EAST PARK ENERGY

East Park Energy

EN010141

Applicant Response to Examining Authority's First Written Questions

Document Reference: EN010141/DR/8.33

Infrastructure Planning (Examination Procedure) Rules 2010

May 2026

Version P01

EAST PARK ENERGY

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Applicant Response to Examining Authority's First Written Questions

Planning Inspectorate Scheme Reference:	EN010141
Application Document Number:	EN010141/DR/8.33
Author:	BSSL Cambsbed 1 Ltd / Axis PED Ltd / Burges Salmon LLP

Version	Date	Status
P01	May 2026	Deadline 3

CONTENTS

1.0 INTRODUCTION

1.1 Purpose of this Document

1.1.1 The Examining Authority's (ExA's) first written questions **[PD-008]** which were issued on 6th May 2026, as part of the examination of the application for development consent for the proposed East Park Energy project (the 'Scheme').

1.1.2 This response is issued at Deadline 3 in accordance with the **ExA's Rule 8 Letter [PD-006]** issued on 1st April 2026 detailing the examination timetable and procedure.

1.2 Approach

1.2.1 The Applicant has presented responses to the ExA's first written questions that are directed to it within **Table 1** of this document. The table provides the reference for the relevant ExA question, the question, and the Applicant's response. The Applicant has also, where it considers that it may be helpful to the ExA, provided comments on questions directed to other parties.

1.2.2 The documents submitted with the application and at previous examination deadlines are referenced using the reference number assigned by the Planning Inspectorate (PINS) i.e. **[APP-XXX]**. Where application documents have been updated based on feedback received at Deadline 3, this response document sets out that the relevant updated document is "**[as updated alongside this submission]**".

1.3 Note about National Policy Statements

1.3.1 Section 1.6 of the 2026 National Policy Statement (NPS) EN-1 confirms that for schemes accepted for examination before the final publication of the approved 2025 amendments, the 2024 suite of NPSs should have effect. East Park Energy was accepted for examination in October 2025 prior to the

final publication of the 2025 amendments. The 2024 NPSs therefore have effect for decision making.

1.3.2 All references to the NPSs in this document are to the 2024 NPSs unless stated otherwise.

1.3.3 The Applicant has prepared a separate **Note on updated National Policy Statements EN-1, EN-3 and EN-5 [PDA-018]**.

2.0 APPLICANT RESPONSES

2.1 Overview

2.1.1 The ExA has asked questions under the following themes / sub-headings, to which the Applicant has responded:

- General and cross-topic questions;
- Air quality and emissions;
- Biodiversity, ecology and natural environment (including Habitats Regulations Assessment (HRA));
- Cultural Heritage;
- Draft Development Consent Order (dDCO) and Explanatory Memorandum;
- Landscape and visual impact assessment;
- Need;
- Noise and vibration;
- Socio-economic effects;
- Geology and soil;
- Traffic and transport; and
- Water environment and flood risk.

2.1.2 The Applicant's responses are presented in **Table 1**, overleaf.

2.2 Applicant Responses

Table 1: Applicant's Response to ExA's first written questions

ExQ1 Ref.	Question:	Applicant's Response
General and cross-topic questions		
Q1.1.1	**Outline Battery Safety Management Plan [APP-162]** Paragraph 1.2.1 states that 'For the purposes of this document a concept design has been considered that uses a BESS system based upon lithium iron phosphate (LFP) lithium-ion battery technology.' What other battery technology could be considered and has an options analysis been undertaken to prove LFP is the most acceptable choice?	An LFP concept design was referenced because this is currently the dominant BESS battery system chemistry and is, therefore, considered: "*a reasonable worst case for the purposes of the assessment in terms of safety (toxic and explosive gas production risks)*." Paragraph 1.2.1 of the oBSMP [**APP-162]** also confirms that: "*The BESS design and system chemistry type is still to be determined, and the final battery chemistry will be confirmed as part of the detailed design prior to the commencement of construction*." The Applicant is unable to predict what technologies, i.e. chemistry type, will be available at the detailed design stage and has not made any firm commitment to selecting an LFP battery system. However, for the reasons stated the assumed use of LFP is considered robust and why no other technology has been considered.
Q1.1.2	**Outline Battery Safety Management Plan [APP-162]** What is the expected cyclical inspection/maintenance regime proposed to ensure the safety of the BESS?	The Applicant can confirm that routine maintenance will likely be undertaken on the BESS equipment every 6-12 months depending on the risk profile of equipment. These specific requirements will be confirmed at the detailed design stage once a specific BESS design has been selected and will be included in the final BSMP (secured through the DCO). This will encompass all BESS and supporting equipment supplied by the original equipment manufacturer, including the fire protection and explosion prevention system.

ExQ1 Ref.	Question:	Applicant's Response
Q1.1.3	**Outline Battery Safety Management Plan [APP-162]** Paragraph 1.5.3 reports that revised NFCC guidance is expected in 2025. Please provide an update on whether the updated guidance has been published and if so, provide a commentary on any impacts on the proposed development.	The Applicant can confirm that revised NFCC guidance was published in February 2026 and the **oBSMP [APP-162]** is fully compliant with the revised guidance.
Q1.1.4	**Outline Battery Safety Management Plan [APP-162]** Paragraph 1.6.2 states that CFRS sent an official 'Cambridgeshire and Bedfordshire FRS Response to East Park Energy Consultation' to the applicant on 15 October 2024. Please provide a summary of the CFRS feedback or a copy of the email.	A copy of the letter from the Cambridgeshire and Bedfordshire FRSs is provided at **Appendix A** of this document. The Applicant responded to the feedback from the FRSs in Part 5 of the Consultation Report Appendices - Appendix 5-2: Regard had to Section 42(1)(d) responses and 47 responses **[APP-028]**. This includes responses on a number of matters including: • BESS container design; • Spacing / fire spread; • Water supply / fire water; • Vegetation and wildfire risk; • Emergency response / Emergency Response Plan; and • Firewater runoff. A similar response is also provided within Section 1.0 of the **oBSMP [APP-162].** The Applicant has provided firm commitments on these matters through the **oBSMP [APP-162]** and they have also formally agreed a Statement of Common Ground (SoCG) with CFRS **[PDA-019],** which confirms agreement on all relevant matters, including the scope and content of the **oBSMP [APP-162]**.

ExQ1 Ref.	Question:	Applicant's Response
Q1.1.5	**Outline Battery Safety Management Plan [APP-162]** Paragraph 2.2.2, 6th line references ESS, should this be BESS?	The Applicant confirms that "ESS" is the correct term and references Energy Storage System equipment which is electrical equipment required for power generation (separate to the BESS).
Q1.1.6	**BESS** Can you advise what the design philosophy was for concentrating the BESS in one area, rather than have a dispersed approach across multiple fields for the BESS.	The Applicant's approach to the concentration of the BESS in one area is set out within paragraphs 4.3.29 – 4.3.32 of the Design Approach Document (DAD) **[APP-034**]. It confirms that the decision making was primarily led by the desire to have an AC-Coupled BESS over a DC-Coupled BESS. An AC-coupled BESS provides greater flexibility in terms of its ability to charge from the solar arrays but also directly from the grid. Under this arrangement it is technically preferable to have the BESS Units in a single, centralised, location. The main rationale for the selection of an AC-coupled system is set out in paragraph 4.3.31 **[APP-034]** which is "*to reduce the need for large items of equipment to be distributed across the Site, instead focusing the BESS in one location which can have specific control measures put in place to manage the facility in case of an incident (such as a fire)"* The Applicant appreciates that this only provides a brief summary of the design philosophy and does not fully set out the other construction, operational, and design considerations regarding the use of a centralised BESS, which are covered further below. **Efficiency and Sustainability of Construction** A dispersed layout multiplies the need for much of the associated plant / equipment (e.g. collection circuits, transformers), foundations, security, drainage, pollution control infrastructure, roads / access tracks, permanent access points from the public highway, lighting, fire systems, earthing and testing points. Accordingly, a centralised solution is more sustainable, requiring far less materials and equipment to achieve the same purpose. Moreover, it also makes the overall construction of the BESS

ExQ1 Ref.	Question:	Applicant's Response
		system less complex and provides the opportunity to install less and much clearer cable routing, fewer interfaces, and far less duplication of civil and electrical infrastructure. This, in turn, helps to maintain better co-ordination and control of metering, electrical import/export and site safety measures. **Clearer Environmental Mitigation** Without appropriate siting and / or mitigation, one of the main environmental issues that can occur with a BESS development, is noise, which can arise from the operation of fans, transformers, HVAC units, and other auxiliary equipment. The use of a centralised solution has allowed for the BESS and associated equipment to be located where the effects of noise can be managed and mitigated by locating the BESS at a sufficient distance from residential receptors. Given the baseline noise levels across the site, noise mitigation would be much more difficult to achieve in a dispersed BESS scenario where multiple noise sources would be spread around the site. The use of a centralised BESS compound also has a number of benefits in the context of soils and permanent loss of agricultural land. A dispersed BESS strategy would necessitate more built infrastructure (connecting roads, permanent access from the highway, individual attenuation features and a larger combined extent of hardstanding). This would result in a greater permanent loss of land than the current solution. Given the high propensity of best and most versatile agricultural land on the Site and in the wider area, a dispersed BESS solution would have resulted in the permanent loss of more agricultural land to facilitate the development.

ExQ1 Ref.	Question:	Applicant's Response
		Additionally, the use of a single BESS compound over a dispersed solution has made it easier to locate in respect of other environmental topics, including: • highways and emergency access – a single point of access is proposed on a suitable section of the highway, rather than multiple locations around the site); • drainage and flood risk (a single drainage and contaminated water solution is proposed in a suitable location rather than the need for multiple solutions. Also, the BESS and associated infrastructure is in an area that is not at risk of flooding. • ecology – the BESS is located in an area with limited impact on ecology, this would be more difficult to achieve with a dispersed strategy and the additional construction activities associated with that solution (accesses, hardstanding, roads, cabling etc) **Easier Emergency Response and more Controlled Fire Risk Management** A single dedicated BESS compound is easier for emergency services to find, access, isolate, and understand. As part of the **oBSMP [APP- 162],** it has been necessary to consider fire response, chemical release, smoke plume impacts, contaminated run-off, provision of appropriate access/egress routes, turning circles, secondary access routes, and out-of-hours response. The development of an appropriate management plan becomes more complex and difficult to manage / maintain when batteries are situated in multiple locations within the Scheme. A central compound allows clear emergency plans / drawings, signage, access roads, isolation procedures, drainage containment, and fire-water strategy. **Easier Operation, Maintenance and Security**

ExQ1 Ref.	Question:	Applicant's Response
		Having all containers, transformers, HVAC systems, fire detection equipment, CCTV, spares, and control panels in one location allows technicians to inspect and maintain the BESS in a more efficient manner. A dispersed BESS layout means more travel across the site, more locked compounds, more access tracks, more isolation points, more communications nodes and more chances that any faults are harder to locate. Centralisation also makes it easier to maintain spares, temporary generators, lifting access, and welfare arrangements. In the context of security, a single compound can have one robust fence line, CCTV, access control, intrusion detection, and controlled vehicle entry. If BESS units were spread across the Scheme, it would be necessary to create multiple security perimeters and all the attendant security measures. **Reduced Construction Phase Disruption** The installation of BESS containers, transformers, power conversion system skids and switchgear requires heavy transport, crane access, laydown areas, and commissioning space. Having, the BESS units in a single location makes the creation of access and the overall construction process simpler and much more efficient. It also makes the process of commissioning easier. Commissioning involves tests, specifications and procedures to validate performance and identify issues before operation. A dispersed BESS solution would multiply those activities and increase the complexity of the commissioning process. **Easier Augmentation and Repowering in the Operational Phase** As already established within the submission documents, the BESS will need future augmentation, module replacement, inverter replacement and / or repowering within its 40-year life. A centralised compound makes it easier and more efficient to undertake those

ExQ1 Ref.	Question:	Applicant's Response
		works. A dispersed layout would make future works more intrusive as it would be necessary for crews and associated vehicles to revisit multiple parts of the solar farm. **Summary** For the Scheme the use of a centralised BESS has allowed easier access from the public highway for construction, operation and emergency response, more sustainable construction using less materials and less land / potential losses, better design for site security and fire safety measures, a reduced length of the 400 kV grid connection between the East Park substation and the Eaton Socon substation, and the ability to more effectively mitigate amenity and environmental effects (particularly noise, soils and drainage).
Q1.1.7	**BESS** What cumulative effects are there when assessed against other BESS provision within the area.	As set out during Issue Specific Hearing 1 (ISH2) and summarised within **Written Summary of Applicants Oral Submissions at Issue Specific Hearing 2 (ISH2) and Action Points [REP1-059]**, the Cumulative Effects Assessment (CEA) has followed the guidance and approach advocated by the Planning Inspectorate's Advice Note 17 (2025). Specifically, ensuring that: • a ZOI is establishment for the assessment of potentially significant cumulative effects; • the 4-stage assessment process is followed; • agreeing the ZOI and cumulative schemes in consultation with the host authorities and other statutory bodies; and • ensuring the assessment is focussed and proportionate (relevant to the ZoI). The extent of the ZoI for each environmental topic was agreed with the host authorities, as were the schemes included in the initial long

ExQ1 Ref.	Question:	Applicant's Response
		list and subsequent short listing of potential cumulative schemes for assessment. This included any planned BESS schemes in the ZoI. The schemes shortlisted by the Applicant for cumulative assessment comprise: • Scheme 4: High Wood Solar Farm • Scheme 23: Cobholden Farm Solar Farm • Scheme 24: A428 Black Cat to Caxton Gibbet • Scheme 26: East West Rail • Scheme 28: Cobholden Farm BESS The detailed assessment of cumulative environmental effects is provided within **ES Vol 1 Chapter 17 [APP-053]** which concludes that, whilst the Scheme has the potential to interact with other committed development, the assessment does not identify any new likely significant effects which arise because of those interactions. Within the Relevant Representations (RRs) and Local Impact Reports (LIR's) submitted by the Host Authorities and Statutory Bodies, no concerns have been raised regarding the methodology that has been adopted for the assessment of cumulative effects, the extent of the ZoI, or the conclusions of the Cumulative Effects assessment set out in **ES Vol 1 Chapter 17 [APP-053]**. As set out in **ES Vol 1 Chapter 17 [APP-053]**, the Applicant is committed to maintaining an up-to-date cumulative assessment following submission of the application. An updated long list and associated plans, with associated assessment and identification of any other sites for shortlisting, has been submitted at both Deadline 1 **[REP1-015]** and Deadline 2 **[REP2-014]**. The updates consider new sites put forward during the examination, and the Applicant's own review of potential cumulative schemes.

ExQ1 Ref.	Question:	Applicant's Response
		Whilst this process has resulted in a number of additional sites being identified for long listing, it has not resulted in any new sites being shortlisted (including BESS schemes), or any change to the conclusions of **ES Vol 1 Chapter 17 [APP-053]**. In the context of the question posed, the Applicant is keen to highlight that the cumulative effects assessment only takes into account any consented / under construction BESS schemes within the ZoI. Any existing / operational BESS development in the ZoI will be within the baseline for the assessment of significant environmental effects in the ES.
Q1.1.8	**BESS** Please indicate if there any proposed bunds to be designed into the scheme to prevent any firewater contaminating surrounding land in the event of a fire.	The **oSWMP [REP1-046]** describes the proposed method for surface water containment within the BESS compound. In doing so, it refers to the hardstanding within the BESS and substation as an "*impermeable bunded area*" for the purposes of the outline drainage principles and storage calculations, this relates to the fact that the hardstanding would have a kerb or other retention design to contain and direct surface water / fire water flows, and not necessarily a bund in the sense of an earthen construction. The method of controlling fire water within this system is described in both the **oBSMP [APP- 162]** and **oSWMP [REP1-046].** They explain that the basin serving the BESS and substation compounds would collect run-off from those impermeable areas and, in an emergency, it would also collect and contain *contaminated* run-off from the BESS compound with sufficient capacity to store a firefighting water volume of 456,000 litres. The lagoon would be fitted with an automated sluice gate, which would close upon activation of the fire detection system. The lagoon would contain the contaminated run-off in the event of a fire.
Q1.1.9	**BESS**	The separation distances between the nearest part of the fenced BESS area are set out in Table 5 of the BESS Fire Emissions

ExQ1 Ref.	Question:	Applicant's Response
	It is acknowledged that there is over 400m separation distances from the nearest residential property, notwithstanding this please indicate what other measures are to be implemented to reduce the risk of fire and explosion to residential properties.	Modelling, which forms Appendix A to the **oBSMP [APP- 162],** it confirms that the nearest residential property is 478m from the nearest part of BESS area. Thus, the lowest separation distance from any residential property is closer to 500m than the 400m stated. The measures that are to be implemented to reduce the risk of fire and explosion are set out in the **oBSMP [APP- 162]** they comprise: • It commits the Applicant to responsible procurement and to only procuring from Tier 1 BESS suppliers and integrators with proven safe operating records. It requires supplier designs to have completed large-scale fire testing (LSFT), to be ISO 9000:2015-accredited, and to be fully compliant with National Fire Prevention association (NFPA) standard 855 for the installation of BESS systems. • It states that the BESS will be certified to UL 9540 and/or BS EN IEC 62933-5-2, validated through UL 9540A testing. It also commits to the use of battery module safety certifications and mitigation features, including internal fuses, liquid cooling, active thermal management, overcharge safety devices, venting systems and gas channels, and thermal or multi-sensor monitoring devices, with battery cells and modules to be certified and tested to UL 1973/BS EN 62619 and UL 9540A • It requires the National Fire Chiefs Council (NFCC) guidance to be followed to ensure minimum separation distances and emergency access arrangements are established. • It requires the installation of thermal monitoring equipment within each BESS unit, accompanied by: o automated cut-out beyond safe parameters,

