

East Park Energy Development Consent Order (EN010141)

Comments on the LIRs: For the attention of the Examining Authority

Stop East Park Energy (SEPE) is an independent, community-led group established in response to the proposed East Park Energy solar and Battery Energy Storage System (BESS) development. The group, which operates on an unfunded, entirely voluntary basis, has more than 1,000 registered supporters, and comprises residents, landowners and stakeholders from across Hail Weston, Great Staughton, Little Staughton, Pertenhall, Keysoe, Swineshead, and neighbouring settlements including Perry, Stonely, Kimbolton, Catworth, Buckden and St Neots, all of whom may be directly or indirectly affected by the project.

1. Introduction

SEPE thanks Bedford Borough Council, Cambridgeshire County Council and Huntingdonshire District Council for submitting their Local Impact Reports (LIRs) at Deadline 1, which are acknowledged and noted.

The LIRs provide a broad account of local environmental, infrastructure and community impacts within each authority's remit, and SEPE recognises the professional effort involved in reviewing a proposal of this scale and complexity within the statutory Examination timetable.

This submission is made in response to those LIRs and is intended to assist the Examining Authority. It does not repeat matters set out in SEPE's Written Representation. Rather, its purpose is to identify where the LIRs, by reason of their statutory role and scope, do not address certain matters that remain central to the determination of the application.

In particular, while the LIRs confirm a number of material impacts, uncertainties and dependencies on future controls, they do not address certain strategic and examination-critical issues, including:

- alternatives and site selection
- the adequacy of the Environmental Statement and sufficiency of information
- lifecycle impacts and long-term deliverability

- overall planning balance and proportionality

The absence of detailed consideration of these matters within the LIRs should not be interpreted as indicating that they are resolved. Rather, it reflects the statutory scope and practical constraints under which the Host Authorities operate.

Accordingly, these matters remain live issues for examination. This submission is intended to assist the Examining Authority in identifying those areas where further scrutiny may be required to ensure that sufficient information is available and that a lawful planning balance can be undertaken.

In the absence of such examination, there is a material risk that the application could be determined on the basis of information that is incomplete in scope, deferred in substance, or insufficiently tested in relation to reasonable alternatives, environmental effects and long-term outcomes. This submission is therefore directed to ensuring that those matters are clearly identified and examined within the Examination.

SEPE again thanks the Host Authorities for their contributions and would be pleased to assist further in response to any questions arising during the Examination.

2. Role and inherent limitations of the LIRs

The LIRs perform a defined function under the Planning Act 2008. However, they are not intended to provide a complete assessment of the application.

In particular:

- LIRs are geographically bounded and functionally scoped
- They reflect individual authority remits, statutory functions and available technical expertise
- They do not undertake a planning balance
- They do not systematically test alternatives, site selection or the adequacy of Environmental Impact Assessment (EIA) information

The absence of detailed scrutiny within an LIR should not be interpreted as indicating that a matter is resolved, but rather reflects the statutory and practical limitations of the LIR process.

In these circumstances, it is not the function of the LIRs to resolve questions of environmental adequacy, alternatives or proportionality. Those matters fall to the Examining Authority, which must be satisfied that it has sufficient information before making a recommendation.

3. Areas of strong alignment with SEPE Written Representation

3.1 Reliance on outline controls and post-consent definition

Across multiple topic areas, the LIRs identify reliance on outline documents and post-consent approvals.

As identified in the SEPE Written Representation, the Application relies on:

- outline Construction Environmental Management Plan (oCEMP)
- outline Landscape and Ecological Management Plan (oLEMP)
- outline Soil Management Plan and other control documents

These are secured through Requirements in the draft DCO, with detailed mitigation to be approved post-consent.

The Environmental Statement similarly relies on embedded mitigation assumptions and parameter-based design rather than fixed, fully defined proposals.

The LIRs therefore corroborate SEPE's central submission that the scheme is not fully defined at examination stage and relies on future processes to determine environmental outcomes.

This approach limits the ability of the Examination to test the effectiveness of mitigation at the point of decision-making. Where environmental outcomes depend on future approvals, the Examining Authority must consider whether those effects have been properly assessed, or whether material uncertainty remains.

