



# Planning Inspectorate

National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer  
Services: 0303 444 5000  
e-mail: [eastparkenergyproject@planninginspectorate.gov.uk](mailto:eastparkenergyproject@planninginspectorate.gov.uk)

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To the applicant  
(By email only)

Project ref: EN010141

Date: 30 October 2025

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Dear [REDACTED]

## **Planning Act 2008 – section 51**

### **Application by BSSL Cambsbed 1 Ltd for an order granting development consent for the East Park Energy project**

#### **Advice following issue of decision to accept the application for examination**

On 28 October 2025 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the applicant provided under section 51 of the PA2008 in respect of these initial observations. The applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Minor errors and omissions**

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.

#### **Draft Development Consent Order (dDCO)**

The applicant is advised to ensure that you have fully reviewed Advice Note 15 when reviewing the Explanatory Memorandum for every Article and Requirement, explaining why the inclusion of the power is appropriate in the specific case. Likewise, the Protective Provisions.

The Applicant is encouraged to agree any side agreements with the protected parties and for written confirmation of that to be provided by the parties before the close of the Examination.

### Article 2 Interpretation

A number of references to the certified documents are referred to as initials such as outline BSMP, outline CEMP, outline CTMP etc. These should be referred to as their full unabbreviated title such as outline Battery Safety Management Plan etc. as part of the Interpretation article for clarity and completeness.

### Article 3

Works No.10 includes reference to the Agri-research facility. The text then proceeds to refer to 'further associated development...'. It is unclear from the Explanatory Memorandum or other documents whether the applicant views the Agri-research facility as part of the principal development or Associated Development. It would be helpful if this is clarified and explained.

### Schedule 5

This cross-refers to Article 12 though it is noted that it is often referred to in Article 13, and this should be recognised in the DCO and Explanatory Memorandum.

### Schedule 2 Requirements

Requirement 17 should include reference to no working on public and bank holidays.

### Schedule 11

This cross-refers to Article 29 (Rights under or over streets). Schedule 11 is not mentioned in Article 29 at all, whereas it is referred to in Article 30 (Temporary use of land for carrying out the authorised development). The applicant should review this and amend as necessary.

### Schedule 12

The Explanatory Memorandum describes this as 'Hedgerows' whereas the dDCO lists this schedule as 'Removal of Hedgerows'. A consistent reference to the removal of hedgerows is needed.

## Plans

It is unclear whether Temporary Use and Acquisition of Rights are sought over plot 14-6; the Book of Reference lists this plot as only being temporarily possessed.

The applicant is advised to review all shading and hatching to ensure the plans correspond with the Book of Reference and that the powers being applied for can be immediately identified. Expanding the range of shading and hatching used should be considered.

### Statutory and Non Statutory Sites or Features for Nature Conservation Plan

On Sheet 8 green shading is used for Deciduous Woodland and Coastal and Floodplain grazing marsh. The shades are quite similar in colour so these should be amended to avoid confusion and in the interests of clarity.

### Referencing of Land

Consistency is needed when referring to land. The applicant has presented the development in terms of Groups of fields A, B C, and D but then uses land parcel numbering elsewhere in the presentation of Works and Land plans. The applicant is advised to review the application documents to ensure there is more clarity and consistency in referencing of different elements of the proposed development.

## Book of Reference

In the Table provided at 2.1.6 in the *blue and purple hatched* row, and the *blue hatched* row, the land use and power sought description is exactly the same. It is noted that Article 47 is referenced for the blue and purple hatching. The text should be amended to include the potential acquisition of Crown rights (with the agreement of the Crown).

Given the changes of ownership prior to the application being submitted, the Book of Reference should be updated before the applicant gives notice of the deadline for the submission of relevant representations under s56 of PA2008, in order that there can be certainty that all relevant persons (including those within s56(2)(d)) have been notified and are afforded the opportunity to submit a relevant representation. The Examining Authority may ask for the position to be clarified at or before the Preliminary Meeting. Where relevant, the Land Plans and the Statement of Reasons should also be updated.

The description for Plots 10-3 and 11-1 given in the Category of Rights column is *Permanent Land*. All land could justifiably be described as 'permanent' therefore an alternative descriptor, such as 'Permanent acquisition' should be considered.

## Environmental Statement

### ES Appendix 7-7

Bat Survey Report is mislabelled on front page as ES appendix 7-8.

## ES Appendix 8-1 Flood Risk Assessment

It is noted that the FRA relies on the 2050s epoch for both the modelling for the risk of flooding from surface water ((RoFSW) and for the risk of flooding from rivers and the sea (RoFRS), from 2040 up to the year 2069. The FRA paragraph 2.3.3 estimates that decommissioning would start in 2070. It should be clarified why the 2070s epoch has not been applied for the modelling as this has potential to influence the adequacy of the proposed mitigation set out in the FRA and the Outline Surface Water Management Plan (oSWMP). The applicant should either update the assessment to account for potential flood risk for the whole lifetime of the proposed development or justify the approach taken in the FRA. The applicant should explain why the mitigation proposed remains adequate in line with any alterations/justifications.

Figures 7a, 7b, 7c, and Figures 8a, 8b, and 8c of the FRA show the maps with RoFRS and RoFSW with climate change allowances for the 2050s epoch although the proposed development is anticipated to have a lifetime of 40 years up to 2070. The applicant to provide revised figures to show RoFRS and RoFSW with climate change allowances up to the 2070s epoch should be sought.

A figure distinguishing which areas of the proposed development's order limits are within Flood Zone 3a and Flood Zone 3b should be provided with an updated version of the FRA.

The Environment Agency published data on 25 March 2025 which is relevant to planning and FRAs. The applicant should provide updated versions of the relevant assessments based on the updated Environment Agency data.

### ES Figures 7-1b and 7-1c

These illustrate the location of the internationally statutory designated sites in relation to the proposed development. However, the key for both of these figures do not identify Special Areas of Conservation (SACs).

## **Funding Statement**

The Funding Statement fails to give details of any financial or bank guarantees and bonds which would be used to secure the acquisition of any land acquisition and then be able to fund the development in its entirety. The applicant is advised to review this and provide further details, including an overview of company accounts.

In addition, whilst the headline cost of the scheme is provided, further detail should be provided on the level of contingency provided within the scheme costs. The Scheme will still be a number of years away from implementation during Examination. Costs will be subject to inflationary pressures along with uplift in land values, and geo-political forces that could all increase the cost of the overall proposal.

## General

The applicant is advised to consider whether provisions that confer deemed consent if an authority does not respond within a specified period (a “guillotine”) find the right balance between not unnecessarily delaying the proposed development and ensuring that appropriate regard is given to the interests and advice of other parties. The applicant should also consider discussing and agreeing each provision with each relevant authority, as well as whether provisions should be added for any application for consent to contain a statement drawing the authority’s attention to any guillotine.

The applicant is advised to ensure that the Requirements have been discussed, and where possible agreed, with the relevant planning authorities and other relevant statutory bodies.

Please pay close attention to the advice set out in this letter and act on it accordingly. It is requested that you action these points before the commencement of the relevant representation period. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

  
**Case Manager**

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