ExQ1 Ref.	Question:	Applicant's Response
		○ battery liquid cooling systems with automated fail-safe operation, ○ emergency stop function (remote and local). Upon fire detection within a BESS enclosure, the battery system and associated transformers would be automatically electrically isolated. • It specifies the installation of smoke and gas detection equipment which is to be installed to comply with NFPA 855 and NFPA 69, with multi-sensor equipment to be considered, and with the final detection design to be validated by an independent Fire Protection Engineer and approved by the CFRS. • Installation of performance design explosion, mitigation systems such as automatic doors or vents, requiring validation through free burn testing, lean gas mixture testing and pressure testing, with independent Fire Protection Engineer review • Operational controls. The operational plant would operate as a 24/7 remote control facility with control room arrangements that monitor systems, implement the Emergency Response Plan (ERP), and act as the point of contact to emergency services, and, importantly, have capability to shut the system down quickly if needed. The Applicant is satisfied that they have made all necessary provisions to reduce the risk of fire or explosion on residential properties.
Q1.1.10	**Designing Out Crime** Has the scheme been subject to engagement with the Police and Designing Out Crime Officer. If so, what were the recommendations?	The Applicant has not specifically engaged with the designing out crime officers within the relevant Councils. However, the Office of the Bedfordshire Police and Crime Commissioner and the Office of the Police and Crime Commissioner for Cambridgeshire and Peterborough were both consulted during the Applicant's statutory

ExQ1 Ref.	Question:	Applicant's Response
		consultation. As set out in the **Consultation Report [APP-023 – APP-030]**, neither responded to the consultation request. This was also the outcome during the Applicant's non-statutory consultation. Whilst there has been no formal contact with the police Designing Out Crime Officer, the Scheme includes a number of crime prevention measures which are common to most solar and BESS development in the UK, they include: • Secure perimeter fencing for all phases of the development; • CCTV, remote monitoring and intrusion detection; • Lighting designed to support security monitoring and safe access at the BESS and substation only; • Warning / conduct signage and training for construction workforce; and • Active site management to minimise trespass and unauthorised access during the construction phase.
Q1.1.11	**Planning Statement [APP-031] Maintenance Regime** Paragraph 4.8.2 references routine activities on site during the operational phase of the development. One of these activities is maintenance. Can the applicant supply an outline of how often the cyclical pre-planned maintenance activities will take place.	The submitted application documents establish the control framework for operational maintenance activities, but do not set out a single consolidated programme prescribing the exact interval for every cyclical, pre-planned maintenance activity. That is because the precise maintenance regime will depend on the final detailed design, equipment selected, manufacturer requirements, operational performance, seasonal conditions, ecological constraints and the requirements of the final management plans. In outline, pre-planned general maintenance activities would be expected to comprise routine inspections, servicing, minor repair or replacement of faulty equipment, monitoring, panel cleaning, vegetation management, landscape management, drainage inspections, PRoW inspections and other environmental monitoring.

ExQ1 Ref.	Question:	Applicant's Response
		These activities would be controlled through the final Operational Environmental Management Plan. The Applicant anticipates that routine operational inspections and maintenance visits would take place on a regular basis throughout the operational phase, with the frequency varying by activity. By way of an outline indication, general site inspections, security checks and reactive maintenance may occur weekly or as otherwise required; electrical and mechanical inspections and servicing would typically be undertaken periodically in accordance with manufacturer and operator requirements; panel cleaning would be expected on at most a biennial basis, having regard to dirt accumulation and operational performance; vegetation and landscape management would be undertaken seasonally and in accordance with the final LEMP; drainage and surface water inspections would typically be undertaken periodically and following significant rainfall events where required, as set out in the SWMP. Operational maintenance would generally involve a small cohort of site operatives, with access mainly by van or LGV. Activities would normally take place during daytime maintenance hours, subject to appropriate inductions, RAMS, signage, site security, public protection and PRoW controls. Environmental controls would include measures relating to lighting, noise, dust, soil protection, pollution prevention, surface water management, flood response, ecology and protected species, waste management and community liaison. These controls would be supported by monitoring, record keeping, complaint handling and corrective action through the OEMP compliance framework. The detailed maintenance and monitoring frequencies will be defined in the final OEMP and final LEMP, which are to be prepared and approved prior to final commissioning of the relevant phase. This approach ensures that the final operational maintenance

ExQ1 Ref.	Question:	Applicant's Response
		regime is secured, proportionate and responsive to the detailed design and operational requirements of the Scheme. Separately, the Applicant recognises that larger-scale replacement of equipment may be required during the 40-year operational life of the Scheme. Such replacement works are distinct from routine cyclical maintenance and would depend on factors including equipment condition, operational performance, inspection outcomes, manufacturer warranties and technological availability. The need for replacements will be dependent on a number of factors including the outcome of routine inspections and assessments. The Applicant is aware of a number of concerns being raised during the examination regarding the potential environmental effects of a replacement phase and how that would be managed. In response the Applicant has prepared a separate **Technical Note on Replacements [EN010141/DR/8.36]** for submission at Deadline 3.
Q1.1.12	**Planning Statement [APP-031] Agri-Research** Paragraphs 5.4.15 and 5.4.16 references the agri-solar research development proposal with Rothamsted Research. What levels of staffing will this generate, how often? And what provision, if any is made for parking and any other associated traffic management? In addition, Section 7.14 of the Planning statement on Ground Conditions does not reference the research facility, should this be referenced?	There are no permanent on-site staffing requirements in connection with the Agrisolar research area. The Applicant anticipates that once the research projects have been fully defined and agreed, then there could be a requirement for monthly / bi-weekly visits by research staff for the purposes of monitoring or similar, it would not lead to a regular generation of site traffic. Parking for research staff would be provided outside the storage, operations and maintenance area which is located adjacent to the Agrisolar research area. The habitats / crops or other growing medium, proposed in connection with the research would be managed by the site operator's landscape team under direction from the research team at Rothamsted. Turning to the matter of ground conditions, the Applicant does not consider that the ground conditions section of the planning

ExQ1 Ref.	Question:	Applicant's Response
		statement needed to specifically reference the Agrisolar research facility. This is on the basis that the Agrisolar research area would not introduce any more distinct or significant ground-conditions effects beyond those already assessed for the Scheme's ground-mounted solar infrastructure, with its associated localised ground penetration. Moreover, as confirmed in **ES Vol 1 Chapter 12 [REP1-011]** there is also very limited baseline made ground in Site D (where the facility is to be located) with no evidence of previous structures or made ground other than rights of way. The residual effects on contamination/stability of the solar panels in this part of the Site were assessed as not significant when embedded mitigation is applied, and the same conclusions would also apply for the Agrisolar research area.
Q1.1.13	**Policy and Legislation** Paragraph 6.2.1 of the Planning Statement [APP-031] references the 50MW threshold provided by the Planning Act 2008 for onshore generating stations. It is acknowledged that this was the threshold prescribed when the application was submitted. However, for completeness, it is also worth acknowledging in the Planning Statement that this threshold changed through the commencement of the Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025.	The application was made on the 3rd October 2025 and was accepted for examination on the 30th October 2025. The Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025 was enacted by the Government on the 31st December 2025. It set a new 100MW threshold for solar development to qualify as national infrastructure. The transitional arrangements set out in Article 5(1) of the Order state that, where a solar application has been accepted under s55 of the Planning Act 2008 and has not been decided before 31st December 2025, it will remain a nationally significant infrastructure project to be determined in accordance with the Planning Act 2008, even if it falls below the new 100 MW threshold. Thus, the Scheme should be considered in the context of the previous thresholds. It should be noted that the output from the Scheme is 400MW and is therefore significantly over both the previous and the revised threshold. Thus, it still needs to be considered within the Planning Act 2008 regime, irrespective of the new thresholds introduced by

ExQ1 Ref.	Question:	Applicant's Response
		the Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025. Given the transitional arrangements require the Scheme to be considered in the context of the previous thresholds, the Applicant does not consider it necessary to update the Planning Statement in this regard.
Q1.1.14	**Good Design** Paragraph 7.2.14 of the Planning Statement [APP-031] states that good design will be secured by Requirements and control documents. However, has the scheme been subjected to a design review by an independent panel?	The Applicant has not elected to carry out a separate design review with an independent panel in connection with this Scheme on the basis it comprises largely standardised solar PV infrastructure where the principal design considerations are siting, layout, screening, landscape impact and integration, biodiversity, access and fencing, rather than bespoke architectural form. Professional and expert advice has informed the design alongside consultation with statutory bodies, local authorities and communities which has shaped the layout and mitigation. The Applicant has submitted a **Design Approach Document (DAD) [APP-034]** as part of the application. The DAD summarises the design process the Applicant has followed, and how the scheme has evolved and was prepared with reference to the PINS '*Advice on Good Design'* for NSIPs (October 2024). The **DAD [APP-034]** sets out • the approach that the Applicant has taken to design from the outset of the project; • the design vision and principles that have influenced decision making; • the design evolution that has resulted in the Scheme being applied for; and

ExQ1 Ref.	Question:	Applicant's Response
		• how design measures have been secured through the provisions of the **draft DCO [REP1-005]**, and the framework for delivering on design post-consent. The Applicant notes the following comment made by both Bedford Borough Council (paragraph 6.15 **[RR-111]**) and Huntingdonshire District Council (paragraph 7.16 **[RR-494]**): *"The landscape proposals are tailored to the location and required functions of each part of the Scheme, noting that these change across the Site. The design is well considered and retains the legibility and character of the landscape and reduces the visual effects, where possible, especially for visual receptors, at the edges of settlements, and along routes connecting settlements."* [emphasis added] The Applicant is satisfied that it was not necessary to invite comment on this particular project from an independent design review panel given the nature of the Scheme. The Applicant is also satisfied that the design and assessment by the project team, including planners, environmental specialists and engineers, has taken a robust approach as explained in the **DAD [APP-034]**.
Q1.1.15	**Ground Conditions** Paragraph 7.14.10 of the Planning statement [APP-031] references that a comprehensive site investigation programme has informed ES Volume 1 Chapter 12: Ground Conditions, which includes desk studies, data gathering, including information relating to UXO, and walk over surveys. Have any intrusive site investigation works been undertaken or are proposed before commencement of work?	No site investigation works for ground conditions have been undertaken on the site to date with the exception of the work carried out in connection with the agricultural land classification surveys and trial trenching. Table 5.8 of the **oCEMP [REP2-029]** sets out that Site Investigation (SI) works would be undertaken during the detailed design phase, prior to construction. This would not be site wide and would be targeted to inform specific activities including, for example, the Piling Risk Assessment.

ExQ1 Ref.	Question:	Applicant's Response
		The site investigation works would most likely be undertaken as part of the site preparation works prior to the commencement of the construction phase. Best practice mitigation measures for these works are set out in **ES Vol 2 Appendix 2-3 [REP1-013]**.
Q1.1.16	**Outline Landscape and Ecological Management Plan [REP1-040]** Paragraph 6.5.36 provides a sheep grazing density referenced at table 3. How have the densities been calculated, for instance is there a guidance document that underpins the densities provided?	Paragraph 6.5.36 and Table 3 of the **oLEMP [REP1-040]** provide indicative sheep stocking densities for neutral grassland under different grazing durations. The figures were taken from Table 5.7 in Chapter 5 of the *Lowland Grassland Management Handbook* (Crofts and Jefferson, 1999)[1], which provides a guide to stocking levels for lowland grassland by grassland type, livestock type and number of grazing weeks per year. Table 3 **[REP1-040]** reproduces the 'neutral grassland' sheep stocking levels from the above guidance. The densities reflect an indicative relationship between the length of the grazing period and the appropriate number of sheep per hectare, with higher densities assumed for shorter grazing periods and lower densities for longer grazing periods. The final stocking density would be determined through the detailed management of the site, having regard to sward condition, seasonal growth, weather conditions, soil conditions, ecological objectives and animal welfare requirements. The figures in Table 3 **[REP1-040]** therefore provide an evidence-based starting point for management, with the actual grazing regime to be adjusted as required to achieve the landscape and ecological management objectives for the Scheme.
Q1.1.17	**Human Health**	As set out in the **Consultation Report and Appendices [APP-023 to APP-030]**, the Applicant consulted with a number of health

[1] https://publications.naturalengland.org.uk/publication/35034

ExQ1 Ref.	Question:	Applicant's Response
	Have health authorities been consulted regarding the potential impacts of the scheme, and if so what comments, if any, have been made?	authorities during their statutory consultation, including the Health and Safety Executive (HSE), the UK Health Security Agency (UKHSA), NHS England, East of England Ambulance Service, Bedfordshire, Luton & Milton Keynes ICB and the Cambridgeshire & Peterborough Integrated Care System. However, formal responses were only provided by the HSE and UKHSA. The HSE made three comments, they: • queried whether the Applicant had considered the hazard classification of chemicals proposed to be present on site, noting that hazardous substances consent may be required if thresholds are exceeded. • identified major accident hazard pipelines crossing the scheme boundary, operated by National Grid Gas, and recommended they be considered in the major accidents/disasters assessment. • advised the Applicant to consider risk assessments in line with Advice Note 11 Annex G. In the context of these matters, the **oCEMP** [**REP2-028]** includes measures for handling and storing hazardous substances if required during construction. The Applicant has also engaged with National Gas on the pipelines and has assessed the potentially significant effects of the Scheme on utilities in **ES Vol 1 Chapter 16: Other Environmental Topics, under Major Accidents and Disasters [APP-052]**, with utilities also covered at paragraphs 4.1.34 to 4.1.35 of the **oCEMP [REP2-028]**. The Applicant is currently negotiating protective provisions to be included in the draft DCO [REP1-005] with National Gas to ensure all necessary safeguards are in place. The UKHSA also provided three comments they:

ExQ1 Ref.	Question:	Applicant's Response
		• said they were satisfied with the approach to the EIA and the conclusions drawn and had no further comment on environmental health. • recommended that the ES consider more mature planting to help mitigate year 10 visual effects at residential properties. • noted the potential for cumulative construction effects from multiple infrastructure projects could affect the availability of local accommodation, including the affordable private rented sector, due to non-home-based workers. These matters are addressed within the application, with the issue of 10-year maturity would be addressed though the planting specifications set out in the **oLEMP [REP2-032]**. The matter of worker accommodation is assessed in **ES Vol 1 Chapter 14 [APP-050]** with a table presented in Table 14.23. The assessments conclude that there would be surplus accommodation within the area of search either individually or taking into consideration the cumulative infrastructure schemers in the area and it is concluded no anticipated adverse effect on accommodation availability.
Q1.1.18	**Design Parameters** For works No.2 and 3 where buildings are proposed, what measures will be implemented to ensure that the buildings will sit appropriately in their location having regard to local context and character. For Works No.10 involving the agrisolar research facility, are any buildings proposed, and if so, please respond on the aforementioned issues of local context and character.	For Work No.2 (the BESS), the buildings and proposals are inherently utilitarian with limited design or architectural input possible. As such, the Applicant's focus has been on screening them in the landscape. For Work No. 3 (East Park Substation), paragraph 2.9.18 of NPS EN-5 sets out that the 'Horlock Rules' which establish guidelines for the design and siting of electricity substations should be embodied in applicants' proposals for the infrastructure associated with new substations. The Applicant's response to the Horlock Rules is set out in Section 5.7 (Table 3) of the **Design Approach Document**

ExQ1 Ref.	Question:	Applicant's Response
		[APP-034]. Similar to Work No. 2, there is limited design or architectural input possible in relation to Work No. 3 and the design response has been based around screening and siting. Ultimately the relevant Host Authority will have control over the final design and appearance of these structures in accordance with Requirement 3 of the **draft DCO [REP1-005]**. Whilst not explicitly referenced in the question, it is worth noting that for Work No. 6A – the design of the storage, operations and maintenance building will be influenced by the design and appearance of nearby barns such as the existing barn in Site C. It would be necessary for this design narrative to carry through to the final design solution. Finally, there are no buildings proposed for work no 10, the buildings and parking for Work No. 6A would be shared for this aspect of the Scheme.
Q1.1.19	**Outline Skills, Supply Chain and Employment Plan [APP-163]** Paragraph 2.2.2 refers to the creation of Apprenticeships as part of the outputs of the proposed development. Can an estimate of number be provided?	The Applicant confirms that apprenticeships are a committed output of the Scheme. However, given that the number will depend on factors including the final procurement strategy and contractor supply chain, neither of which can be determined at this outline stage, a precise estimate is not yet possible. The Applicant will provide further detail on apprenticeship numbers in the final Skills, Supply Chain and Employment Plan to be submitted and approved by the relevant local planning authority pursuant to Requirement 19 of the **draft DCO [REP1-005]** prior to the commencement of any phase of the Scheme.
Q1.1.20	**Grid Connection** In response to National Grid's Relevant Representation [RR-903] it is stated in the Applicant's Responses to Relevant Representations submitted at D1 [REP1-055] that "The Applicant can confirm that the	The Applicant confirms that it has received a Gate 2 offer. National Grid's Relevant Representation [RR-903] confirms that "The Project proposes the installation of solar photovoltaic panels and electrical

ExQ1 Ref.	Question:	Applicant's Response
	Scheme received a 'Gate 2' offer with a connection date of October 2028, with an October 2030 backstop.". Please supply evidence of the offer and agreement.	energy storage technology, and associated infrastructure, connecting into the existing Eaton Socon 400 kV substation." Information in respect of the Applicant's connection offer is publicly available at NESO's TEC Register[2]. This lists all projects, both existing and future, that hold contracts with NESO for Transmission Entry Capacity (i.e. projects which have secured capacity to export to transmission system).
Q1.1.21	In National Grid's relevant representation [RR-903], it is stated: "The scope of the expansion, rebuild or provision of a new substation of East Socon Substation is as yet unknown and will be determined by the outcome of NESO's Connection Reforms process. Please provide projected timelines by which this will be determined and the timetable for the expansion, rebuild, or the construction of a new substation. If this coincides with the construction of the proposed development, have the cumulative impacts of the works to East Socon site been considered?	The Applicant is in regular dialogue with National Grid, however National Grid has not yet been able to confirm the scope and exact timeline for the proposed works required to the Eaton Socon Substation. The date of connection committed in the Connection Offer received by the Applicant is October 2028. Therefore, the expectation is that the upgrade of the existing substation would be completed by this point. However, the Applicant is not in a position to confirm this. The confirmed connection date and the commitment to be connected is the only certainty the Applicant currently has on this matter. In relation to the assessment of cumulative impacts or overlap in the construction of the Scheme and the substation upgrade works, at this point in time there is no sufficient information in respect of the upgrade works to carry out any meaningful cumulative assessment.