3.2 Ecological uncertainty and BNG delivery

The LIRs identify incomplete or limited survey data, uncertainty in species mitigation, dependence on long-term management, and lack of clarity regarding post-decommissioning outcomes.

This aligns directly with the SEPE Written Representation, which identifies that:

- ecological assessment in the Environmental Statement relies on professional judgement and assumed mitigation effectiveness
- Biodiversity Net Gain (BNG) calculations are modelled outputs rather than secured outcomes
- long-term delivery is dependent on framework-level commitments within the oLEMP

No mechanism is provided to secure ecological benefits beyond the operational period.

Accordingly, ecological effects and benefits are not fully evidenced or secured at the point of determination.

3.3 Landscape, visual and PRow impacts

The Host Authorities acknowledge significant landscape and visual effects during construction, residual operational effects, and impacts on Public Rights of Way, with mitigation dependent on vegetation establishment over time.

This is consistent with the SEPE Written Representation, which identifies that:

- the development introduces large-scale engineered infrastructure into an open rural landscape
- PRow users experience sequential enclosure, loss of openness and visual interruption
- mitigation is time-dependent and contingent on assumptions regarding planting success

These effects are also relevant to the experience of nearby residents and communities, for whom changes in landscape character, loss of openness and the prolonged presence of engineered infrastructure may affect visual amenity, tranquillity and the quality of the local environment.

The Environmental Statement relies on year-based mitigation scenarios (eg Year 10), rather than guaranteed outcomes.

Residual landscape and recreational impacts therefore remain significant and are not fully mitigated.

3.4 Agricultural land use (BMV)

The LIRs confirm that a substantial proportion of the site comprises Best and Most Versatile agricultural land and that there is an identifiable policy tension.

This supports the SEPE Written Representation, which identifies that:

- the site includes extensive areas of Grade 2 and Grade 3a land
- no transparent sequential test has been demonstrated
- long-term displacement of productive agricultural capacity arises

In the absence of a comparative alternatives assessment demonstrating necessity, the scale of BMV land use remains insufficiently justified.

3.5 Deliverability and long-term management

The LIRs identify uncertainty regarding long-term site management, resourcing over a 40-year operational period, and post-decommissioning outcomes.

This aligns with the SEPE Written Representation, which identifies that:

- no detailed funding or financial security mechanisms are provided
- decommissioning relies on outline commitments rather than secured obligations
- lifecycle responsibilities are not underpinned by enforceable financial structures

Long-term delivery and restoration therefore remain uncertain and insufficiently secured.

3.6 Battery Energy Storage System (BESS) – operational uncertainty

The LIRs reflect the Applicant's reliance on outline design and management controls in relation to the co-located BESS, including the use of an outline Battery Safety Management Plan and other post-consent approvals.

This aligns with the SEPE Written Representation, which identifies that the Environmental Statement does not provide a fully defined or site-specific assessment of the operational characteristics of the BESS, including how it will function in practice over its lifecycle.

In particular, the assessment relies on:

- parameter-based design assumptions
- generic modelling of potential effects
- mitigation measures to be finalised post-consent

In addition, there remains limited clarity as to the intended operating model of the BESS, including whether and to what extent it may operate independently of solar generation (for example, through energy market participation or arbitrage). This has potential implications for the nature, frequency and duration of operational activity, and therefore for the assessment of effects. The Environmental Statement does not clearly set out these operational parameters, and it is not evident that this aspect has been fully assessed within the current evidence base.

If the BESS is capable of importing electricity from the grid for storage and subsequent export, including during periods when grid electricity is derived from non-renewable sources, this may have implications for both the operational profile and overall carbon performance of the scheme. The Environmental Statement does not clearly address this potential operating scenario or its implications.

Accordingly, there remains uncertainty as to the real-world operating profile of the BESS and whether its associated impacts have been fully assessed at the point of examination.

3.7 Construction programme, phasing and duration uncertainty

The LIRs identify substantial construction effects, including traffic, noise and disruption, and rely on outline Construction Traffic Management and Environmental Management Plans to control these impacts.

