



BEDFORD BOROUGH COUNCIL



Borough Charter granted in 1166

Chief Executive: Laura Church

Planning Inspectorate
Submitted via PINs Portal
East Park Energy Project Web Page (PINs)

Email: planning@bedford.gov.uk
Date: 26 May 2026
Ref: EPE 23-02405LPA/2.5.5 D3

RESPONSE TO DEADLINE 3 and EXAMINING AUTHORITY'S Q1

Dear Sir,

Application by BSSL Cambsbed 1 Limited for an Order Granting Development Consent (DCO) for the East Park Energy Farm (EN010141).

BBC Reference No.: 25/01836/DCO | Examination Ref. [REDACTED]

LOCATION: Land at and Between Keysoe Pertenhall and Little Staughton, Staughton Road, Little Staughton, Bedfordshire (the 'Site').

PARTICULARS OF DEVELOPMENT: The Proposed Development comprises a new ground-mounted solar photovoltaic energy generating station and an associated on-site battery energy storage system (BESS) on land to the north-west of St Neots. The Proposed Development also includes the associated infrastructure for connection to the national grid at the Eaton Socon National Grid Substation... generation and export of 400 megawatts (MW) of renewable electricity, as well as the storage of 100 MW of electricity in the BESS [the 'Proposed Development']

This response is solely that of Bedford Borough Council, submitted without prejudice.

Case Officers:

Should you require any clarification, please contact [REDACTED] (Lead Case Officer) or [REDACTED] (Principal Planning Officer) ([\[REDACTED\]@bedford.gov.uk](mailto:[REDACTED]@bedford.gov.uk)) ([\[REDACTED\]@bedford.gov.uk](mailto:[REDACTED]@bedford.gov.uk)) (Planning@bedford.gov.uk).

DELEGATED AUTHORITY

This response has been reviewed and approved under the Council's Planning Committee Scheme of Delegation to Officers (adopted 2022):

Signature:

[REDACTED]

Date: 26 May 2026

[REDACTED]: Head of Planning and Building Control

[REDACTED], Deputy Chief Executive & Director for Environment
Borough Hall, Cauldwell Street, Bedford MK42 9AP

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1.0 INTRODUCTION

1.1 Context of this Report

1.1.1 This report is prepared by Bedford Borough Council (the ‘Council’) in response to Deadline 3 (26 May 2026) and the Examining Authority’s Question 1 (issued 5 May 2026).

1.1.2 It is noted that:

- a) The Council has reviewed the Applicant’s response [REP1-055] to the Council’s Local Impact Report [REP1-071] and are currently in joint discussion with the other Host Authorities and the Applicant in reviewing matters and issues as identified – this remains work in progress as reflected in the draft Statement of Common Ground [REP2-036] (April 2026) and the Council’s on-going tracker.
- b) The Council notes the Examining Authority’s Rule 13 Letter setting out the two Issue Specific Hearings (9 June). The Council will avail themselves in-person accordingly.
- c) With regards to the Compulsory Acquisition Hearing (10 June), the Council notes that the Applicant has identified no plots/ land that fall within the Council’s ownership and/or responsibilities that may be subject to compulsory acquisition.

However, in light of the Council’s review of the land and property rights and powers as requested by the Applicant (as reference in the Land and Crown Land Plan [APP-008]; the Street Works, Rights of Way and Access Plan [APP-010]; the Draft DCO Agreement [APP-016]; the Book of Reference [APP-021]; the Land and Rights Negotiation Tracker [APP-022]; and, the outline Public Right of Way Management Plan [APP-159]) the Council will be attending this session to update the ExA on current state of negotiations. To aid this discussion the Council is currently preparing a report which they would want to submit prior to this hearing.

The Council intends to submit a comprehensive response by Deadline 4 (10 July). The Council has set out their working position regarding this matter in the cover letter to Council’s Response (Deadline 2) para 1.3.6 (28 April).

- d) The Host Authorities are in on-going discussions, including legal review, of the DCO Agreement and associated Management Plans. The Council notes that the Applicant has submitted amendments to these plans - the Council intends to submit a comprehensive response by Deadline 4 (10 July).

1.1.3 This Report is solely that of Bedford Borough Council, submitted without prejudice, and signed-off under delegated authority (Bedford Borough Council, Planning Committee Scheme of Delegation, adopted 2nd February 2022).