[2] *https://www.neso.energy/data-portal/transmission-entry-capacity-tec-register*

ExQ1 Ref.	Question:	Applicant's Response
Q1.1.22	**Use of PFAS (Per- and Polyfluoroalkyl Substances)** Please confirm whether PFAS are used in the manufacturing materials (e.g. for the construction of the PV panels)? If they are, explain how the potential environmental impacts have been assessed and to clarify and signpost to any mitigation measures.	The use of PFAS (Per- and Polyfluoroalkyl Substances) was also raised by the Environment Agency (EA) in their RRs. The Applicant has not yet gone through a procurement process for the solar panels or any other component of the Scheme. The Applicant will include PFAS risk as a selection criterion during the procurement process and will seek to avoid PFAS-use in solar panels where practicable. The Applicant will confirm the precise panels to be used at the detailed design stage pursuant to Requirement 3 of the **draft DCO [REP1-005]**. The Applicant amended (at Deadline 1) Table 5.8 in each of the **oCEMP [REP2-028]**, **oOEMP [REP1-036]** and **oDEMP [REP2-030]** to ensure PFAS is avoided wherever reasonably practicable. The EA has subsequently confirmed in their response to Deadline 2 **[REP2-052]** that they agree with the Applicants approach to managing PFAS.
Q1.1.23	**Maximum Parameters** The total footprint of the East Park Substation and BESS is not set out in the ES. Can the applicant confirm the maximum footprint of the proposed East Park Substation and BESS area that has been assessed in the ES or signpost to where this information can be found in the application documents.	The maximum footprint of the BESS (Work No. 2) and the East Park Substation (Work No. 3) is set by the limits of deviation presented for each Work Package on the **Works Plan [APP-009]**. The maximum footprint of the BESS (Work No. 2) is 1.45ha. The maximum footprint of the East Park Substation (Work No. 3) is 0.92ha. The total maximum footprint of the BESS, East Park Substation, and Operations and Maintenance Area (Work No. 6A) is set out in paragraph 6.4.3 of the **oSWMP [APP-165]** by reference to the impermeable site area for the BESS and substation compound (including ancillary buildings, tracks around the compound and hardstanding for the storage tanks) at 2.7ha and that there would be

ExQ1 Ref.	Question:	Applicant's Response
		a further 0.4ha of hardstanding associated with the access track extending from the BESS compound to the B645.
Q1.1.24	**Construction Compounds - Parameters** Can the applicant confirm the maximum parameters of the proposed construction compounds or signpost to where this information can be found in the application documents.	The location and footprint of the construction compounds are constrained spatially by the limits of deviation of Work No. 7 on the **Works Plan [APP-009]**. The **Design Parameters and Principles Statement [REP1-030]** describes relevant parameters at paragraph 1.2.12 and at Table 9.
Q1.1.25	**Cumulative Effects ES Chapter 17 : Cumulative and In Combination Effects** ES Chapter 17 [APP-053] identifies significant residual cumulative effects on landscape and visual, cultural heritage and archaeology and ecology and nature conservation receptors. However, the tables 18.1 and 18.2 in ES Chapter 18 [APP-054] states that no significant residual cumulative effects were predicted during construction or operation. Can the applicant provide further clarification and update the relevant documents if necessary.	It is correct that Tables 18.1 and 18.2 of **ES Vol 1 Chapter 18 [APP-054]** summarise **ES Vol 1 Chapter 17 [APP-053]** as identifying no significant residual cumulative effects during construction or operation. This does not misrepresent the outcome of the cumulative effects assessment. For clarity, however, the wording has been updated to confirm that the assessment of cumulative effects did not identify any new or additional significant effects resulting from the interaction of the Scheme with other projects, over and above the significant effects already identified in the assessment of the Scheme in isolation. The Applicant has updated **ES Vol 1 Chapter 18 [as updated alongside this submission]** to provide greater clarity on this matter.
Air quality and emissions		
Q1.2.1	**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?	The Applicant notes this question is directed at the Local Authorities.

ExQ1 Ref.	Question:	Applicant's Response
Biodiversity, ecology and natural environment (including Habitats Regulations Assessment (HRA))		
Q1.3.1	**Retention of hedgerow and tree planting** Landscaping works undertaken across the site are proposed to remain on decommissioning (Vol. 1, Ch. 2, 2.7.2) including substantial additional hedgerow planting (over 17km). Please provide further detail about how you have considered the changes to and effects on open views and the character of the landscape this additional planting may have.	The Applicant notes that the Scheme includes substantial planting proposals, including over 17km of additional native hedgerow planting, native woodland belt planting and areas of diverse grassland. In relation to the approach to decommissioning and the treatment of retained landscape and visual mitigation, this is set out at paragraphs 5.8.83 to 5.8.87 of **ES Vol 1 Chapter 5 [APP-041]**. **ES Vol 1 Chapter 5 [APP-041]** assesses decommissioning as a temporary phase associated with the removal of the Scheme and restoration of the land, reflecting the temporary nature of the consented development over a 40-year operational period. The future management of retained planting following decommissioning would ultimately be subject to landowner agreement and future agricultural and land management practices. In developing the design of the Scheme, the Applicant has carefully considered the extent to which the proposed planting could influence landscape character, openness and views. The landscape strategy was developed to respond to the existing character of the area, which is already influenced by a strong pattern of hedgerows, hedgerow trees, woodland blocks and enclosed field boundaries. The proposed mitigation has therefore been targeted principally along field boundaries, settlement edges and transport corridors in order to reinforce existing landscape structure rather than introduce an uncharacteristic degree of enclosure. The design approach is set out in the **Design Approach Document [APP-034]** and has also sought to ensure that the wider legibility of the landscape and important visual relationships would be retained. In particular, the Scheme has sought to maintain key open views and landmark features, including views towards church spires and the relationship between settlements and the surrounding

ExQ1 Ref.	Question:	Applicant's Response
		countryside. Around Little Staughton, for example, the layout and mitigation proposals are designed to limit enclosure within the landscape (such as along the north side of Little Staughton Footpath 10, shown at the bottom of **ES Vol 3 Figure 2-1 [APP-121]**), and to retain visibility of the Church of All Saints within the wider landscape setting (paragraphs 5.6.18 to 5.6.55 of the **Design Approach Document [APP-034]**). Design Principle 2.2 of the Scheme is to '*Seek to protect the sense of openness, wide views and skylines with long views from elevated positions across the Kym valley*' and the design response is described at paragraphs 5.6.56 to 5.6.62 of the **Design Approach Document [APP-034]**. The Applicant also notes that the proposed planting reflects broader objectives within the Scheme design process to strengthen green infrastructure and habitat connectivity whilst reinforcing the existing landscape pattern. In this respect, the retention of planting following decommissioning would leave a landscape framework that is consistent with, and reinforces, the prevailing character of the area, rather than materially altering it, whilst also delivering wider biodiversity benefits. The proposed planting proposals would also align with the published landscape strategies for the host character areas. Within the Riseley Clay and Farmland LCA, the Scheme would reinforce hedgerow and hedgerow tree cover, strengthen field boundaries and support the enhancement of landscape elements identified as being in declining condition, whilst retaining the wider pattern of open arable farmland and key views across the landscape. Within the Southern Wolds LCA, the landscape proposals would similarly support objectives relating to the reinforcement of woodland and hedgerow structure, enhancement of biodiversity and maintenance of the rural character of longer-distance views. The Scheme has been designed to

ExQ1 Ref.	Question:	Applicant's Response
		integrate within the existing field pattern and landscape framework, responding to the existing balance between large-scale arable farmland, hedgerow boundaries and intermittent woodland cover. The Applicant notes the following comment made by both Bedford Borough Council (paragraph 6.15 **[RR-111]**) and Huntingdonshire District Council (paragraph 7.16 **[RR-494]**): *"The landscape proposals are tailored to the location and required functions of each part of the Scheme, noting that these change across the Site. The design is well considered and retains the legibility and character of the landscape and reduces the visual effects, where possible, especially for visual receptors, at the edges of settlements, and along routes connecting settlements."* [emphasis added] In addition, Huntingdonshire District Council state at paragraph 7.17 of their Relevant Representation [RR-494] that: "*The Scheme as drawn on the landscape Illustrative Environmental Masterplan will leave a positive legacy through the delivery of strengthening and supplementing the landscape character within the Order Limits post operation.*" [emphasis added] The Applicant therefore considers that the proposed planting has been designed in a proportionate and landscape-led manner which reinforces existing landscape structure and delivers ecological enhancement, whilst avoiding unacceptable changes to the character of the landscape or the loss of important open views.
Q1.3.2	**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.	The Applicant notes this question is directed at Huntingdonshire District Council, but has elected to provide the following response. The Applicant acknowledges that the monitoring and enforcement of the DCO requirements will involve an ongoing resource commitment for the Host Authorities. However, the Applicant does not consider

ExQ1 Ref.	Question:	Applicant's Response
		that a section 106 agreement would be an appropriate or necessary mechanism in this case. Rather, a framework Planning Performance Agreement or other obligation covering the post consent phase is considered to be the appropriate and well-established mechanism to ensure that the Host Authorities are adequately resourced to carry out their monitoring and enforcement functions. The provision of BNG is not mandatory for the Scheme, nor would it qualify as such under the new BNG guidance for NSIPs which will only apply to schemes submitted after November 2026. As such, it is not necessary for the Applicant to be held to a legal requirement that mandates delivery of 10% BNG. The provision of BNG remains discretionary for the Applicant. On that basis, the monitoring of BNG should be considered as monitoring of compliance with any other requirements included in the DCO.
Q1.3.3	**Mammal Gates** Paragraph 7.6.15 of the Planning Statement [APP-031] summarises mitigation measures, which include mammal gates. Will these compromise in any way the security of the site?	As set out in Table 6 of the Design Parameters and Principles Statement [REP1-030]: "*Small mammal gates will be provided at the base of the fence with maximum dimensions of 0.3m in height by 0.25m in width. A minimum of two small mammal gates will be provided to each fenced area*." Given the small size of these features, the Applicant does not consider they would pose any additional risk to security.
Q1.3.4	**Planning Statement [APP-031]** Paragraph 7.6.52 summarises that the extent and quality of priority habitats within the site will be enhanced, resulting in a moderate beneficial effect on a receptor of medium value that is significant. Which receptor is this?	The receptor referenced is priority habitats. This moderate beneficial effect is due to the increase in extent of priority habitats, notably hedgerow for which there is over 17km of additional planting proposed. This assessment is provided at paragraphs 7.8.101 to 7.8.105 of **ES Vol 1 Chapter 7 [APP-043]**.

ExQ1 Ref.	Question:	Applicant's Response
Q1.3.5	**Planning Statement [APP-031]** Paragraph 7.6.56 contains a bookmark error following the reference to the Wildlife and Countryside Act 1981.	This is noted and recognised by the applicant. The bookmark only relates to the Wildlife and Countryside Act 1981 and as such, there is no missing reference or anything misleading that would necessitate an update to the Planning Statement.
Q1.3.6	**Hazel Dormouse** Paragraph 7.6.113 of the Planning Statement [APP-031] indicates that the Hazel Dormouse is likely to be absent from the site. Have any surveys been undertaken to support this and where can they be found?	This assertion has been informed through desk study as outlined within **ES Vol 2 Appendix 7-1 [APP-091]**. This is further informed by information pertaining to the broad distribution of hazel dormouse which have a highly restricted range, such as Natural England Joint Publication JP025[3] which shows dormouse as absent from the Site and immediate surrounds. Locally, research[4] by the Peoples Trust for Endangered Species (PTES) informed by the National Dormouse Monitoring Programme states the species is extinct in Cambridgeshire, other than reintroduced populations. Within Bedfordshire, the species is rare with the Local Nature Recovery Strategy stating the '*small population is found in central areas where recent reintroductions have aimed to boost numbers'.* As such, it can be confidently stated that the distribution of hazel dormouse is restricted to known and monitored sites that would have been identified through desk study. It is also relevant that almost all suitable habitat (i.e., hedgerow and mature woodland) is to be retained, with any residual risk managed through reasonable avoidance measures within the **outline Construction Environmental Management Plan [REP1-032].** The Applicant notes that this approach is explicitly accepted by both Bedford Borough Council (reference BBC-RR-58 **[REP2-048]**) and

[3] Mathews F, Kubasiewicz LM, Gurnell J, Harrower CA, McDonald RA, Shore RF. (2018) A Review of the Population and Conservation Status of British Mammals. A report by the Mammal Society under contract to Natural England, Natural Resources Wales and Scottish Natural Heritage. Natural England, Peterborough. ISBN 978-1-78354-494-3.
[4] Wembridge, David & White, Ian & Freegard, Kate & Al-Fulaij, Nida & Langton, S.D.. (2023). The State of Britain's Dormice 2023.

ExQ1 Ref.	Question:	Applicant's Response
		Huntingdonshire District Council (reference HDC-RR-15 **[REP2-051]**).
Q1.3.7	**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?	The Applicant notes this question is directed at the Local Authorities, but has elected to provide the following response. The Local Nature Recovery Strategy (LNRS) for both counties have been published. The publication of these strategies has a direct bearing on the strategic significance component of the biodiversity net gain assessment **[REP1-052]**, which has been updated at Deadline 1 to reflect their publication. The application of the LNRS is addressed at section 4.1.6 of the **BNG Report [REP1-052]**. Changes made to the **BNG Report [REP1-052]** at Deadline 1, including inclusion of the LNRS, resulted in a slight decrease in the predicted biodiversity net gain from 79.51% to 77.85% in habitat units and no change in hedgerow or watercourse units.
Q1.3.8	**Biodiversity Net Gain Report [APP-168]** Please confirm that you are content with the Biodiversity Net Gain report and the metric used	The Applicant notes this question is directed at Natural England, but that the **Statement of Common Ground with Natural England [REP2-039]** confirms an agreed position in relation to BNG (Table 2 ref 005).
Q1.3.9	**Outline Landscape Environmental Management Plan [REP1-040]** Paragraph 4.2.2 details membership of a steering group to be created. Are there any local specialist species related groups that should be considered for membership?	The establishment of the landscape and ecological management steering group is set out in Section 4.2 of the **oLEMP [REP2-032]** and includes for the Applicant, the Local Authorities, and the Wildlife Trust. The steering group is intended to focus on accountability and enforcement with the local authority and would not be open to community groups. However, the Applicant does acknowledge the value that community groups can bring, they have, therefore, also set out at Section 4.2 of the **oLEMP [REP2-032**], that a Community Liaison Group (CLG) would also be formed and membership would be open to relevant specialist local community groups. The

ExQ1 Ref.	Question:	Applicant's Response
		Applicant notes the 'Environment Action Group Little Staughton' (EAGLeS) as one possible example.
Q1.3.10	**Outline Landscape Environmental Management Plan [REP1-040]** Paragraph 8.2.1 states that ecological monitoring will take place for at least 30 years. Can the applicant explain in what circumstances the monitoring would be extended in length?	The 30 year monitoring relates to Biodiversity Net Gain obligations, as this ensures alignment with existing requirements under the BNG regime. It is however clarified that monitoring would take place over the lifetime of the Scheme throughout the operational lifetime of the Scheme (i.e., to Year 40) as confirmed at paragraph 8.1.5 of the **oLEMP [REP2-032]**, with reporting to the relevant LPAs undertaken every fifth year.
Q1.3.11	**Outline Landscape Environmental Management Plan [REP1-040]** Paragraph 2.6.23 refers to passerines and Corvidae. Is it possible to be more precise, as this refers to almost half of all bird species?	Full results of breeding bird surveys are included within **ES Vol 2 Appendix 7-2 [APP-092],** and noted a total of 56 species, including 21 of which defined as 'notable'. As such, in the interests of brevity it was not considered appropriate to list all such species recorded within paragraph 2.6.23 of the **oLEMP [REP2-032]**. The Applicant notes that the preceding paragraph 2.6.22 of the **oLEMP [REP2-032]** notes that full details of species are available in the ES.
Q1.3.12	**Natural England's Relevant Representation [AS-023] Bat Flight paths** In your RR dated the 14 January 2026, you encourage the applicant to use a more precautionary buffer zone and extend this from 6m to 10 m and ensure the buffers are along prominent bat flight paths. NE also seeks further discussion on potential bat mitigation. Please outline what further discussions have been had on this issue and can you provide your response to the applicant's response [REP1-055] to your advice on bat flight paths and is the applicant's approach sufficient?	The Applicant notes this question is directed at Natural England, but notes that the **Statement of Common Ground with Natural England [REP2-039]** confirms an agreed position in relation to the assessment of bats (and protected species in general) (Table 2 ref 003).

