

16 July 2026

The Rt. Hon. Ed Miliband MP
Secretary of State for Energy Security and Net Zero
Department of Energy Security and Net Zero
3-8 Whitehall Place
London
SW1A 2AW

Your Ref: EN010151
Our Ref: TAE/SHX/406888-00002

By email only to: beaconfen@planninginspectorate.gov.uk

Dear Secretary of State

Application by Beacon Fen Energy Park Limited for an order granting development consent for the Beacon Fen Energy Park Project

Planning Inspectorate reference EN010151

Interested party reference F82934B89

Response to the Secretary of State's Invitation to Comment dated 2 July 2026 on behalf of Vicarage Drove Energy Centre Limited

1. This firm acts for Vicarage Drove Energy Centre Limited ("VDECL") and is instructed to provide this response to the Secretary of State in respect of the application for a Development Consent Order ("DCO") submitted by Beacon Fen Energy Park Limited ("the Applicant") for development of a 400MW solar photovoltaic farm incorporating up to 600MVA Battery Energy Storage System and other related development ("the Proposed Development").
2. Further to this firm's letter to the Secretary of State dated 25 June 2026, in response to the Secretary of State's Request for Information dated 12 June 2026 ("the VDECL Response"), we note the Applicant's own response ("the Applicant's Response").
3. The position of VDECL and its continued objection to the DCO as currently proposed remains substantially as described in the VDECL Response.
4. At paragraph 3.3.5 of the Applicant's Response the Applicant provides an update on its position as regards the objection of VDECL. As stated by the Applicant, VDECL is not satisfied with the protective provisions included at Part 12 of Schedule 11 of the draft DCO (REP8-004). VDECL is seeking appropriate protection of its statutory undertaking via a side agreement.
5. The Applicant further states at paragraph 3.3.5 of the Applicant's Response that engagement continues on technical matters and further commercial discussions are pending to reach a side agreement. The most recent engagement on these matters was email correspondence to the Applicant on behalf of VDECL dated 10 July 2026. A response from the Applicant is awaited. In this most recent

correspondence VDECL continues to seek information from the Applicant on why it has persisted with proposals for an underground cable through VDECL's operational solar farm given the detrimental impact of such works on VDECL's statutory undertaking and the availability of alternative technical solutions that may allow the withdrawal of VDECL's objection. VDECL has also requested further information on the Applicant's commercial modelling of the associated compensation for the impact on VDECL's operational solar farm. At present the Applicant and VDEC disagree on the basis for compensation.

6. As stated in the VDECL Response, in the absence of agreement, we refer again to the potential impact of the Proposed Development on VDECL's statutory undertaking and the engagement of the section 127 Planning Act 2008 test as regards serious detriment (more particularly those parts of the test referred to in paragraph 21 of VDECL's written summary of oral submissions at CAH1 [REP-042]).
7. We continue to respectfully request the Secretary of State does not approve the compulsory acquisition of rights over the land in which VDECL has an interest for the purpose of its statutory undertaking until VDECL's objection is withdrawn and pursuant to the section 127 test the Secretary of State is satisfied no serious detriment will be caused to VDECL's statutory undertaking.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ashfords LLP', with a horizontal line underneath the letters 'fords'.

Ashfords LLP