1.2 Material as submitted under Deadline 3 (Rule 8 Letter)

1.2.1 Response to ExQ1: as set out in this report.

1.2.2 Comments on any updated or additional documents submitted by the Applicant at Deadline 2: as noted, this remains work in progress and currently the Council has no comment to make.

- 1.2.3 Any further information requested by the ExA under Rule 17 of the examination rules: the Council note that to date none has been requested from the Council.
- 1.2.4 Comments on any further information requested by the ExA and received by Deadline 2: the Council has no comment to make.

PD-QA/end

2.0 RESPONSE ExAQ1
2.1 Bedford Borough Council

Table 1: Bedford Borough Council's response to ExAQ1

ExQ1 Ref	Aspect/ Matter	Question	Council's response
Q1.2.1	Air quality and emissions	<p>To Local Authorities: Compliance with Local Policies - Paragraph 7.13.16 of the Planning Statement [APP-031] states that the proposed development is in compliance with local policies in respect of Air quality. Do the local authorities agree?</p>	<p>The Applicant has as set out in their Environmental Statement assessed the Scheme against BBC's Policy 47S (Pollution, disturbance and contaminated land) and, subject to resolving matters as identified in the Council's Local Impact Report [REP1-071] and tracker [REP1-072] and attaining agreement on the draft Management Plans, the Council states that the Scheme would then be found to be in compliance with the stated policy.</p>
Q1.3.2	Biodiversity, ecology and natural environment	<p>To Local Authorities: BNG Monitoring - Please outline any comments on the use of a Planning Performance Agreement to facilitate the resourcing of BNG monitoring in lieu of a S106 agreement.</p>	<p>Joint response from the Host Authorities:</p> <p>The Host Authorities do not consider that a Planning Performance Agreement (PPA) is an appropriate legal and planning mechanism to resource and financially secure Biodiversity Net Gain (BNG) and/or any other monitoring fee in lieu of a Section 106 agreement.</p> <p>In the context of UK planning law, PPAs are voluntary agreements between Parties; they are generally not legally binding contracts in the traditional, enforceable sense. Consequently, PPAs do not offer a Local Planning Authority (LPA) financial security against a scheme. In particular, a PPA does not create planning obligations, nor does it run with the land or bind successors in title; i.e. PPAs have no mechanism to be enforceable against an Application/ scheme allowing for enforcement if in breach. PPAs are in a broad sense a Memorandum of Understanding between Parties; it is a project management and cost recovery tool intended to support the handling of an application through the consenting process.</p> <p>Rarely are PPAs extended for the life of a scheme post-consent,</p>

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			<p>in this case 40-years.</p> <p>By contrast, a Section 106 agreement is a statutory planning obligation that is legally enforceable and capable of binding the land and future owners.</p> <p>In BBC's Local Impact Report [REP1-071] Matter 37, it was suggested that a fee for the monitoring of BNG, ecology and landscape mitigation works could be secured through a Section 106 agreement or the proposed Landscape and Ecological Management Plan (oLEMP) Steering Group mechanism as set out in section 4.2 of the oLEMP. The other Host Authorities set out a similar position in their Local Impact Report.</p> <p>An alternative approach could therefore be to include an agreed monitoring contribution within the Terms of Reference of the oLEMP and to introduce a new article within the draft DCO to secure the allocation of funding to BBC and the other Host Authorities for the Steering Group. This approach has been implemented on the Beacon Fen Energy Park project, and host authorities will engage in discussions with the Applicant and the other Host Authorities to explore this approach if the Applicant is not willing to pursue a Section 106 agreement.</p> <p>The Host Authorities note that the responsibility for BNG monitoring, as tabled by the Applicant, would fall jointly on the Host Authorities and Wildlife Trust (as the proposed oLEMP Steering Group). While the Host Authorities are supportive of this Group, it is suggested that this falls outside the traditional remit of LPA's and, as the Steering Group mechanism is proposed by the Applicant to monitor mitigation, delivery, and enhancement measures of the Scheme, it is felt that securing unequivocal financial security for the LPAs to enable this role is not unreasonable, specifically in light of the scale and duration of the</p>