ExQ1 Ref.	Question:	Applicant's Response
Q1.3.13	**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]?	The Applicant notes this question is directed at Natural England, Cambridgeshire County Council and Huntingdonshire District Council, but has elected to provide the following response. The Applicant maintains that ecological survey coverage is adequate and proportionate to the levels of impacts experienced, accounting for mitigation measures contained within the **oCEMP [REP2-028]** and **oLEMP [REP2-032]**.
Q1.3.14	**Priority Habitats** Section 3.2 of ES Appendix 7-1: Ecological Baseline Report [REP1-024] identifies the presence of Priority Habitats on site. Please provide estimates of the volumes of each habitat type.	**ES Vol 2 Appendix 7-1: Ecological Baseline Report [REP1-024]** identifies the following priority habitats within the Site, with volumes (area or length) provided taken from the Biodiversity Net Gain Assessment: • Hedgerows – 43.44km (including all native hedgerows and lines of trees) • Streams –3.17km streams within the Site • Lowland mixed deciduous woodland – 0.55ha • Ponds – 0.01ha – assessed as priority status following a precautionary approach
Q1.3.15	**Priority Habitats** Please provide a Habitats of Principal Importance Plan.	The Applicant has updated the **Statutory and Non Statutory Sites or Features for Nature Conservation Plan [as updated alongside this submission]** to include Habitats of Principal Importance as surveyed within the Order limits. This includes areas of hedgerow, streams, and ponds.
Q1.3.16	**Short Term Minor Adverse Effects** At paragraph 7.12.2 of ES Chapter 7: Ecology and Nature Conservation [APP-043] it concludes that 'During the construction phase the Scheme would result in short term and temporary minor	Short term and temporary adverse effects experienced during construction (i.e., disturbance and habitat changes) would be reversible for all receptors other than ground nesting birds, for which

ExQ1 Ref.	Question:	Applicant's Response
	adverse effects on ground nesting birds, the wider breeding bird assemblage, amphibians (including great crested newt) and otter.' For clarity, can the applicant confirm whether the short term and temporary minor adverse effects are reversible?	displacement would occur through the lifetime of the proposed development. Displacement of ground nesting birds would however be reversed on decommissioning of the Scheme once all infrastructure is removed, but given the lifespan of skylarks this is assessed as permanent for the purposes of the Environmental Statement.
Cultural Heritage		
Q1.4.1	**Planning Statement [APP-031]** In paragraph 7.5.54 it is stated that Historic England would raise no objection to the dDCO subject to their agreement to the final Archaeological Mitigation Strategy. However, this is inconsistent with statements made elsewhere in the application submission.	It is acknowledged that this specific terminology regarding the raising of no objection is not repeated consistently across the application documents, and is a specific comment made within the Planning Statement. However, this was the Applicant's understanding of the position with Historic England at the point of submitting the DCO application. Within their subsequent response to examination Deadline 1, Historic England has confirmed they are satisfied with the scheduled monument consent being in the draft DCO (paragraph 4.5, **[REP1-079]**), and that they have no in principle objection to the Scheme (paragraph 6.1, **[REP1-079]**).
Q1.4.2	**Buried Archaeology** Paragraph 8.3.24 of the Planning Statement [APP-031] states that there is potential construction phase impacts on buried archaeology in the AAC as a result of tree and hedgerow planting. Please provide a plan illustrating the areas affected.	The Applicant would highlight that the details, with supporting Figures, of the proposed AACs are included within the **outline Archaeological Mitigation Strategy (oAMS) [REP2-034]**. For clarity the AACs which are considered subject to construction phase impacts as a result of tree and hedgerow planting are listed within Table 1 of the **oAMS [REP2-034]** and are replicated below for ease:

ExQ1 Ref.	Question:	Applicant's Response
		• AAC-A-2b; • AAC-A-3b; • AAC-A-5b; • AAC-A-6b; • AAC-B-1b; • AAC-B-2b • AAC-B-5b; • AAC-B-6b; • AAC-B-10b; • AAC-C-5; • AAC-D-3b; and • AAC-D-4b The locations of these AACs are included on Figures 1 and 2 of the **oAMS [REP2-034]**.
Q1.4.3	**Harm** Paragraph 8.3.31 of the Planning Statement [APP-031] summarises and concludes that there will be less than substantial heritage harm. However, this appears to disregard the moderate adverse (significant) harm outlined in paragraph 8.3.31.	The Applicant would highlight that the term significant harm has not been used, as it is not a planning term, and believes that the second part of the ExA's question is referencing para 8.3.28 (not 8.3.31) where the Applicant highlights a *'moderate adverse'* (significant in EIA terms) operational setting effect on a possible non-designated moated site. The Applicant notes that a significant effect (in EIA terms) does not automatically equate to *'substantial harm'* (in planning terms) and has included a section discussing harm within the assessment methodology section of **ES Vol 1 Chapter 6 [APP-042]**. Paragraph

ExQ1 Ref.	Question:	Applicant's Response
		6.4.21 of **ES Vol 1 Chapter 6 [APP-042]** states that *'the PPG notes that 'substantial' harm is a 'high test' and that as such it is unlikely to result in many cases. What matters in establishing whether harm is 'substantial' or not, relates to whether a change would seriously adversely affect those attributes or elements of a designated asset that contribute to, or give it, its significance'* while paragraph 6.4.24 of **ES Vol 1 Chapter 6 [APP-042]** states that *'Where significant effects are found, a detailed assessment of the level of harm will be made. Whilst non-significant effects will cause 'less than substantial' or no harm, the reverse is not always true. That is, the assessment of an effect as being 'significant' does not necessarily mean that the harm to the asset is 'substantial'. The assessment of level of harm, where required, will be a qualitative one, and will largely depend upon whether the effects predicted would result in a major impediment to the ability to understand or appreciate the heritage asset in question by reducing or removing its information content and therefore reducing its cultural significance'*. The Applicant would further highlight that even with regard to the assets where there is disagreement with Bedford Borough Council and Historic England as to the assessed level of effect in EIA terms (non-significant versus significant) the discussion of harm in relation to these assets is still within the range of *'less than substantial harm'*.
Q1.4.4	**Outline Archaeological Mitigation Strategy [REP1-048]** Paragraph 5.2.1 indicates that sub-area B29 has not been accessible to survey prior to submission of the draft DCO. Can the applicant why it was inaccessible and also what plans they have to survey it prior to development commencing?	The latest version of the **outline Archaeological Mitigation Strategy (oAMS) [REP2-034]** sets out the further archaeological investigation that would be undertaken prior to construction, and Appendix E includes a series of plans showing the next phases of archaeological investigation. Figure 1 in Appendix E illustrates the area within site B (B29) that is to be the subject of further geophysical survey.

ExQ1 Ref.	Question:	Applicant's Response
		The reason it was not possible to survey the field within Site B (sub-area B29) is that each time it was to be the subject of survey the cropping or ruderal vegetation was overgrown to such an extent that it was not possible to use the geophysical survey equipment. As set out in the **oAMS [REP2-034]** it is proposed that this area would be surveyed as part of the 'Site Preparation Works' described in **ES Vol 1 Chapter 2: The Scheme** [**APP-038**] and prior to the construction phase of the Scheme (allowing for any findings to be addressed in the final Archaeological Mitigation Strategy).
Q1.4.5	**Outline Archaeological Mitigation Strategy [REP1-048]** Paragraph 7.3.28 references a 'FRAC out Contingency Plan'. Could the applicant please provide further details of what this may contain?	A 'frac-out' happens when downhole drilling pressure exceeds the surrounding ground pressure. Drilling fluid, usually a water/bentonite clay slurry, then escapes from the borehole into surrounding soils. A Frac-Out Contingency Plan is a project-specific emergency/response plan for horizontal directional drilling (HDD) and it typically contains: • Identification of all HDD crossings; • Risk assessment of sensitive receptors such as rivers, wetlands, drains, utilities, protected habitats, or highways; • HDD design and prevention measures; • Monitoring requirements during drilling, including watching for surface seepage, fluid loss, or pressure changes; • Immediate response actions, such as stopping or reducing drilling fluid pressure, notifying supervisors, and isolating the release area; • Containment measures, such as sandbags, straw bales, silt fencing, booms, pumps, or vacuum trucks;

ExQ1 Ref.	Question:	Applicant's Response
		• Clean-up and disposal procedures for released drilling mud; • Communication and reporting protocols for environmental inspectors, landowners and regulators; and • Materials and equipment list that must be available on site before drilling starts. The **oCEMP [as updated alongside this submission**] has been updated to include a bullet point list of matters the final plan must address.
Q1.4.6	**Outline Heritage Enhancement Strategy [REP1-050]** Paragraph 4.1.2 sets out key aims and objectives of the Strategy. Should this also reflect the need to have regard to statutory duties in relation to the historic environment?	The Applicant does not believe that the aims and objectives section of the **oHES [REP1-050]** is a suitable location for setting out the statutory duties in relation to the historic environment. For the historic environment, the Secretary of State's decision-making duties in respect of the historic environment sit principally in the Planning Act 2008 and the Infrastructure Planning (Decisions) Regulations 2010. Under section 104 of the Planning Act 2008, where relevant National Policy Statements have effect, the Secretary of State must decide the application in accordance with those NPSs unless one of the statutory exceptions applies. In doing so, the Secretary of State must have regard to the relevant NPSs, any Local Impact Report, prescribed matters, and any other matters considered important and relevant. The Applicant would highlight that the relevant National Planning policies (NPS EN-1, NPS EN-3, NPS EN-5 and NPPF) and guidance (PPG) in relation to the historic environment are included within Table 6.1 of **ES Vol 1 Chapter 6 [APP-042]** which includes a column stating where within the submission documents these polices have been addressed.

ExQ1 Ref.	Question:	Applicant's Response
		The Applicant would also highlight that the relevant local planning policies (Huntingdonshire Local Plan to 2036; Bedford Borough Local Plan 2030 and Great Staughton Neighbourhood Plan) in relation to the historic environment are included within Table 6.2 of **ES Vol 1 Chapter 6 [APP-042]** which includes a column stating where within the submission documents these polices have also been addressed. Separately, Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010 requires the decision-maker, when deciding an application which affects a listed building or its setting, to have regard to the desirability of preserving the listed building, its setting, or any features of special architectural or historic interest it possesses. It also requires the decision-maker, where the application relates to a conservation area, to have regard to the desirability of preserving or enhancing the character or appearance of that area. Where the application affects, or is likely to affect, a scheduled monument or its setting, the decision-maker must have regard to the desirability of preserving the scheduled monument or its setting. As the Scheme is EIA development, the decision-maker must also comply with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. The EIA must identify, describe and assess the direct and indirect significant effects of the development. When deciding whether to grant development consent, the Secretary of State must examine the environmental information, reach a reasoned conclusion on the significant environmental effects, and integrate that conclusion into the decision.
Q1.4.7	**Outline Heritage Enhancement Strategy [REP1-050]** Paragraph 4.2.5 sets out the applicant's intention to host workshops for greater understanding of the historic environment. There are a	The Applicant is supportive of community input into the overall understanding, interpretation and appreciation of the historic environment. The **outline Heritage Enhancement Strategy (oHES) [REP-050]** already provides for public engagement,

ExQ1 Ref.	Question:	Applicant's Response
	number of examples of community led character appraisals and management strategies having been prepared by the local communities. Is this something that could be provided and supported, if the community wish to undertake this exercise?	including workshops in historical research, LiDAR interpretation, topographic survey, geophysical survey, excavation and post-excavation finds analysis, supervised by professional archaeologists and funded by the Applicant. It also anticipates involvement from local community interest groups and consultation on interpretation material, including the heritage trail, interpretation panels, website and educational resources. The Applicant would be willing to discuss, through the preparation of the final Heritage Enhancement Strategy, whether any outputs from those activities could assist a community-led character appraisal or similar local heritage initiative, where there is a clearly identified community group willing to lead that exercise and where the scope is agreed with the relevant local authority heritage officers. The Applicant's role could include sharing relevant non-confidential archaeological information, supporting community workshops, and ensuring that the Scheme's interpretation material is capable of informing wider local understanding of historic landscape character. The Applicant would support proportionate community-led heritage outputs where they are related to the Scheme's archaeological discoveries and can be appropriately incorporated into, or supported by, the final Heritage Enhancement Strategy.
Q1.4.8	**Conservation Area Character Appraisals or Management Strategies** Please provide any character appraisal or management strategies that relate to the conservation areas within the vicinity of the proposed development.	The Applicant notes this question is directed at the Local Authorities.
Q1.4.9	**Heritage Assets**	The Applicant would highlight that the assets within the Site are itemised within Tables 6.9 to 6.15 of **ES Vol 1 Chapter 6 [APP-042]**.

ExQ1 Ref.	Question:	Applicant's Response
	Could the heritage assets considered be itemised by volume for the different types of assets considered for both within the site and those considered to be impacted by views from outside of the site.	The full list of assets considered to potentially be impacted by views (all except the Roman town Scheduled Monument are located outside the Site) are itemised within Table 1 of the settings impact assessment **[APP-083]**. Those assets considered to be subject to at least a minor level of temporary setting effects during the construction phase are listed in Paragraphs 6.8.54 and 6.8.56 of **ES Vol 1 Chapter 6 [APP-042]**. Those assets considered to be subject to a minor level of setting effects during the operational phase are listed in Paragraphs 6.8.62 and 6.8.64 of **ES Vol 1 Chapter 6 [APP-042]**. The Applicant has provided two tables in **Appendix B** of this document itemising the number (volume) of each different type of heritage asset within the Order limits (along with its location in the Site), and outside of the Order limits within different distance bands from.
Draft Development Consent Order (dDCO) & Explanatory Memorandum		
Q1.5.1	**Article 8 Disapplication or Amendment of legislation or Statutory Provisions** The guidance in section 25 of Advice Note 15 should be followed and, if not already provided, additional information sought such as • the purpose of the legislation/statutory provision • the persons/body having the power being disapplied • an explanation as to the effect of disapplication and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of disapplying the legislative controls	**Appendix C** of this document sets out the information requested in relation to each provision that is proposed to be amended or disapplied by the **draft DCO [REP1-005]**. The Applicant has also updated the **Explanatory Memorandum [as updated alongside this submission]** to provide further information in relation to Article 8. As a result of further discussions between the Applicant and the Environment Agency, the Applicant has agreed to remove the disapplication of Regulation 12 (requirement for an environmental permit) of the Environmental Permitting (England and Wales) Regulations 2016. As a result of this change, it is expected that the Applicant will need to apply to obtain a single flood risk activity permit from the Environment Agency during the construction phase

ExQ1 Ref.	Question:	Applicant's Response
	• (by reference to section 120 of and Schedule 5 to the Planning Act 2008) how each disapplied provision constitutes a matter for which provision may be made in the DCO. Where the consent falls within a schedule to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 evidence will be required that the regulator has consented to removing the need for the consent in accordance with s.150 Planning Act 2008.	in relation to the crossing of Pertenhall Brook, including cabling works within 8 metres of the watercourse, which is not expected to cause any delay to, or affect the delivery of, the authorised development. Please see the Applicant's **Other Consents and Licences Statement [as updated alongside this submission]** for more information. As a result of this change, the Applicant and Environment Agency have also agreed that it is not necessary to include protective provisions for the benefit of the Environment Agency, which have been removed from the **draft DCO [as updated alongside this submission]**. In respect of point d), Section 120(5) of the Planning Act 2008 provides that a DCO may: (a) apply, modify or exclude a statutory provision which relates to any matter for which provision may be made in the order; (b) make such amendments, repeals or revocations of statutory provisions of local application as appear to the Secretary of State to be necessary or expedient in consequence of a provision of the order or in connection with the order; (c) include any provision that appears to the Secretary of State to be necessary or expedient for giving full effect to any other provision of the order; (d) include incidental, consequential, supplementary, transitional or transitory provisions and savings. Every disapplication or modification of legislation sought by the Applicant is considered to fall within section 120(5)(a) or (c). It is considered that the disapplication of local legislation and bylaws would also fall within section 120(5)(b).