However, the Environmental Statement and supporting documents provide only a framework-level description of the construction programme, with detailed phasing, sequencing and peak activity levels to be confirmed post-consent.

Accordingly, there remains uncertainty as to:

- the intensity and duration of peak construction impacts
- the extent to which multiple works may occur concurrently
- the cumulative effect of construction activities across the Order Limits

Furthermore, the assessment appears to rely on assumptions regarding construction traffic movements that may not fully account for all phases of the development lifecycle, including potential mid-life component replacement and decommissioning activities. This introduces uncertainty as to whether the total volume and distribution of traffic movements have been fully characterised, and therefore whether the assessed impacts represent a complete picture of the likely effects.

By way of illustration, alternative assumptions regarding vehicle movements, including the treatment of component deliveries, construction phasing and end-of-life activities, can give rise to materially different total movement estimates. SEPE's review indicates that, depending on the assumptions applied, total vehicle movements could be substantially higher than those presented in the Environmental Statement. This reinforces the need for clarity as to the assumptions adopted and for testing of their sensitivity.

There is also limited evidence within the LIRs of independent verification or detailed scrutiny of those assumptions, including testing of whether the traffic assessment fully captures all relevant lifecycle phases. In circumstances where Host Authorities have identified practical constraints on examining aspects of the Proposed Development in detail, this remains a matter requiring examination.

This limits the ability of the Examination to assess the full extent of construction impacts as experienced by affected communities.

3.8 Greenhouse gas assessment – sensitivity to assumptions

The LIRs do not substantively examine the underlying assumptions within the Applicant's Greenhouse Gas Assessment.

As identified in the SEPE Written Representation, the assessment relies on a number of key input assumptions, including construction emissions, operational performance and lifecycle parameters. Variations in these assumptions can give rise to materially different outcomes in terms of overall greenhouse gas balance.

By way of example, SEPE's review of selected components of the scheme, applying alternative but reasonable assumptions, indicates that materially different greenhouse gas outcomes can arise when compared to the Applicant's assessment. This demonstrates that the results are sensitive to underlying assumptions and that further transparency and testing may be required.

However, there is limited evidence within the LIRs or the Environmental Statement of sensitivity testing or scenario analysis to demonstrate the robustness of the conclusions reached.

There is similarly limited evidence of independent verification or substantive challenge to the assumptions underpinning the greenhouse gas assessment, notwithstanding the potential for materially different outcomes under alternative assumptions. This reinforces that the robustness of those assumptions remains a live matter for examination.

4. Matters not addressed or only partially addressed in the LIRs

4.1 Alternatives and site selection

The Application sets out site selection in ES Volume 2 Site Identification Report and ES Chapter 3 Alternatives, including a 15 km Area of Search and the selection of Search Zone B.

However, the LIRs do not undertake any independent comparative assessment of:

- alternative sites
- alternative configurations
- lower-grade agricultural land
- non-agricultural or distributed options

The Applicant's site selection narrative is therefore not independently tested within the LIRs.

This remains a live and material issue for examination.

The absence of comparative analysis within the LIRs does not resolve the question of whether reasonable alternatives have been adequately assessed. In particular, the reliance on a grid-constrained Area of Search, without transparent comparison of alternative configurations or land-use strategies, raises a question as to whether the

site selection process has been sufficiently evidenced to justify the scale and location of the Proposed Development.

This is a matter which cannot be inferred from the absence of objection within the LIRs and requires direct examination.

In the absence of such testing, it is not possible to conclude that the Proposed Development represents the least harmful or most appropriate option within the identified constraints.

4.2 EIA adequacy and sufficiency of information

The Environmental Statement is required to provide sufficient information to assess likely significant effects.

The LIRs identify areas where further information, clarification or detail is required, and where reliance is placed on future submissions. However, they do not address whether the Environmental Statement meets the legal requirement for sufficient information.

As identified in the SEPE Written Representation, the Environmental Statement relies on:

- generic assumptions and limited scenario testing
- deferred mitigation through outline plans
- absence of quantified risk assessment in certain areas, including Battery Energy Storage System safety

The question of EIA adequacy therefore remains a central matter for the Examining Authority.