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			<p>Scheme.</p> <p>The Host Authorities note that a similar matter has been raised through their separate representations regarding the request for other monitoring fees (say Travel Plan and PRoW - condition survey) along the same justification. They remain open to discussion with the Applicant to explore approaches should the Applicant not be willing to pursue a Section 106 agreement on the basis that such an Agreement addresses the concerns raised above.</p>
Q1.3.7	Biodiversity, ecology and natural environment	<p>To Local Authorities:</p> <p>Biodiversity Net Gain Report [APP-168] - Paragraph 2.3.8 references that the Bedfordshire and Cambridgeshire's Local Nature Recovery Strategies were due to be published in December 2025. Have they been produced, and what implications, if any, have they for the proposed development?</p>	<p>The Bedfordshire Local Nature Recovery Strategy (LNRS) was formally adopted (29 January 2026) and has been published. Local Plans need to take account of LNRS but the Council's current Local Plan 2030 does not reflect this strategy, there is no statutory requirement to do so.</p> <p>It is the intent of LNRS to encourage proposed development to create linkages/ corridors between existing and identified habitats as shown in the LNRS' local habitat map.</p> <p>It is consequently suggested that the Applicant undertakes a mapping exercise to ascertain if any '<i>Areas of particular importance for biodiversity – Local Wildlife Sites</i>' and/or '<i>Areas that could become important for biodiversity</i>' as classified in the LNRS fall within the Scheme's Red Line boundary, and if so, what mitigation measures may/ would need to be addressed. A cursory review would suggest that the Scheme is not affected.</p>
Q1.3.13	Biodiversity, ecology and natural environment	<p>To Local Authorities:</p> <p>Baseline ecological survey coverage - Are NE, CCC and HDC satisfied with the coverage of the ecological surveys undertaken to inform the baseline conditions of the ecology and nature conservation assessment within the ES [APP-043]?</p>	<p>BBC is generally satisfied with the overall coverage of the ecological surveys undertaken to inform the baseline conditions within the ES. However, concerns were raised in BBC's Local Impact Report [REP1-071]Matters 26, 27, 35 inter alia regarding the adequacy of certain protected species surveys, including those for ground-nesting birds, bats, hazel dormouse, water vole and otter. In particular, these concerns relate to how any limitations in the data have been addressed and the extent to which they may influence the robustness of the assessment conclusions.</p>

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			The Applicant has responded to these points and provided further clarification within the 'Applicant Response to Local Impact Reports P01' [REP2-043]. BBC is currently reviewing this information, and any areas of ongoing disagreement regarding the coverage or adequacy of ecological surveys will be reflected in an updated Draft Statement of Common Ground.
Q1.4.8	Cultural heritage	<p>To Local Authorities:</p> <p>Conservation Area Character Appraisals or Management Strategies -</p> <p>Please provide any character appraisal or management strategies that relate to the conservation areas within the vicinity of the proposed development.</p>	There are no live Bedford Borough Conservation Area Character Appraisals or Management Strategies in place for the conservation areas located within the vicinity of the Scheme. This includes Upper Dean, Swineshead and Riseley.
Q1.5.2	Draft Development Consent Order & Explanatory Memorandum	<p>To Local Authorities:</p> <p>Article 8 Disapplication and modification of legislative provisions -</p> <p>Article 8(4) seeks to disapply the Community Infrastructure Levy Regulations 2010. Do any of the Local authorities have a CIL charging schedule in place, and would the proposed development be caught by the charging schedule?</p>	The Council has a CIL charging schedule (effected 1 April 2014). However, the proposed development would not be CIL liable. Accordingly, the Council has no objection to Article 8(4) which seeks to disapply CIL.
Q1.5.4	Draft Development Consent Order & Explanatory Memorandum (Local Highway Authority)	<p>To Local Highway Authorities:</p> <p>Article 14(2) Access to Works -</p> <p>Does the local Highway Authority consider 28 days to be a sufficient timeframe in which to make a decision?</p>	Subject to receiving all drawing, details and reports from the Applicant with sufficient information as to assess the application(s), and subject to no consultation being required with National Highways, and subject to that the application can be addressed by Delegated Authority, the Council is satisfied that the 28 days is sufficient timeframe in which to issue a decision.
Q1.6.4	Landscape and visual impact assessment	<p>To Local Authorities:</p> <p>Chapter 5 Landscape and Visual [APP-041] -</p> <p>Paragraph 5.3.6 indicates that the local authorities have not commissioned an external qualified resource to comment on the LVIA. Has this now been commissioned</p>	As set out in BBC's Relevant Representation [RR-111] and Local Impact Report [REP1-071], AECOM has been jointly appointed by the three Host Authorities under a Memorandum of Understanding, and with the agreement of the Applicant. AECOM is acting as an external consultant on behalf of all three authorities to assess landscape and visual impact matters, including review of the LVIA.