ExQ1 Ref.	Question:	Applicant's Response
		The Applicant notes that the scope of section 120(5)(a) is broad and would direct the Examining Authority to sections 120(3) and (4), which provide that: (3) An order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted. (4) The provision that may be made under subsection (3) includes in particular provision for or relating to any of the matters listed in Part 1 of Schedule 5. Where the specific disapplication or modification of legislation sought by the Applicant is not included within Part 1 of Schedule 5 it is considered that such matter would fall within 120(3) on the basis that it would be ancillary to the development for which consent is granted. The Applicant has set out in its Explanatory Memorandum why each disapplication or modification of legislation is required in the context of this authorised development specifically. Additionally, the Applicant notes that with the exception of the local legislation, which is site specific, every other provision that would be disapplied or modified under Article 8 has been disapplied and/or modified by a previously granted DCO.
Q1.5.2	**Article 8 Disapplication and modification of legislative provisions** 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?	The Applicant notes this question is directed at the Local Authorities, but has elected to provide the following response. The local planning authorities for the administrative areas where the Scheme is located, Bedford Borough Council and Huntingdonshire District Council, have adopted the Community Infrastructure Levy and have charging schedules in place. As set out in the Applicant's **Explanatory Memorandum [REP1-007]**, paragraph (4) of Article 8 of the **draft DCO [REP1-005]** in effect disapplies the Community Infrastructure Levy Regulations

ExQ1 Ref.	Question:	Applicant's Response
		2010, by making clear that any building comprised in the authorised development is to be deemed to be of a type that does not trigger liability for payment of the Community Infrastructure Levy. The provision is not intended to substantially alter the authorised development's liability for the Community Infrastructure Levy but is intended to clarify that the Authorised Development will not incur liability under the regime. The drafting in Article 8(4) is therefore included on a precautionary basis to provide for that eventuality. The provisions in paragraph (4) of Article 8 of the draft DCO has precedent in the Longfield Solar Farm Order 2023, the Mallard Pass Solar Farm Order 2024 and the Gate Burton Energy Park Order 2024 and, more recently in The Stonestreet Green Solar Order 2025.
Q1.5.3	**Article 11 Public Rights of Way** The Secretary of State prefers to refer to temporary closure rather than temporary stopping up of public rights of way. This will also require consequential amendments to other provisions.	The Applicant has updated the **draft DCO [as updated alongside this submission]** and **Explanatory Memorandum [as updated alongside this submission]** to use the term temporary closure in place of temporary stopping up and other similar phrases.
Q1.5.4	**Article 14(2) Access to Works** Does the local Highway Authority consider 28 days to be a sufficient timeframe in which to make a decision?	The Applicant notes this question is directed at the Local Highway Authorities, but has elected to provide the following response. The Applicant considers that a 28 day period strikes an appropriate balance between the need to avoid delay to the Scheme, noting the critical national priority for low carbon infrastructure, and the need to give the local planning authority (in consultation with the local Highway Authority) sufficient time to properly consider any application. It is also noted that the deemed consent provision will only apply where the local planning authority fails to notify the

ExQ1 Ref.	Question:	Applicant's Response
		Applicant of its decision within the 28 day period or makes a bare refusal without providing grounds for that decision. The Applicant notes that a 28 day timeframe has been adopted in the context of access to works for a number of granted DCOs, including Article 12 of the Heckington Fen Solar Park Order 2025, Article 12 of the Outer Dowsing Offshore Wind Farm Order 2026 and Article 14 of the Mona Offshore Wind Farm Order 2025. The Applicant is continuing to engage with the Local Highway Authorities in relation to any protective provisions sought for highway works.
Q1.5.5	**Requirement 16(2) Heritage Enhancement** This element of the Requirement should include provision for the on-site physical outputs of the Heritage Enhancement Strategy to be maintained during the life of the scheme following implementation.	Paragraphs 6.3.18 to 6.3.21 of the **oLEMP [REP2-032]** already includes a requirement for 'street furniture' to remain in clean good working order etc. Whilst there is no defined programme of ongoing monitoring, there would be regular checks and where necessary replacements would be arranged. The Applicant has updated the **outline Heritage Enhancement Strategy [as updated alongside this submission]** to make a similar commitment at paragraph 6.22.
Q1.5.6	**Article 25 Special Category** If it is argued that special parliamentary procedure should not apply (before authorising compulsory acquisition of land or rights in land being special category land) full details should be provided to support the application of the relevant subsections in Section 130, 131 or 132, for example (in relation to common, open space or fuel or field garden allotment): • where it is argued that land will be no less advantageous when burdened with the order right, identifying specifically the persons in whom it is vested and other persons, if any, entitled	The Applicant notes and agrees that if special parliamentary procedures should not apply, the Applicant would need to satisfy the Secretary of State that the provisions in Sections 130, 131 and 132 of the Planning Act 2008 were met. By way of context, Article 25 of the **draft DCO [REP1-005]** introduces amendments to certain provisions in the Compulsory Purchase (Vesting Declarations) Act 1981 so that if compulsory acquisition powers are exercised under this development consent order, the Applicant has the option to acquire land via the vesting declaration procedure.

ExQ1 Ref.	Question:	Applicant's Response
	to rights of common or other rights, and clarifying the extent of public use of the land • where it is argued that any suitable open space land to be given in exchange is available only at prohibitive cost, identifying specifically those costs.	Paragraph (4) of Article 25 of the **draft DCO [REP1-005]**, in particular, modifies section 5 of the Compulsory Purchase (Vesting Declarations) Act 1981 removing the reference to situations where a compulsory purchase order is subject to special parliamentary procedure. As stated in the **Statement of Reasons [PDA-007]**, in carrying out diligent enquiries, the Applicant has confirmed that there is no Special Category Land identified within the Order Limits. Therefore, the draft Order is not subject to special parliamentary procedure. The Applicant considers that this provision remains necessary to ensure that any future scenarios are addressed. This drafting is found in Article 21 of The Oaklands Farm Solar Park Order 2025, Article 24 of The Mallard Pass Solar Farm Order 2024, Article 22 and of The Gate Burton Energy Park Order 2024. In all these cases, the same precautionary approach was taken in similar circumstances where no special category land was identified.
Q1.5.7	**Articles 30 and 31 Temporary Possession** Given the parliamentary approval to the temporary possession regime under the Neighbourhood Planning Act 2017 ('NPA 2017'), which were subject to consultation and debate before being enacted, should any provisions relating to notices/counter notices which do not reflect the NPA 2017 proposed regime (not yet in force) be modified to more closely reflect the incoming statutory regime where possible? As examples: • The notice period that will be required under the NPA 2017 Act is 3 months, substantially longer than the 14 day required under article 30 (3). Other than prior precedent, what is the justification for only requiring 14 days notice in this case?	Whilst the Applicant notes the point made by the Examining Authority in relation to temporary possession powers, given that the provisions in the Neighbourhood Act 2017 are not yet in force and refer to a different regime, the Applicant is required to operate under a regime that exists at present for nationally significant infrastructure projects and has been accepted by the Secretary of State in many previous precedents. In addition to this, Section 112 in the Planning and Infrastructure Act 2025 introduces further amendments to Section 18 of the Neighbourhood Act 2017 ("Power to take temporary possession of land") setting out that the power for acquiring authorities to take temporary possession of land by agreement or compulsorily under the Neighbourhood Act 2017 does not apply where there are "*provision in a development consent order made under the Planning*

ExQ1 Ref.	Question:	Applicant's Response
	• Under the NPA 2017, the notice would also have to state the period for which the acquiring authority is to take possession. Should such a requirement be included in this case? • Powers of temporary possession are sometimes said to be justified because they are in the interests of landowners, whose land would not then need to be acquired permanently. The NPA 2017 Act provisions include the ability to serve a counter-notice objecting to the proposed temporary possession so that the landowner would have the option to choose whether temporary possession or permanent acquisition was desirable. Should this article make some such provision – whether or not in the form in the NPA 2017?	*Act 2008 or an infrastructure consent order under the Infrastructure (Wales) Act 2024 providing a power to take temporary possession of land*". This section will come into force at the same time as section 18 of the Neighbourhood Planning Act 2017. On that basis, it would not be appropriate to import that regime into the **draft DCO [REP1-005].** The drafting in Articles 30 and 31 are well precedented and the approach to temporary possession taken by the Applicant follows the majority of made DCOs. By virtue of Article 8(1)(g) of the draft DCO the Applicant seeks to disapply the provisions of the Neighbourhood Planning Act 2017 insofar as they relate to the temporary possession of land. The Applicant explains the rationale for this disapplication in paragraph 9.3.29 of the **Explanatory Memorandum [REP1-007].** This sets out that the temporary possession of land is dealt with by Articles 30 and 31 which are based on well precedented made DCOs. The explanation notes that the drafting of those provisions is well established and that, given that the Neighbourhood Act 2017 contains untested provisions that differ from those in the draft Order, they are not yet in force it is therefore necessary to disapply them. Articles 30 and 31 of the draft DCO also take precedent in The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009, in particular in relation to notice periods. The timeframes set out in the Model Provisions are those included in the draft DCO: 14 days before entering on and taking temporary possession of land in respect of temporary possession of land for carrying out the authorised development and 28 days for maintaining the authorised development. In relation to the ExA's comments on the period for during which temporary possession would be exercise, the maximum periods for

ExQ1 Ref.	Question:	Applicant's Response
		which the undertaker (Applicant) can take temporary possession are set out in the draft DCO providing the transparency and clarity in respect of how these powers will be exercised in the future: • Article 30(4), in respect of construction of the authorised development states that must not remain in possession of any land longer than reasonably necessary and in any event, at least not without agreement from the landowners, no longer than one year from the date of final commissioning and; • Article 31(4) provides a similar approach in respect of maintenance of the authorised development. The undertaker may only remain in possession of land no longer than reasonably necessary to carry out maintenance during the maintenance period which is defined as no longer than 5 years beginning with the date of final commissioning. Whilst the draft articles discussed above do not provide for counter-notice enabling the affected landowner to seek greater powers to be exercised over their land, the Applicant does not believe that a case justifying the need for permanent acquisition of rights would be proportional is the limited instances where temporary possession powers are sought. The provisions of the Neighbourhood Planning Act 2017 (insofar as it relates to the temporary possession land) will not apply to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development. For these reasons, the Applicant maintains that the provisions of the Neighbourhood Act 2017 are not appropriate in this context and the current draft DCO provides the necessary clarity in the exercise of temporary possession powers in a very well precedented manner.

ExQ1 Ref.	Question:	Applicant's Response
Q1.5.8	**Article 32 and 33 Statutory Undertakers and Apparatus** Where a representation is made by a statutory undertaker (or some other person) that engages section 127(1) of the Planning Act 2008 and has not been withdrawn, the Secretary of State will be unable to authorise compulsory acquisition powers relating to that statutory undertaker land unless satisfied of specified matters set out in section 127. If the representation is not withdrawn by the end of the examination, the ExA will need to reach a conclusion whether or not to recommend that the relevant statutory test has been met in accordance with s.127. The Secretary of State will be unable to authorise removal or repositioning of apparatus (or extinguishment of a right for it) unless satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates in accordance with section 138 of the Planning Act 2008. Justification will be needed to show that extinguishment or removal is necessary.	The Applicant notes the Examining Authorities' comments. Set out below is a summary of the Applicant's position in relation to sections 127 and 138 of the Planning Act 2008, as well as a summary of the ongoing negotiations with statutory undertakers in relation to protective provisions. *Section 127 of the Planning Act 2008* Where permanent acquisition of statutory undertakers' land is sought, section 127 provides: *(1) This section applies in relation to land ("statutory undertakers' land") if—* *a) the land has been acquired by statutory undertakers for the purposes of their undertaking;* *b) a representation has been made about an application for an order granting development consent before the completion of the examination of the application, and the representation has not been withdrawn; and* *c) as a result of the representation the Secretary of State is satisfied that* *i. the land is used for the purposes of carrying on the statutory undertakers' undertaking; or* *ii. an interest in land is held for those purposes;* *(2) An order granting development consent may include provision authorising the compulsory acquisition of statutory undertakers' land only to the extent that the Secretary of State is satisfied of the matters set out in subsection (3).* *(3) The matters are that the nature and situation of the land are such that—* *(a) it can be purchased and not replaced without serious detriment to the carrying on of the undertaking, or*

ExQ1 Ref.	Question:	Applicant's Response
		(b) if purchased it can be replaced by other land belonging to, or available for acquisition by, the undertakers without serious detriment to the carrying on of the undertaking. *(4) Subsections (2) and (3) do not apply in a case within subsection (5).* Where permanent acquisition of a right over statutory undertakers' land is sought, section 127 also provides: *(5) An order granting development consent may include provision authorising the compulsory acquisition of a right over statutory undertakers' land by the creation of a new right over land only to the extent that the Secretary of State is satisfied of the matters set out in subsection (6).* *(6) The matters are that the nature and situation of the land are such that—* *(a) the right can be purchased without serious detriment to the carrying on of the undertaking, or* *(b) any detriment to the carrying on of the undertaking, in consequence of the acquisition of the right, can be made good by the undertakers by the use of other land belonging to or available for acquisition by them.* If the representations have not been withdrawn and the Secretary of State is satisfied that the land or an interest in the land is used for the purposes of carrying on a statutory undertaking, then the DCO may include provisions authorising the compulsory acquisition of land or right over statutory undertakers' land only to the extent that the Secretary of State is satisfied that the requirements of section 127 have been met. For the purposes of section 127, the Applicant's position is that, whilst this is engaged, adequate protection for the benefit of the affected statutory undertakers is provided by the protective

ExQ1 Ref.	Question:	Applicant's Response
		provisions included in the **draft DCO [EN010141/DR/3.1/P05]**. The draft DCO includes generic protective provisions for all undertaker types, with electricity, gas, water and sewerage undertakers protected by Part 1 of Schedule 13 (protective provisions) and operators of electronic communications code networks protected by Part 2 of Schedule 13. However, the Applicant is currently negotiating bespoke protective provisions with a number of undertakers, that have requested them, including National Gas Transmission and National Grid Electricity Transmission. In respect of these protective provisions, the Applicant notes that paragraph 12 of the Government Guidance "Planning Act 2008: Content of a Development Consent Order required for Nationally Significant Infrastructure Projects" provides that- *"Most statutory undertakers have now developed their own preferred form of protective provisions which is very helpful to the preparation of the draft DCO. However, these must be adapted as necessary so they accurately reflect the proposed development. They should also not simply negate other provisions of the DCO, particularly concerning proposed compulsory acquisition of statutory undertakers' land."* As such, the Applicant is seeking to ensure that any bespoke protective provisions are proportionate and do not simply negate the other provisions of the draft DCO. The Applicant does not consider that the powers of compulsory acquisition included in the draft DCO would result in serious detriment to the undertaking of the statutory undertakers or their ability to carry out their undertaking. Additionally, the Applicant is not seeking to compulsorily acquire any freehold land owned by statutory undertakers. In each case where the Applicant is seeking

ExQ1 Ref.	Question:	Applicant's Response
		to compulsorily acquire an interest in a plot where a statutory undertaker also owns an interest, the Applicant is seeking only to acquire new rights and co-exist with that statutory undertaker's interest in the land. The Applicant notes that there is no statutory definition of "serious detriment". The test for "serious detriment" is wide and holistic and is more than a mere disadvantage. In the Examiner's Recommendation Report for the Lake Lothing (Lowestoft) Third Crossing Development Consent Order 2020, the inspector recognised at paragraph 8.5.138 "*that serious detriment is a matter of judgement on the scale of impact on the undertaking and that the decision maker should take a holistic approach*." It is clear from previous considerations of section 127 in other DCO decisions, that what constitutes 'serious detriment' is a high bar, and an adverse impact or detriment will not mean that serious detriment exists. It should also be noted that the procedure and test under section 127(2) and 127(5) only apply to compulsory acquisition of statutory undertakers' land and the compulsory acquisition of a right over statutory undertakers' land respectively, so any plots which are to be temporarily possessed do not need to meet the tests in sections 127(2) and (3) in respect of compulsory acquisition of statutory undertakers' land and sections 127(5) and (6) in respect of compulsory acquisition of a right over statutory undertakers' land. Accordingly, there is no need for the Secretary of State to be satisfied that there is no serious detriment in the case of temporary possession. *S.138 of the Planning Act 2008* Section 138 applies to land if: a) there subsists over the land a relevant right; or

ExQ1 Ref.	Question:	Applicant's Response
		b) there is on, under or over the land relevant apparatus. Section 138 also provides that a DCO may include provision for the extinguishment of the relevant right, or the removal of the relevant apparatus only if the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the DCO relates. Article 32 of the draft DCO includes the power for the Applicant to extinguish the rights of, remove or reposition the apparatus belonging to the statutory undertakers, and as such section 138 of the Planning Act 2008 is engaged. This article is subject to the protective provisions included in Schedule 13 of the draft DCO. The Applicant considers that the powers sought are necessary for the proposed development and consistent with Section 138 of the PA 2008. The Applicant is not intending to extinguish any rights or remove any apparatus belonging to any statutory undertakers. However, the Applicants reserve the right to do so through the draft DCO. The exercise of such powers will be carried out in accordance with the protective provisions included in Schedule 13 of the draft DCO to ensure that the statutory undertakers rights and apparatus are protected and there is therefore no detriment to their ability to carry out its undertaking. The Applicants therefore consider that the test set out in section 138 of the 2008 Act is satisfied. <u>Summary of current position with statutory undertakers</u> The draft DCO includes bespoke protective provisions for the benefit of the drainage authorities (Part 3 of Schedule 13) and National Gas Transmission plc (Part 5 of Schedule 13). These reflect the Applicant's preferred drafting and discussions with the

ExQ1 Ref.	Question:	Applicant's Response
		relevant statutory undertakers to agree these protective provisions are ongoing. There are also protective provisions in favour of electricity, gas, water, sewerage and telecommunications undertakers included in Part 1 and Part 2 of Schedule 13 of the Draft DCO. The Applicant is also in active discussions with other statutory undertakers including Anglian Water Services Ltd and National Grid Electricity Transmission plc regarding bespoke protective provisions to be included in the draft DCO. The Applicant considers that these protective provisions are adequate and proportionate to protect the statutory undertakers given the nature of the interactions and the extent to which land, rights or apparatus of the statutory undertakers will be affected by the project. The inclusion of these protective provisions, which include works approvals mechanisms, will ensure that there will be no serious detriment to the undertaking of any of the statutory undertakers. The following statutory undertakers have a land interest within the Order Limits, have submitted a relevant representation (which has not been withdrawn) and have requested bespoke protective provisions to be in included in the DCO: (a) National Gas Transmission plc (b) National Grid Electricity Transmission plc (c) Anglian Water Services Ltd (d) RWE Generation UK plc The following statutory undertakers have a land interest within the Order Limits, have submitted a relevant representation (which has not been withdrawn) but have not requested bespoke protective provisions:

ExQ1 Ref.	Question:	Applicant's Response
		(e) Eastern Power Networks plc The following statutory undertakers have a land interest within the order limits but have not submitted a relevant representation. The Applicant has included standard protective provisions at Schedule 13, Part 1 and 2 of the Draft DCO for the benefit of electricity, gas, water, sewerage and telecommunications undertakers which provide adequate protection for their statutory undertakings: (f) Vodafone Limited There are a small number of plots required which are the subject of powers of compulsory acquisition, in which Statutory Undertakers hold an interest for existing apparatus. These plots are detailed in the **Land and Rights negotiations Tracker [REP2-004]**. The Applicant has been working with various statutory undertakers whose interests are affected, to seek to agree protection for their interests. The current status of negotiations with these statutory undertakers' is also detailed in the **Land and Rights negotiations Tracker [REP2-004].**
Q1.5.9	**Article 34 (4) Temporary Use of Land for Carrying out the Authorised Development** Suggest amendment to: The undertaker may not, without the agreement of the owners of the land, remain in possession under this article after the end of the period of one year beginning with the date of completion of the part of the authorised development which temporary possession of the land was taken unless the undertaker has, by the end of that period, served a notice of entry under section 11 (powers of entry) of the	The Applicant has replaced Article 30(4) of the **draft DCO [as updated alongside this submission]** with this suggested wording. Please note that the Applicant has however added the word 'for' between the words 'authorised development' and 'which' for grammatical sense.

