant has accepted this advice and has updated **Appendix 14.4 Outline Soil Management Plan (oSMP) (Document Ref: 6.3 ES Vol.2, 6.3.95) (APP-176)** accordingly for agricultural land reinstatement commitments. The updated oSMP will be submitted at Deadline 7 (09-02-2026). This matter is, therefore, now considered to be agreed.
Internationally designated Sites: Functionally Linked Land – The Wash SPA and Ramsar	During the DAS meeting of 05/11/2025 and the meeting held 04/02/26, the matter of potential disturbance to lapwing and gadwall during construction was discussed. During the meeting on the 04/02/26, the rationale as to why no winter workings would not be possible was explained, which was acknowledged by Natural England. It was also explained that the existing average ambient sound levels (as listed within Table 10.12: Measured Noise Levels of **Chapter 10 Noise & Vibration (APP-061)** of the ES) at the Site are 50 dB LAeq,T, and it was agreed that a noise limit of 60 dB LAeq,T would be appropriate as any birds present would be acclimatised to the existing baseline and the increase of 10 dB would be the threshold at which the change would become discernible. Natural England agreed that, on the basis of this, & the rationale detailed below, the 60 dB LAeq,T limit would be appropriate. In respect of gadwall, it was agreed that, should 1% (i.e. ≥1x individuals) of the Wash SPA and Ramsar populations be present at the reservoir, a default buffer (of no construction activity) of circa 200m from the water's edge would be adopted for the duration that the gadwall are present. Whilst it is not possible to confirm all construction activities / plant to be used at this stage, the Ecological Clerk of Works (ECoW) would be responsible for ensuring that any flocks comprising 1% or more of the Wash SPA and Ramsar population of gadwall present are not subject to levels above 60 dB. In respect of lapwing, it was agreed that, should 1% (i.e. a flock(s) of ≥450x individuals) of the Wash SPA and Ramsar population be

present at the Site, appropriate mitigation would be put in place to ensure that the 60 dB noise threshold would not be exceeded in that area. To achieve this, the applicant has proposed:

- Prior to commencement, an ECoW will review the Site and conditions and advise on the likely areas where birds would be encountered (taking into account environmental factors such as topography and flood risk). This will inform the programme of works and any habitat management required to reduce suitability for wintering lapwings for foraging and roosting, or to attract them to areas away from the construction area so that areas where there is a risk of impact on gadwall or lapwing can be avoided.
- Prior to construction works over winter, in any given works area the ECoW would survey land within 200 m of that works area (including compounds), using binoculars / telescope to avoid disturbance through the survey and to see any birds outside the Order Limits. If lapwing or gadwall are present as a flock in numbers of at least 1% of the SPA population, appropriate mitigation will be put in place to ensure that the 60 dB LAeq,T threshold is not exceeded (representing a no more than 10 dB increase from the baseline), which will ensure that no disturbance impact will be experienced by the birds.
- The ECoW will advise on the specific mitigation measure to be implemented to ensure that the noise threshold is not exceeded. This may include, depending on the works proposed and methods of construction:
    - Provision of acoustic fencing where appropriate; or
    - An up to 200 m buffer from the works area to the flock(s) of lapwing or gadwall until the birds move on (anticipated to be no longer than one week) or the numbers present fall below the 1%. The 200 m is the threshold of likely disturbance from the worst-case construction noise scenario, given the background noise of over 50 dB LAeq,T, and is in line with guidance on disturbance of overwintering birds, NatureScot (2022);

The ECoW may use one or a combination of the techniques outlined above or such other measure that avoids the noise threshold being exceeded.

Natural England confirmed that their '…*main concern had been the potential 70dB limit discussed previously, which their ornithology team did not agree with; that it was useful to understand the existing baseline levels as these constitute an important consideration; and that the 200m buffer is welcomed and in line with established guidance on disturbance distances issued by Nature Scot'.*

In addition, Natural England further confirmed that '…*the ECoW being able to advise on adaptive mitigation measures / construction techniques (e.g. acoustic fencing where appropriate / necessary or stopping certain works, etc.) should a flock(s) land at or adjacent to the site is reasonable and makes sense in this scenario; that this should be written into the HRA and that the role of the ECoW included in the Management Plans*'. Whilst the role of the ECoW is already outlined within the **oCEMP (REP6-027)**, this has been updated along with the **HRA (Document Ref: 5.2)** to reflect the above measures and to include a statement that 'at the detailed design stage, the detailed CEMP will detail the role of ECOW in terms of bird disturbance'. The updated oCEMP and HRA have been submitted into Examination at D7.

It was agreed that, with the above approach(es) in place, adverse effects on the integrity of the SPA would be avoided. Natural England confirmed that their concern was '…*effects on integrity of the SPA population, but given the distance of the Solar Array Area from the SPA and consequently, given the substantial availability of suitable habitat, the proposed mitigation is considered acceptable'.*

5. Matters not agreed but not considered to be material

5.1.1 Table 6.1, below, contains a list of 'matters not agreed but not considered to be material' correct at the date of submission of the document to Natural England along with a concise commentary of what the item refers to and why it is not agreed. For this category of matter Natural England state: "[These matters] *are those where Natural England does not agree with the Applicant's position or approach. We would ideally like this to be addressed but are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision-making process. However, we reserve the right to revise our opinion should further evidence be presented. It should be noted by interested parties that whilst these issues/comments are not raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances*".

Table 5.1 – List of Matters not yet Agreed during Examination Stage

MATTER	COMMENTARY
Agricultural Land Classification: Cable Route Corridor	Natural England note within paragraph 14.4.7 of **Chapter 14 Soils and Agricultural Land (Document Ref: 6.2 ES Vol 1, 6.2.14) (APP-065)** that, at the time of the assessment, a detailed soil survey has not been carried out for the Cable Route Corridor and Bicker Fen substation extension works area. It is noted in paragraph 14.6.8 of Chapter 14, however, that a detailed soil survey of the Cable Route Corridor will be carried out preconstruction to inform the site-specific Soil Management Plan. Natural England request that the ALC survey of the Grid Connection Corridor should be carried out to inform micro-siting of the connection corridor and other potentially damaging activities away from BMV land, as far as reasonably practicable, pre-consent. The Applicant is proposing to carry out detailed soil surveys of the Cable Route Corridor post-consent / pre-construction in order to inform soil handling measures and ensure that the land can be returned to agricultural use. This approach has been taken by similar consented developments within the local area. Following the DAS meeting with Natural England (05-11-2025), this remains a matter not agreed but it is not a material issue. Natural England are happy that a survey will be undertaken pre-construction to inform the SMP however on this type of development their position is that a detailed ALC survey is required across the entire order limits pre-consent so that impacts on BMV can be accurately assessed at early stages.

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Signed: Robert Clarey

On behalf of: Natural England

Date: 06/02/2026

Signed: Jessica Gough

On behalf of: Beacon Fen Energy Park Ltd

Date: 6th February 2026