The identification within the LIRs of missing detail, reliance on future submissions and parameter-based mitigation is material to the question of whether the Environmental Statement provides “sufficient information” for the purposes of the EIA.

That question is not addressed within the LIRs and cannot be deferred to post-consent stages.

4.3 Planning balance and proportionality

The Applicant’s Planning Statement asserts that the benefits of the scheme outweigh its harms, relying in part on Critical National Priority status.

However, the LIRs do not undertake a balancing exercise and do not assess:

- whether the benefits outweigh the harms

- whether the scale and land-take of the scheme are proportionate

No Host Authority has provided an independent planning balance.

The planning balance must therefore be undertaken by the Examining Authority.

In the absence of an independent assessment of proportionality, the weight to be attributed to both harm and benefit remains untested. This is particularly relevant where substantial land-take and long-term environmental effects are acknowledged.

4.4 Lifecycle carbon and supply chain

The Applicant's Greenhouse Gas Assessment relies on standard lifecycle factors and generic assumptions.

The LIRs do not substantively examine:

- lifecycle greenhouse gas emissions
- embedded carbon in materials
- supply chain transparency
- replacement-cycle impacts

The SEPE Written Representation identifies a lack of transparency and absence of sensitivity testing in these areas.

Lifecycle impacts therefore remain insufficiently tested. In the absence of such analysis, the evidential basis for the claimed climate benefits is not fully transparent.

4.5 Integrated and cumulative effects

While cumulative effects are addressed in ES Chapter 17, the assessment is undertaken on a topic-by-topic basis.

The LIRs do not provide an integrated, cross-topic assessment of combined impacts, including the interaction between traffic, landscape, ecology and community effects.

The SEPE Written Representation identifies that the cumulative experience of affected communities is not assessed holistically.

The cumulative burden therefore remains only partially assessed.

The absence of an integrated assessment limits the ability to understand the combined and interacting effects of the Proposed Development as experienced by affected communities. This is distinct from topic-based cumulative assessment and remains an outstanding matter for examination.

4.6 Health and community effects

No dedicated Health Impact Assessment has been provided.

The LIRs do not provide a comprehensive assessment of:

- population health
- mental wellbeing
- long-term community effects
- cumulative amenity impacts

This represents a material gap in the evidence base.

The absence of a Health Impact Assessment, in the context of a development of this scale and duration, represents a notable omission in the evidence base and limits the ability to assess effects on population and community wellbeing.

5. Implications for the Examination

The LIRs demonstrate that a number of environmental and technical matters remain unresolved or dependent on future definition. They also confirm that certain strategic issues fall outside the scope of Host Authority assessment.

In combination, these factors indicate that the Examination must address not only the effects identified, but also whether those effects have been assessed on the basis of sufficiently complete, robust and tested evidence.

6. Submission to the Examining Authority

SEPE respectfully submits that, while the Local Impact Reports provide some relevant and welcome evidence, they do not resolve a number of matters that are central to the lawful determination of the application.

They confirm areas of uncertainty, reliance on future controls, and policy tension. However, they do not address several core issues necessary for the determination of the application, including alternatives, EIA adequacy, lifecycle impacts and overall proportionality.

These omissions arise from the statutory scope and practical constraints of the Host Authorities rather than from any lack of importance.

Accordingly, these matters remain live issues for examination and fall to be considered directly by the Examining Authority to ensure that sufficient information is available and that a lawful planning balance can be undertaken.

These matters cannot be assumed to be acceptable by virtue of their absence from detailed consideration within the LIRs and therefore require explicit examination.

7. Closing

SEPE again thanks the Host Authorities for their contributions.

The LIRs materially assist the Examination by identifying areas of concern, uncertainty and dependency on future controls. It is now for the Examination process, under the direction of the Examining Authority, to ensure that those matters which fall beyond the scope of the LIRs are fully examined and resolved on a robust evidential basis.

For the avoidance of doubt, SEPE does not suggest that these matters are incapable of resolution. However, they require examination on the basis of clear, complete and tested evidence before any recommendation can properly be made.