ExQ1 Ref.	Question:	Applicant's Response
	1965 Act or made a declaration under section 4 (execution of declaration) of the 1981 Act in relation to that land. This would be in line with recent DCO's issued by the Secretary of State such as Stone Street Solar (EN010135).	
Q1.5.10	**Article 41(5) and Hedgerow plans** Hedgerow plans show the proposed removal of several hedgerows which border a publicly maintainable highway. Per Part 7, Article 41(5) of DCO, has prior consent of the relevant Highway Authority been obtained?	Article 41(5) requires that the Applicant obtains consent from the relevant highway authority in respect of hedgerows within the extent of the publicly maintainable highway prior to the fell, lop or removal of these hedgerows. The Applicant will ensure that the provisions of Article 41(5) are met at that point.
Q1.5.11	**Article 44 Unreasonably withholding consent** Article 44 Requirements, appeal etc refers to not unreasonably withhold consent. This will require consequential amendments to other provisions in line with the Secretary of States decision on Stone Street Solar (EN01010135).	The Applicant agrees that the provisions of Article 44 will apply to the draft DCO holistically and avoids the need for individual Articles to express a need for consent not to be unreasonably withheld or delayed (where relevant). As such the Applicant has updated the relevant Articles of the **draft DCO [as updated alongside this submission]** to remove the reference to the express requirement for consent to not be unreasonably withheld or delayed.
Q1.5.12	**Article 47 Crown Rights** Consent under section 135 (1) and (2) also will need be obtained from the Crown authority.	The Applicant is aware that, whilst the provisions of Article 47 of the **draft DCO [REP1-005]** reflect the terms of section 135 (1) and (2) of the Planning Act 2008, a separate consent must be obtained from the relevant Crown authority. After regular engagement with the Secretary of State for Transport, the Applicant received a confirmation that there is no need for Crown consent in respect of the plots identified as Crown plots in the **Land and Crown Plan [PDA-004]** due to the Secretary of State for transport no longer having an interest over these plots. The reference to the Secretary of State on the title relates to the covenants, rights etc that were given/obtained by the Secretary of

ExQ1 Ref.	Question:	Applicant's Response
		State when it acquired an interest by conveyance in 1973. However, as the title shows, the property was transferred to National Highways in 2015 (this was pursuant to the Infrastructure Act 2015 when the responsibility for the strategic highways network passed from the SoS to National Highways). At that point, all property rights, interests and obligations of the Secretary of State in the land passed to National Highways, and therefore from that point onwards it is they who would have been bound by the covenants and had the benefit of any rights, not the Secretary of State. The Applicant has updated all relevant documents at Deadline 3 to reflect the current position.
Landscape and visual impact assessment		
Q1.6.1	**LVIA Methodology** Provide evidence of the effort made to agree the study area for LVIA with relevant consultees, as advised in Table 5.3 of the ES Chapter 5: Landscape and Visual [APP-041].	None of the local planning authorities had a landscape consultee and as such it was not possible to agree the study area during the pre-application phase. The Host Authorities have subsequently appointed AECOM to act on their behalf on landscape matters, but their appointment has followed the Applicant's DCO submission. The Applicant is not aware from the Host Authorities' submissions that there is any disagreement on the study area used for the LVIA.
Q1.6.2	**Planning Statement [APP-031]** Paragraph 7.4.39 states that following the establishment of planting adjacent to PRoW, that long term significant visual effects would remain. Can the applicant elaborate as to whether the options for reducing these effects have been exhausted?	The Applicant acknowledges that the LVIA identifies some residual significant visual effects for users of Public Rights of Way (PRoW) in close proximity to parts of the Scheme following the establishment of mitigation planting. This principally reflects the proximity of certain sections of the PRoW network to the proposed solar array areas, particularly where routes pass directly adjacent to field boundaries containing solar infrastructure. However, these effects are limited to localised sections of the network in close proximity to the Scheme,

ExQ1 Ref.	Question:	Applicant's Response
		rather than being widespread across the wider PRoW network within the study area. Throughout the iterative design process, the Applicant has sought to avoid and reduce visual effects wherever reasonably practicable. As set out within **ES Vol 1 Chapter 3 [APP-039]**, this has included: • Setting development back from settlements, residential receptors and PRoWs; • Realigning and consolidating development parcels to reduce perceived extent and simplify field boundaries; • Introducing additional stand-offs and landscape buffers in response to consultation feedback, including additional setbacks adjacent to PRoWs and bridleways in several locations; • Removing development from more sensitive areas, including around Little Staughton, Lodge Farm, Garden Farm and a Scheduled Monument in Site C; • Retaining the vast majority of existing vegetation, with no tree removal expected to be required as part of the construction operations and only a small extent of hedgerow loss; • Introducing substantial additional mitigation planting, including over 17km of native hedgerow and woodland belt planting; and • Designing the landscape proposals to respond to existing field patterns and landscape structure. The Applicant therefore considers that substantial opportunities to avoid and reduce visual effects have been incorporated into the Scheme through the iterative evolution of the layout and mitigation strategy. Whilst additional planting or wider buffers could theoretically further reduce some views from certain PRoWs, this would also have the potential to introduce other adverse effects, including a greater degree of enclosure along routes, interruption of

ExQ1 Ref.	Question:	Applicant's Response
		existing open views, and erosion of the character of the landscape, which is partly defined by its open and semi-open qualities. The proposed mitigation strategy therefore seeks to achieve an appropriate balance between reducing visual effects and retaining the wider legibility and character of the landscape. In this regard, the LVIA identifies that effects on the wider PRoW network, including the longer distance recreational routes within the study area, would generally be limited, with views frequently filtered by existing vegetation, experienced in motion, and varying across the route network depending on orientation and proximity to the Scheme. This includes the Ouse Valley Way and Three Shires Way long-distance routes, where the LVIA identifies that effects would typically be intermittent, filtered or experienced across relatively limited sections of the routes. The approach taken by the Applicant was recognised by both Bedford Borough Council and Huntingdonshire District Council's in their relevant representations, which state that *"The landscape proposals are tailored to the location and required functions of each part of the Scheme, noting that these change across the DCO site. The design is well considered and retains the legibility and character of the landscape and reduces the visual effects, where possible, especially for visual receptors, at the edges of settlements, and along routes connecting settlements."* [emphasis added] The Applicant therefore considers that the significant visual effects identified for PRoW users are appropriately limited within the context of the scale of the PRoW network across the study area and reflect a balanced landscape-led approach to the Scheme design which seeks to reduce visual effects whilst avoiding excessive enclosure or loss of landscape openness.

ExQ1 Ref.	Question:	Applicant's Response
Q1.6.3	**Chapter 5 Landscape and Visual [APP-041]** Paragraph 5.2.2 indicates that there is no legislation specific to the assessment of landscape and visual effects. Can the applicant comment on the relevance of Section 245 of the Levelling Up and Regeneration Act 2023.	The Applicant notes that Section 245 of the Levelling Up and Regeneration Act 2023 introduced amendments relating to Protected Landscapes, including National Parks, National Landscapes (formerly AONBs) and the Broads, strengthening the relevant duties on public bodies from a requirement to *"have regard"* to a requirement to *"seek to further"* the statutory purposes of those designated landscapes. The Scheme is not located within, nor does it affect the setting of, any National Park, National Landscape or Broads designated under the relevant legislation. As identified within the LVIA, effects on designated landscapes were scoped out following consultation and agreement with the Planning Inspectorate and Natural England. The Applicant therefore considers that Section 245 of the Levelling Up and Regeneration Act 2023 is not material to the assessment conclusions presented within the LVIA.
Q1.6.4	**Chapter 5 Landscape and Visual [APP-041]** 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 jointly by the local authorities?	The Applicant notes this question is directed at the Local Authorities, but can confirm that the Host Authorities have now appointed AECOM to comment on the Applicant's LVIA, this is confirmed in the Council's RRs [**RR-111, RR-150, RR-494]** and also in their LIRs **[REP1-071, REP1-075, REP1-078]** which are in part based upon the input from AECOM on Landscape and Visual Impact, together with other environmental topics.
Need		
Q1.7.1	**Planning Statement [APP-031]** Given the estimated timeline of the proposed development from application and decision stage, how long will it take to commission	The Applicant will commence contractor procurement processes after the Examination is complete so that suitable teams will be ready to commence work following a decision. The Applicant has established relationships with a network of suitable contractors and

<table>
<tr><th>ExQ1 Ref.</th><th>Question:</th><th>Applicant's Response</th></tr>
<tr><td></td><td>contractors to commence works to ensure that targets are delivered by 2030?</td><td>will leverage these to ensure that construction is appropriately resourced to enable 2030 delivery targets.</td></tr>
<tr><td>Q1.7.2</td><td>Planning Statement [APP-031]

Paragraph 2.6.10 suggests that the proposed development could theoretically supply almost half all electricity that BCC and HDC collectively consume but source from non-renewable generation. Could the applicant provide some calculations and further evidence to support the claim made?</td><td>Government statistics on the annual energy consumption for each region and local authority area are provided by the Department for Energy Security and Net Zero (DESNZ), as are the latest Statistics on the amount of renewable electricity generated within each local authority area. Links to these documents are provided as Reference 35 and 36 to the Applicant's Planning Statement [APP-031].

The table below shows the statistics on total electricity demand and total renewable generation for the Bedford and Huntingdonshire authority areas (the two local authority areas the Scheme would be located in). It also shows the shortfall between demand and generation.

<table>
<tr><th>Area</th><th>Total electricity demand</th><th>Local renewable generation</th><th>Non Renewable generation shortfall vs demand</th></tr>
<tr><td>Bedford Borough</td><td>673.5 GWh</td><td>95.0 GWh</td><td>578.5 GWh</td></tr>
<tr><td>Huntingdonshire District</td><td>728.8 GWh</td><td>334.6 GWh</td><td>394.2 GWh</td></tr>
<tr><td>Combined total</td><td>1,402.3 GWh</td><td>429.6 GWh</td><td>972.7 GWh</td></tr>
</table>

Based on the above, if the aspiration was to meet all electrical demand with renewable sources of energy, based upon the DESNZ</td></tr>
</table>

ExQ1 Ref.	Question:	Applicant's Response
		statistics, the combined 'shortfall' in Bedford and Huntingdonshire is **972.7 GWh**. It was necessary for the Applicant to confirm the level of energy that the Scheme would be expected to generate as part of the **ES Appendix 15-1: Greenhouse Gas Emissions Assessment [REP2-021]** and it was confirmed in Table 12 of that document that the Scheme is expected to generate **433.2 GWh** of electricity in its first year. **433.2 GWh = 44.5% of the 972.7 GWh** of combined renewable electricity shortfall across Bedford Borough and Huntingdonshire District.
Q1.7.3	**Planning Statement [APP-031]** Paragraph 3.3.3 states that there are no extant planning permissions affected by the Scheme. Appendix A provides details of a planning permission granted for Site A (Ref: 23/02048/M73) for a solar farm development. Could the applicant elaborate further on the details of this permission and how the proposed scheme differs from that previously approved by BBC.	Planning permission was granted for the site to be developed as a solar farm (including the erection of photovoltaic panels, inverters and a substation with access and associated infrastructure) by BBC's Planning Committee in November 2014 (reference 14/00986/MAF). A non-material amendment to the layout, interior design and an alternative security facility of the approved scheme, was subsequently permitted in April 2016 (15/03010/NMA). The permitted scheme was implemented in full and provides power to the grid. Application (Ref: 23/02048/M73) was only seeking a variation of conditions 7 and condition no. 2 of the 2014 consent, as amended by 15/03010/NMA. The proposed variation of condition 7 was to extend the period the solar farm is permitted to operate from a 25-year period until the 25th November 2039 to a 40-year period expiring on 25th November 2054. The proposed variation of condition 2 was to allow for a new landscape scheme to be implemented in accordance with the submitted plan. The original landscape scheme is understood to have been poorly planted and maintained, necessitating the need for new landscaping. The

ExQ1 Ref.	Question:	Applicant's Response
		proposed variations were granted conditional planning consent on the 23rd Jan 2025. It is not known whether the new landscape scheme has been installed. Neither of the proposed variations would result in an extension to the footprint of the current solar scheme, or an intensification of solar panels and other associated development. However, they will prolong the length of time the existing development will be in place, albeit with a new landscape scheme.
Q1.7.4	**Planning Statement [APP-031]** Paragraph 3.4.3 states 'As a starting assumption a 400 MW solar farm could be expected to require between 800 to 1,600 acres of land to deliver, which approximately equates to between 325 and 650 hectares. 'The narrative does not go on to justify why the size of the proposed development is 773 hectares. Could the applicant expand upon this?	As set out in Paragraph 5.6.4 of the **Design Approach Document [APP-034]**, the extent of land for the solar energy generating station (Work No. 1) on the **Works Plan [APP-009]** covers approximately 446 hectares, which is equivalent to 1,102 acres. With reference to paragraph 2.10.17 of NPS EN-3, a typical solar farm requires between 2 to 4 acres for each MW of output; for the Scheme's 400MW output, the Scheme would be utilising approximately 2.75 acres per MW, which is consistent with the land requirement set out in NPS EN-3. The additional land within the Order limits which is not being used for the installation of solar panels or the associated BESS, would be used for a variety of complementary purposes / mitigation measures including: • Retention and protection of the scheduled monument; • Grasslands; • Woodlands; • Public highway; and • Grid connection (which would be restored following construction).

ExQ1 Ref.	Question:	Applicant's Response
		In this context it is noteworthy that the latest iteration of NPS EN-3 (which the Scheme is not being determined against) has increased the land estimate from its predecessor, setting the land requirement to between 1.6 and 2.25 hectares (4 - 5.6 acres) for each MW of electrical output. At the upper end of the scale there would be an allowance for circa 900 hectares of land for the generation of 400MW. At 773 hectares the Scheme would sit at broadly the mid-point of the expected land take for a solar DCO scheme with this level of electrical output.
Noise and vibration		
Q1.8.1	**ES Chapter 10: Noise and Vibration [APP-046]** In Table 10.6, response to consultee Planning Inspectorate ID 3.6.1 refers to Appendix 10-3 Construction Plant Data which includes a section on sample test data from vibration measurements from HGVs and other vehicles on local roads and access roads in the UK. It is stated that results show no significant vibration levels are likely and no exceedance of nuisance thresholds or cosmetic damage criteria and therefore no significance effect. Please explain how the referenced table suggests that and why national sample test data would accurately reflect this specific scheme.	The sample test data provides indicative evidence that the movement of HGVs on local road networks does not produce any significant vibration levels and is only just perceptible at distances of 2m to 3m typically from the kerbside. Even with HGVs travelling over `pot-holes', loose manhole covers or `speed humps' the level of vibration, although sometimes perceivable, is still low and experience has shown that (according to BS6472) there is still likely to be a `low probability of adverse comment'. Any impacts associated with surface defects can be considered to be temporary and transient and should be remedied by the Highways Authority. The national sample is reflective of typical `B' road or site access roads which reflect the type of roads local to the Scheme. To put this into perspective, the highest level of vibration measured under road defect conditions (at 5m or closer) was shown to be 1mm/sec, which is still well within acceptable standards for nuisance and cosmetic damage (around 10mm/sec PPV from a transient source may result in some `cosmetic damage' for older plastered properties such as plaster cracks). The vibration from HGVs is therefore not significant.