ExQ1 Ref	Aspect/ Matter	Question	Council's response
		jointly by the local authorities?	
Q1.11.3	Traffic and transport	<p>Outline Construction Traffic Management Plan [REP1-034] - Section 4.5 provides details of Sustainable Travel options for construction workers. It is noted that construction workers 'will be encouraged ' to use or consider sustainable travel measures. I also note references to sustainable transport options being 'promoted' or 'provided' in Table 16.3 of ES Chapter 16: Other Environmental Topics [APP-052]</p> <p>Given this assumption, has been used to inform traffic generation figures, can the applicant consider a regime where construction workers were compelled to use sustainable travel options, such as the drop off/ pick up option outlined in paragraphs 4.5.5 and 4.5.6. How could this be controlled and enforced through a Requirement to ensure traffic volumes do not increase and put pressure on the strategic road network?</p> <p>To Local Authorities:</p> <p>Can the Local Highway Authorities comment on the sustainable travel options for the transport of construction workers to the site and could other initiatives be considered?</p>	<p>The Council has set out a detailed response to the ExAQ in their Local Impact Report [REP1-071] Matters 47 and 48 as raised in this ExAQ1.</p> <p>In terms of 'initiatives', the Council continues to express their concern that while the Applicant remains in discussion with the Host Authorities regarding the oCTMP, how this management plan is to be delivered in consultation with and enforced by the Host Authorities regarding LPA's resources has not been resolved. To this end, the Host Authorities have requested a Travel Plan Monitoring Fee for each Phase to ensure compliance and 'best practice'. This remains in discussion as noted elsewhere in this response.</p>
Q1.12.6	Water environment and flood risk (To: Cambridgeshire Fire and Rescue Service)	<p>Reply by Local Authorities:</p> <p>Water Supply for Fire Fighting -</p> <p>Given the concerns raised by the Environment Agency in the aforementioned representation , can the Fire Service comment on the suitability of the water supply for firefighting purposes</p>	<p>a) As a general observation, BBC note that there is low head water pressure to the north of the Borough in the vicinity of the Scheme. Consequently, irrespective of the water storage tanks strategy to be provided by the Scheme to address any BESS fire, it is suggested that the Applicant investigates if there is sufficient water pressure to enable any joint Fire and Rescue Services response to a BESS fire should this be part of a secondary approach within their strategy; that such a strategy is not reliant on such water for sustained periods of time; and,</p>

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			<p>that the Applicant has resolved this concern in their outline Battery Safety Management Plan [APP-162]. See their statement in [APP-162] para 4.3.1 '<i>depending on available water supply</i>'.</p> <p>b) Further, the Applicant is referred to Anglian Water Services Ltd. Representations [RR-069] where they state '<i>Water Resources and Water Recycling/ Sewerage Services Water supply AWS has previously submitted representations stating the Project is proposed within an area of serious water stress designated by the Environment Agency. The Scoping Opinion issued by the Planning Inspectorate stated under Ref. ID3.39 "The ES should provide details relating to the water supply and demand requirements during the construction and operational phases of the Proposed Development (including in the context of managing BESS fire risk)."</i>' The Applicant should confirm that this matter has been concluded with Anglian Water and/or is addressed within the oBSMP.</p> <p>c) In order to ensure that works relating to the fire management strategy are in place <u>prior</u> to the delivery of any BESS batteries on Site, it is suggested that the delivery and completion of all works related to the water tanks, detention pond, earthwork bunding, firefighting equipment, testing, etal are explicitly delivered as the first phase of a programme of works for the BESS facility – to be set out within the outline Battery Safety Management Plan.</p> <p>d) In light of the statement [APP-162] para 4.3.8 '<i>water runoff is likely to contain higher levels of pollutants</i>' it is noted that the outline Decommissioning Environmental Management Plan [APP-158] does not specifically address the removal of the drainage lagoon, potentially contaminated sub-soil, and address of contaminants that may be residual within the lagoon. This</p>

ExQ1 Ref	Aspect/ Matter	Question	Council's response
			needs address by the Applicant.

PD-QA/11pg