ExQ1 Ref.	Question:	Applicant's Response
Q1.8.2	**Noise reflection** As part of their noise assessment, has the applicant taken noise reflection from the solar panels into consideration, including both noises generated by the proposed development itself and also existing noise sources which the panels could potentially amplify at certain receptors? Please provide further clarification.	The associated noise models do include a reflective component and have applied ISO9613-2 noise prediction modelling software. The noise model does not include solar panels as these act as an acoustic screen and this provides a reduction in noise at receptors where the panels are located on intervening ground between the plant and the receptor (i.e. predictions are conservative). Based on the acousticians extensive experience and from analysis of solar farms (with or without BESS facilities), results show that with the inclusion of solar panels within the noise model, predicted noise levels reduce at receptors typically by between 1dB(A) to 4dB(A). The level of reduction depends on the local topography and number of rows of panels on intervening ground. In terms of existing noise sources (not associated with the Scheme) they form part of the existing background sound levels as measured during the baseline study and are generally at distance (e.g. transport networks). These are less affected by the Scheme components. Any reflective noise would be offset by the screening benefit of the panels and is therefore not significant. Note that when using string inverters these are typically mounted behind the solar panels at a low level at the end of panel rows where acoustic screening is very high (and, therefore, the above stated typical reduction in noise would be much higher).
Q1.8.3	**ES Chapter 10 Noise and Vibration [APP-046]** Paragraph 10.8.28 states that under normal road conditions (i.e. maintained roads) there is no likely perceptible vibration at property facades. With regard to the specific roads surrounding this scheme which will incur HGV movement, has any assessment of their baseline condition been conducted to ensure they are considered 'normal'?	There is no requirement for the Applicant to undertake a baseline condition of roads as: a) the maintenance of local roads is the responsibility of the **Local Highway Authority**. b) The state of local roads will vary with time and impact from weather conditions, vehicle movement, and when any repair work is undertaken. Any baseline undertaken at the planning application stage is likely to be un-representative

ExQ1 Ref.	Question:	Applicant's Response
		of any road condition compared with the period just prior to commencement of any construction works. c) Even with the appearance of `pot-holes' on the Local Highways the results of empirical data indicates that where a HGV does pass over a road defect (e.g. `pot-hole') the level of vibration at distances of circa 1m-2m from kerbside whilst potentially perceivable, is still low and experience has shown that even under these conditions, the likely level of vibration within close proximity would be not significant in terms of nuisance or cosmetic damage. Any negligible effect from temporary construction HGV movement over a road defect in respect of vibration at close range distances to residential properties could, in any case, occur now or in the future irrespective of the Scheme and this effect is therefore not significant.
Socio-economic effects		
Q1.9.1	**Equality Duty** Please provide a note on the proposed development's potential impacts for the Public Sector Equality Duty.	The Public Sector Equality Duty will apply to the Secretary of State in its determination of this application. The duty will extend to the Planning Inspectorate and the Examining Authority, and also apply to relevant local authorities in discharging any DCO requirements. In order to assist the Secretary of State in their consideration of the public sector equality duty under section 149 of the Equality Act 2010, the Applicant considered the potential impacts of the Scheme on persons of protected characteristics in Section 8 of the **Statement of Reasons [PDA-007].** No differentiated or disproportionate impacts to groups with protected characteristics under the Equality Act 2010 are predicted and the Scheme does not discriminate with consideration to protected characteristics including age, disability, gender

ExQ1 Ref.	Question:	Applicant's Response
		reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. All individuals would experience the identified benefits and impacts arising from the Scheme equally, regardless of the individual's characteristics. This includes the benefits that a new renewable energy generating station would provide, such as improved energy security and a reduction in greenhouse gas emissions. In accordance with the **outline Skills, Supply Chain and Employment Plan [EN010141/DR/7.11],** the Applicant is committed to improving diversity and inclusion in the workforce through inclusive training and hiring practices. The Applicant proposes collaborating with local stakeholders working to improve diversity. This could include collaborating with the host local authorities, to ensure disabled people are included in the hiring process and appropriate accommodations are made. There are traveller communities in the local area (on Kimbolton Road between Hail Weston and Great Staughton) and measures were put in place to consult with the traveller community during the non-statutory and statutory consultation phases. As the traveller site is located some distance from the Order Limits it has not been necessary to include it as a specific receptor in the ES. Accordingly, it can be concluded that no differentiated or disproportionate impacts to the traveller communities would arise from the Scheme.
Q1.9.2	**ES Chapter 14 Socio-Economics, Land Use, and Tourism [APP-050]** Paragraph 14.2.3 refers to the 2004 version of the NPS for Renewable Energy Infrastructure (EN-3), please update with the latest version of the NPS EN-3.	As there was no 2004 version of the NPS, it is assumed that this is a minor typographical error which should have referred to 2024 rather than 2004. **ES Vol 1 Chapter 14 [as updated alongside this submission]** has been updated with the correct date.

ExQ1 Ref.	Question:	Applicant's Response
Geology and soil		
Q1.10.1	**ALC Classification** Tables 13.10 and 13.11 of ES Chapter 13 Land and Soils APP-049] provide an analysis of the proportion of ALC of the site compared to individual local authorities. Please provide additional tables highlighting similar comparison to the region and nationally.	The Applicant has responded to this query within **Appendix D** of this document. In doing they have used the data provided within Defra's new Predictive Agricultural Land Classification Map for England which was published on the 18th March 2026.
Q1.10.2	**Natural England's Relevant Representation [AS-023] Agricultural Land Classification** In their RR dated the 14 January 2026, NE state that "survey intensity should be increased as necessary to accurately define BMV boundaries and to characterise the full range of soil types and limitations present. Can the applicant confirm that this will be agreed with NE through the Statement of Common Ground.	This matter is now agreed at Item 11 in Table 2 of the **Statement of Common Ground with Natural England [REP2-039].**
Traffic and Transport		
Q1.11.1	**Planning Statement [APP-031]** Paragraph 4.7.14 provides details of construction workers. How have average and peak totals been calculated?	The anticipated number of construction staff that would be required on Site per day during each month of the construction phase was estimated by the Site design team based on a conservative forecast of the number of staff that could be required to undertake each of the construction activities scheduled at each stage of the indicative construction programme. The resultant conservative forecast daily number of construction staff required during each month of the construction phase is set out in **ES Vol 2 Appendix 2-1 Construction Phasing and Resource Schedule [APP-054]**. This shows the number of construction staff peaking at 854 per day in month 12. The average daily number of staff is calculated as the total number of staff per day across the full

ExQ1 Ref.	Question:	Applicant's Response
		construction phase divided by 30 months, which equates to 496 staff per day, on average. The Applicant would note that the numbers stated in para 4.7.14 of the Planning Statement refer to one-way staff vehicle trips, not total staff numbers. These figures were calculated based on the previously assumed minimum staff car occupancy of 2.0 staff per vehicle. Following representations from National Highways, CCC and BBC, it is now proposed that a minimum staff car occupancy target of 1.4 staff per vehicle will be adopted. The resultant change to forecast staff vehicle movements has been reflected in the updated **ES Vol 1 Chapter 9 Traffic and Transport (as updated alongside this submission)**.
Q1.11.2	**Planning Statement [APP-031]** Paragraph 4.7.17 provides details of construction hours of work workers. It is noted that this references no construction work on Sundays or Bank Holidays. This should also reference Public Holidays.	The Applicant notes this comment and that the legal overarching requirement set by Requirement 17 (construction hours of work) of the **draft DCO [REP1-005]** already states: *17. Unless otherwise agreed with the local planning authority and subject to sub-paragraph (2), no construction works are to take place except between the hours of—* *(a) 08:00 to 18:00 Monday to Friday; and* *(b) 08:00 to 13:00 on Saturday,* *with no construction works to take place on public holidays or bank holidays.* [emphasis added] The Applicant has however updated the following documents accordingly to reflect this commitment: • Outline Construction Environmental Management Plan; • Outline Construction Traffic Management Plan;

ExQ1 Ref.	Question:	Applicant's Response
		• Outline Operational Environmental Management Plan; • Outline Decommissioning Environmental Management Plan; • Outline Public Rights of Way Management Plan; and • ES Vol 2 Appendix 2-3 Site Preparation Works. The Applicant has not updated the Planning Statement to reflect this commitment, as the Planning Statement is not a certified document under the draft DCO.
Q1.11.3	**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] 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? 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?	The wording of Section 4.5 of the **outline Construction Traffic Management Plan (oCTMP) [as updated alongside this submission]** has been updated to provide a firmer commitment to the implementation of measures aimed at reducing construction staff vehicle movements, notably the proposed car share scheme and external minibus shuttle service. The commitment to monitoring the effectiveness of the sustainable travel measures in relation to the primary car occupancy target is set out in Section 7.0 of the **outline Construction Workers Travel Plan (oCWTP)** included as **Appendix B of the oCTMP [as updated alongside this submission]**. Following representations from National Highways, BBC and CCC the minimum average car occupancy target has been revised from 2.0 to 1.4 staff per car within Appendix B of **oCTMP [as updated alongside this submission]**. The oCWTP forms part of the oCTMP. Requirement 8 of the **draft DCO [REP1-005]** secures the need to implement a final CTMP which should be substantially in accordance with the outline document. It is not considered that any additional requirement setting specific limits on the number of staff vehicle movements is required within the DCO.

ExQ1 Ref.	Question:	Applicant's Response
		The Applicant notes this final question is directed at the Local Authorities but would note that representations from BBC have provided further suggestions for additional commitments that should be considered for inclusion within the oCWTP. These have been incorporated within the latest version of the oCWTP included as Appendix B of **oCTMP [as updated alongside this submission]**.
Q1.11.4	**HGVs** Paragraph 7.11.17 of the Planning Statement [APP-031] discusses the reducing the impact of HGVs travelling to and from the site will be managed to minimise the number of HGVs arriving during the highway peak hours. How will this be enforced and what happens if drivers choose to ignore the measures put in place?	The proposed Delivery Management System which would be implemented at the Site is described in Section 6.1 of the oCTMP. This identifies that HGV deliveries will be allocated a delivery slot and an anticipated departure window, based on expected on-site turnaround times. Both the allocated arrival and departure times would be scheduled outside of the highway peak hours on the local highway network. Should drivers choose to ignore the allocated arrival time, this would count as a breach and would be handled in accordance with the measures set out in Section 9.3 of the **oCTMP [REP1-034]**.
Q1.11.5	NH in their RR [RR-904] request that the applicant provides additional explanation concerning the expected impact on the A1 Junction with the B645 during the peak hours to confirm if further assessment (modelling) is required. It is also noted that significant impact occurs just outside the peak hours which could see a shift in the peak hours. The level of impact would ordinarily warrant further analysis of junction performance due to the significant volume of trips presented. Can the applicant update on the progress of providing the additional information and analysis?	The **Technical Note on Impact on B645-A1 St Neots Junction [REP1-066]** was submitted at Deadline 1 and has been reviewed by National Highways. National Highways has provided the Applicant with some requests for clarification arising from this review, to which the Applicant has responded directly to National Highways. The Applicant expects to provide an update on the Statement of Common Ground with National Highways at Deadline 4.
Q1.11.6	NH in their RR [RR-904] also request that further detail concerning the monitoring regime for construction activities and related vehicular movements are provided in the OCEMP [APP-155],	The Applicant would note that paragraph 2.5.7 of the **oCEMP [REP1-034]** identifies that the proposed monitoring and enforcement measures relating to construction HGV movements are described within the oCTMP.

ExQ1 Ref.	Question:	Applicant's Response
	consistent with other consented DCOs. Can the applicant update on the progress of providing the additional information.	The **oCTMP [REP1-034]**, submitted at Deadline 1, was updated to include a commitment to investigating the feasibility of the most suitable type of technology (geofencing or ANPR) to implement for the purpose of monitoring vehicle movements. These investigations are ongoing.
Q1.11.7	**Outline Public Rights of Way Management Plan [REP1-042]** Paragraph 3.2.2 sets out examples of groups that are to form a community liaison group in relation to alterations to the PRoW network. Are there any local PRoW groups that should be included in this list?	The Applicant is not aware of any local community groups at this point, but is aware of submissions made by groups such as the British Horse Society, The Ramblers, and Bedford Borough Local Access Forum.
Water environment and flood risk		
Q1.12.1	**Flood Risk** Chapter 8 of the ES: Hydrology and Flood Risk [REP1-009] states flood risk has been assessed in accordance with legislation and policy but does not mention consideration of data sourced from the new National Flood Risk Assessment (NaFRA) published by the Environment Agency. Please confirm if this guidance is considered relevant in this Scheme. If not, please provide a justification as to why.	Table 8.10 of **ES Vol 1 Chapter 8 [REP1-009]** lists the Flood Map for Planning as a source of information for the assessment of flood risk, which includes the NaFRA datasets. This information is also reviewed within Sections 3.3 and 3.4 of **ES Vol 2 Appendix 8-1 Flood Risk Assessment [AS-018]**.
Q1.12.2	**Suspended Solids** Table 8.12 (Chapter 8 of the ES Hydrology and Flood Risk [REP1-009]) which contains the Construction Phase Impact Assessment shows the intended management of surface water runoff but provides little to no mitigation details for limiting the discharge of suspended solids. Please expand in that regard.	The first line item of Table 8.12 in **ES Vol 1 Chapter 8 [REP1-009]** addresses potential impacts relating to 'unforeseen transport of suspended sediment and siltation from earthworks and / or construction compounds'. The assessment references the treatment of runoff at source using SuDS features, details for which are given in Table 5.4 of the **oCEMP [REP2-028]** and in the **oSWMP [REP1-046].**

ExQ1 Ref.	Question:	Applicant's Response
Q1.12.3	**Flood Risk Assessment (FRA) [APP-098]** Paragraph 3.6.3 of the FRA refers to the available borehole records and the geology of the site, with bedrock permeability being poorly draining with a low permeability range. This is mentioned in the context of the risk of groundwater flooding being low across the site, does this geology contribute to any other source of flooding?	Low infiltration capacity of the bedrock may impact upon surface water runoff rates (i.e. surface water flooding). This characteristic will impact upon surface water flooding response within the Site (lower infiltration to ground, leading to higher runoff rates and volumes). The bespoke surface water modelling carried out for the Site and reported in the **Hydraulic Modelling Report [REP1-067]** parameterises local geology (infiltration potential) through the use of the 'BFIHOST' characteristic. This ensures that local bedrock and soil conditions contribute to the estimation of surface water flood risk within the modelling work.
Q1.12.4	**Outline Surface Water Management Plan [REP1-046]** Table 6 in paragraph 6.5.12 refers to 'cute' grass'. I assume this is cut grass? In relation to the arisings will they be left on site to contribute to any biodiversity improvements or will they be disposed of to ensure better drainage?	Yes, it's a typographical error and it should have stated 'cut grass'. The Applicant has updated the **oSWMP [as updated alongside this submission]** to correct this typo. In terms of the grass cutting regime, the pasture or neutral grassland (including grassland within the solar areas) would either be grazed to maintain length and/or it would be the subject of an annual cut in August. The cut grass would be left within these areas. For the species-diverse grassland areas including the roman town scheduled monument site the cutting would be carried out in February and August each year. The cuttings would be collected in these areas and either reused elsewhere, or taken off site to a suitably licenced / permitted compost facility. Consideration will be given to the grass being bailed for use in local agricultural or equestrian businesses.
Q1.12.5	**Sustainable Water Supply**	The Applicant responded to this point in their response to the Relevant Representations by the Host Authorities, Statutory

ExQ1 Ref.	Question:	Applicant's Response
	The Environment Agency in their Relevant Representation [RR-367] state that they are not confident that a suitable and sustainable water supply for the construction phase of the development has not been identified. Could the applicant provide an update on this and also how this may impact firefighting in the event of an outbreak of fire on site?	Environmental Bodies, and Other Interested Parties **[REP1-055]**. For ease of reference a copy of the Applicants response has been repeated in full below: "*The Applicant is proposing to tanker water to site from a commercial or licenced source during construction for uses such as dust suppression, earthworks, concrete mixing, wheel washing, etc. Rainwater harvesting will also be used where practicable.* *Separately, the Applicant is in the process of securing a piped connection to the public water network with Anglian Water for the more limited water requirements in the operational phase. This is intended to supply operational needs such as welfare within substation buildings and firefighting. It is not intended to supply construction water needs from Anglian Water and therefore the Applicant does not intend to complete a Water Resource Assessment at this time."* Within their response to examination Deadline 2 **[REP2-053]** the Environment Agency has confirmed the Applicant's response is satisfactory in resolving their concerns.
Q1.12.6	**Water Supply for Fire Fighting** 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.	The Applicant notes this question is directed at Cambridgeshire Fire and Rescue Service, but notes that this matter was agreed between the Applicant and CFRS as per Item 007 in Table 2 of the **Statement of Common Ground with Cambridgeshire Fire and Rescue Service [PDA-019]**.

APPENDIX A: RESPONSE TO Q1.1.4 – CAMBRIDGESHIRE AND BEDFORDSHIRE FRS FEEDBACK

Cambridgeshire Fire and Rescue Service
Hinchingbrooke Cottage
Brampton Road
Huntingdon
PE29 2NA
01480 444500

Bedfordshire Fire and Rescue Service
Southfields Rd.
Kempston
Bedford
MK42 7NR
01234 845000

The Applicant
BSSL Cambsbed 1 Limited
16 Stratford Place
London
W1C 1BF

Ref: East Park Energy DCO
PINs Ref. EN010141

Date: 15th October 2024

Cambridgeshire and Bedfordshire FRS Response to East Park Energy Consultation

Dear [redacted]

On behalf of Cambridgeshire and Bedfordshire Fire and Rescue Services, we formally provide our consultation response regarding the East Park Energy development.

This document relates to Battery Energy Storage Systems (BESS) which are deployed in open air environments with an energy capacity of 1 megawatt (MWh) or greater using lithium variant batteries. The principles contained within this document may also be relevant to other battery technologies, advice should however also be sought from a competent person.

This document identifies key areas regarding the prevention of fire in BESS installations and the actions and protective measures in the event of a fire occurring.

1. **Effective identification and management of hazards and risks specific to the siting, infrastructure, layout, and operations at the facility.**

1.1 Containers

The type of BESS container will make a difference to the Fire Service's ability to fight fires and ensure the protection of BESS site workers. The older design takes the form of shipping containers that staff enter to carry out their work. The newer style is a cabinet-based approach with doors on the outside of the unit to allow access to the battery trays and electrical components. This reduces the risk to employees and Fire staff who would

not need to enter the container to search for employees. This information should be submitted as early as possible to allow an initial appraisal to be made.

1.2 Spacing Between Cabinets

The National Fire Chief's Council (NFCC) does not support the vertical stacking of containers or units on top of each other on the basis of the level of risk from the vertical fire spread between the BESS, the fire loading and the difficulty in gaining access.

The emergency response plan should be predicated on the scenario of the fire will not spread beyond the BESS container of origin. Fire and rescue operations should be limited to boundary cooling of surrounding BESS and monitoring the BESS involved in the thermal event.

This outcome can be achieved through several different routes including:

- Adequate separation between the BESS enclosures to ensure that radiant heat from a thermal event in one BESS will not trigger a secondary event.
- Provision of fire-resistant materials that will prevent direct flame impingement or radiated heat affecting adjacent BESS and allowing the incident to develop beyond BESS of origin.

The provision of a suppression system to the BESS is unlikely to provide a compensatory feature to allow reduced spacing between BESS. If the developer cannot demonstrate that a thermal event / fire can be contained to the BESS of origin, then the developer should be referred to guidance such as the separation distances within NFPA 855 (current edition - 2023).

1.3 Batteries

It should be determined what style of batteries are to be used and that the appropriate testing has been carried out. Whilst there are different characteristics of lithium-ion batteries (e.g. NMC, LFP and other chemistry types) involved in a fire, the overall risks they present to firefighters are similar. Specifically, they may all involve toxic, flammable and / or explosive vapour clouds. They may also result in intense flaming combustion.

1.4 Detection

An effective and appropriate method of early detection of a fault within the batteries should be in place, with immediate disconnection of the affected battery / batteries remotely. This may be achieved through the provision of an effective battery

management system (BMS). Specific electrolyte vapour detection systems are available and may be helpful but should not be relied on in isolation as a precursor to a thermal event.

Detection systems should also be in place as part of the risk management process to alert the operator of an event at the site. Appropriate automatic detection such as smoke, gas or radiant heat detectors, as well as continuous combustible gas monitoring within units should be provided in all ESS. Gas detectors should alarm at the presence of flammable gas, shut down the ESS, and cause the switch over to full exhaust of the ventilation system. Sensor locations should be appropriate for the response times, and types of gas detected e.g. hydrogen, carbon monoxide and other volatile organic compounds. External audible and visual warning devices, as well as addressable identification at control and indicating equipment, should be linked to:

1. Battery management system (when a thermal runaway event is identified)
2. Detection and suppression system activation

This will enable first responders to understand what the warning is in relation to, aiding their decision-making and the formation of an incident plan.

1.5 Suppression

The primary role of a fire suppression system in a BESS is to prevent a fire in the ancillary electrical equipment spreading to the battery modules. It may have a limited effect to protect the BESS from an external fire spreading to it. All claims of performance of suppression systems need to be supported with appropriate evidence for that specific use case.

The suppression system, regardless of type, will have little effect on a thermal event within the battery cell. Any effectiveness they have will be in preventing cell to cell propagation, rather than fully extinguishing a fire in the cell.

Where the developer proposes that suppression systems are not required in the design, the FRS needs to be satisfied that alternative controls are in place to prevent a fire or other thermal event in the BESS of origin, from propagating to adjacent equipment.

1.6 Explosion Control

BESS containers should be fitted with explosion protection or deflagration venting appropriate to the hazard and battery technology deployed. Designs should be developed by competent persons, with design suitability able to be evidenced[6]. Exhaust systems designed to prevent deflagration should keep the environment below 25% of the lower explosive limit (LEL).

Flames and materials discharged because of any venting should be directed outside to a safe location and should not contribute to any further fire propagation beyond the unit involved or prevent further risk to persons. The likely path of any vented gasses or materials should be identified in emergency response plans to reduce the risk to responders.

Likewise, the position of any venting should take account of the likelihood of weather-related ingress of water, to minimise the risk of water damage during the ordinary functioning of the BESS.

2. Safe access for emergency responders in and around the facility, including to renewable energy and firefighting infrastructure.

2.1 Site Access

Suitable facilities for safely accessing and egressing the site should be provided. Designs should be developed in close liaison with the local FRS as specific requirements may apply due to variations in vehicles and equipment.
In achieving adequate access for the FRS, firefighters should not have to enter the BESS site and drive through a vapour / gas cloud to reach the scene of operation. It is therefore preferable to have an alternative access point taking account of the likely wind direction.

The principles contained within Approved Document B in support of B5 may assist in providing a proportionate and adequate provision of access and facilities for the FRS. It must, however, be acknowledged by all, the guidance referenced below is for 'common building situations' which BESS are clearly not, therefore it is cited only as potential broad principles.

Table 15.2 from Approved Document B – Typical FRS vehicle access route specification

Table 15.2 Typical fire and rescue service vehicle access route specification

Appliance type	Minimum width of road between kerbs (m)	Minimum width of gateways (m)	Minimum turning circle between kerbs (m)	Minimum turning circle between walls (m)	Minimum clearance height (m)	Minimum carrying capacity (tonnes)
Pump	3.7	3.1	16.8	19.2	3.7	12.5
High reach	3.7	3.1	26.0	29.0	4.0	17.0

NOTES:

1. Fire appliances are not standardised. The building control body may, in consultation with the local fire and rescue service, use other dimensions.
2. The roadbase can be designed to 12.5 tonne capacity. Structures such as bridges should have the full 17-tonne capacity. The weight of high reach appliances is distributed over a number of axles, so infrequent use of a route designed to accommodate 12.5 tonnes should not cause damage.

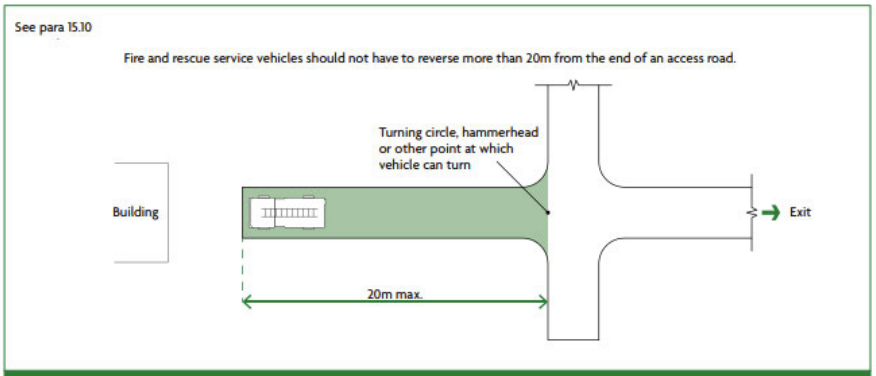

Diagram 15.3 Turning facilities

3. **Provision of adequate water supply and firefighting infrastructure to allow safe and effective emergency response. This could include the provision of water to allow for defensive firefighting to protect surrounding infrastructure.**

3.1 Water Supplies

Pumping fire appliances in the UK typically have a water storage capacity of approximately 1,800-2,000 litres of water which can be exhausted in under five minutes per appliance. Therefore, to supplement the supply of water, the site needs to be supplied with a water supply for FRS to utilise in the event of an emergency.

There must be enough water available for firefighting to take place and to manage a reasonable worst-case scenario. Depending on the site this could be water in storage tanks, lagoons on site, access to hydrants or mains water supply.

The amount of water required will vary and will be dependent on a number of factors including:

- The size of the incident to be dealt with e.g. 1 x BESS unit
- The principles of the emergency response plan and the expectation of the role of the FRS (firefighting strategy).
- Access and facilities for firefighters on site
- BESS location and proximity to infrastructure or areas of population.
- The requirement to supplement any on site firefighting facility such as a dry pipe sprinkler / deluge system.

3.2 Hydrants

Fire hydrants and connections to any dry pipe systems that are required to be installed on the BESS site should installed in accordance with BS 9990 Non-automatic firefighting systems in buildings code of practice (Current Edition) and should be identified in accordance with BS 3251 Indicator Plates for Fire Hydrants (Current Edition).

Fire Hydrants provided should achieve a flow rate of no less than 25 litres / second at any hydrant on the site[14]. This figure is based on guidance produced by Water UK and the Local Government Association. The flow rate for transportation has been selected as the comparative value for flow rates, rather than that of a domestic housing development or an industrial setting.

3.3 Static Water Supplies

Where a hydrant flow of 25 litres / second cannot be achieved, it would be prudent to provide an equivalent static supply of water on site that will provide for the same flow rate for a duration of 120 minutes. This equates to approximately 180,000 litres of water. Consideration should be given, within the site design, to the management of water run-off (e.g. drainage systems, interceptors, bunded lagoons).

Water supplies for any onsite suppression system will require to be sized independently for the design fire size of the BESS by a competent fire engineer.

Any static water storage tanks designed to be used for firefighting must be located at least 10 metres away from any BESS container / cabinet to allow for safe access and usage. They must be clearly marked with appropriate signage. They must be easily accessible to FRS vehicles and their siting should be considered as part of a risk assessed approach that considers potential fire development / impacts. Outlets and connections should be agreed with the local FRS. Any outlets and hard suction points should be protected from mechanical damage (e.g. through use of bollards).

4. Vegetation sited and managed to avoid increased bushfire and grassfire risk.

4.1 Vegetation Risk

In addition to the risk of an incident occurring within the BESS, the site needs to be maintained to prevent a fire spreading to the BESS or indeed fire loading, by providing a ‘bridge’ or path between BESS units to transmit flaming or radiant heat.

It is important that no combustible material is adjacent to BESS units and that clear access is maintained. Areas within 10 metres of BESS units should be kept clear of combustible vegetation and all other vegetation within the curtilage of the site should be kept in a condition such that it does not increase the risk of a fire on the site.

Areas with wildfire risk or vegetation that would result in a significant size fire should be factored into the assessment. Additional separation distances should be factored in to prevent a fire spreading to the BESS or increasing the ambient temperature within the BESS above the tolerances of the safe working temperature.

5. Provision of accurate and current information for emergency responders during emergencies.

5.1 Provision of Risk Information

To ensure the provision of risk information to the FRS, the site operator should develop and share an emergency response plan with the local FRS point of contact. There will be variance in the layout and design of each operator's emergency response plan, but it should contain the following broad subject areas:

- How the FRS will be alerted.
- A facility description, including infrastructure details, operations, number of personnel and operating hours.
- A site plan depicting key infrastructure: site access points and internal roads, firefighting facilities (water tanks, pumps, booster systems, fire hydrants, fire hose reels etc), drainage, and neighbouring properties.
- Details of the emergency response co-ordinator including the subject matter expert for the site.
- Safe access to and within the facility for emergency vehicles and responders, including to key site infrastructure and fire protection systems.
- Details and explanation of warning systems and alarms on site and locations of alarm annunciators with alarm details (smoke, gas, temperature).
- Hazards and potential risks at the facility and details of their proposed management.
- The role of the FRS at incidents involving a fire, thermal event or fire spreading to the site.
- Emergency shutoff or isolator locations.

5.2 Environmental Impact Plans

Suitable environmental protection measures should be provided. This should include systems for containing and managing water runoff. System capability / capacity should be based on anticipated water application rates, including the impact of water based fixed suppression systems.

Sites located in flood zones should have details of flood protection or mitigation measures.

6. Effective emergency planning and management, specific to the site, infrastructure and operations.

6.1 Emergency Planning

There must be plans to show all sensitive receptors within a 1km radius of the site that could be affected by a fire. Examples of sensitive receptors may include:

- Schools, hospitals, nursing and care homes, residential areas, workplaces.
- Protected habitats, watercourses, groundwater, boreholes, wells and springs supplying water for human consumption – further habitat information can be found on the Defra MAGiC map website.
- Roads, railways, bus stations, pylons (on or immediately adjacent to the site only), utilities, airports

Plans must have a compass rose showing north and the prevailing wind direction

7. Areas for Fire and Rescue Consideration.

7.1 Consultation with Local Fire and Rescue Services

It is important that early engagement is sought with local FRS's to ensure that fire safety of proposed BESS sites is considered at an early stage. Below is a table of areas that FRS's will seek clarification on with regards to the fire mitigation and action plans of the developer.

Areas for FRS Consideration	Clarification questions
Thermal event / Deflagration	• How will the proposed BESS perform in the event of a thermal event / deflagration and what proactive / reactive systems are proposed to mitigate this? • How will the thermal event be contained to the BESS of origin without the radiant heat to others? • How has the performance of the BESS in a thermal runaway event influenced site design?
Site plans	• What are the assumptions about active firefighting, within the emergency response plan and what measures are in place to reduce the scale of an incident? • Are the incident assumptions realistic? What is the role of the FRS at an incident? Are they realistic? What is the expectation of the FRS in terms of the fire strategy at a thermal event? • What is the provision for firefighting access to, around and within the site?
Water supply / Suppression systems	• What is the type, purpose and effect of any fire suppression system installed? • What is the purpose of the water supply provision on site? Boundary cooling / defensive firefighting or active suppression?

BESS design	• What is the size, quantity and capacity of each BESS unit? • Is the BESS design appropriate for the weather at the proposed location i.e. prevention of water ingress and impact of temperature range on cooling systems? • Does the applicant / developer have relevant competence and experience in the field of BESS design and deployment on the scale of the proposed development? • What are the arrangements for ongoing monitoring of the BESS and what is the response time for onsite technical assistance in the event of an incident?
Annunciation	• What remote annunciation panels are available for monitoring an event from the site? • What data is available from these remote annunciation panels?
Environmental receptors	• Please refer to Section15 of this guidance.

APPENDIX B: RESPONSE TO Q1.4.9

Table – Volume of heritage assets within the Order limits

Location of Asset Type within Order limits:	Scheduled Monument (Buried Archaeological Remains)	Buried Archaeological Remains (Non-designated Heritage Asset)	Findspots (Non-designated Heritage Asset)	Potential Buried Archaeological Remains	Total
Site A	0	28	0	17	**45**
Site B	0	58	1	20	**79**
Site B to Site C Cable Corridor	0	0	0	2	**2**
Site C	1	37	1	16	**55**
Site C to Site D Cable Corridor	0	0	0	4	**4**
Site D	0	21	0	5	**26**
Grid Connection Route	0	0	0	18	**18**
Total	**1**	144	**2**	82	**229**

Table – Volume of heritage assets beyond the Order limits that are considered within the assessment

Assets outside the Site. Distance from Order limits to Type of Asset	Grade I listed building	Grade II* listed building	Grade II listed building	Scheduled monument: Earthwork and Buried Archaeological Remains	Scheduled monument: Built Heritage	Conservation Area	Earthwork and Buried Archaeological Remains: Non-designated Heritage Asset	Building of Local Interest	Total
Within 250m	0	0	15	2	0	1	8	1	**27**
250 m to 500 m	3	2	24	1	1	1	3	0	**35**
500 m to 1 km	2	0	18	0	0	1	4	0	**25**
1 km to 1.5 km	0	1	9	2	0	1	0	0	**13**
1.5 km to 2 km	0	1	7	2	0	0	0	0	**10**
2 km to 2.5 km	2	0	4	2	0	1	0	0	**9**
2.5 km to 3 km	2	2	3	3	0	2	0	0	**12**
3 km+	3	5	1	0	0	0	0	0	**9**
Total	**12**	**11**	**81**	**12**	**1**	**7**	**15**	**1**	**140**

APPENDIX C: RESPONSE TO Q1.5.1 – LIST OF LEGISLATION DISAPPLIED OR AMENDED IN ARTICLE 8 OF THE DRAFT DCO

Article	Statutory provision to be disapplied	Purpose of provision	Person affected	Effect of disapplication	Relationship to s.120 of, and Schedule 5 to, the Planning Act 2008	Consent required under section 150 of the Planning Act 2008?
8(1)(a)	Section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991.	The primary purpose of section 23 of the Land Drainage Act 1991 is to require the written consent of the 'drainage board concerned' to be obtained before carrying out works affecting an ordinary watercourse. In this case, the drainage board concerned will be the lead local flood authority for the area. In summary, section 23 of the Land Drainage Act 1991 controls: the erection of any mill, dam, weir or other like obstruction to the flow of any ordinary watercourse, or the raising or otherwise alteration any such obstruction; the erection of a culvert in an ordinary watercourse; and the alteration of a culvert in a manner that would be likely to affect the flow of an ordinary watercourse.	Lead local flood authorities.	Section 23 of the Land Drainage Act 1991 will not apply to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development. As set out in the Explanatory Memorandum [EN010141/DR/3.2/P04], the Authorised Development involves the crossing of an ordinary watercourse, which would ordinarily require consent to be obtained from Bedford Borough Council and / or Cambridgeshire County Council as the two lead local flood authorities. To provide certainty that the Authorised Development can proceed, the draft Order disapplies the requirement for a separate statutory consent to be obtained in relation to these activities. The Applicant notes that protective provisions have been included at Part 3 of Schedule 13 to the draft DCO [EN010141/DR/3.1/P05] to avoid adverse effects and ensure that the consent of the lead local flood authorities is still obtained for such works.	It is considered that the provision would fall within the scope of section 120(5)(a) and/or (c) to the Planning Act 2008. Additionally, section 23 of the Land Drainage Act 1991 is a prescribed consent under the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015. Section 150(1) of the Planning Act 2008 provides that an order granting development consent may include provision the effect of which is to remove a requirement for a prescribed consent or authorisation to be granted, provided that the relevant body consents to the inclusion of the provision.	Yes The relevant consent is being sought in parallel with the negotiation of appropriate protective provisions for the drainage authorities, which will ensure that the disapplication will not prejudice the statutory objectives and responsibilities of the drainage authorities.
8(1)(b)	Section 32 (variation of awards) of the Land Drainage Act 1991.	Section 32 of the Land Drainage Act 1991 allows awards made under any public or local act, which contain any provisions affecting or relating to the drainage of land (including any provision affecting the powers or duties of any drainage body or other person with respect to the drainage of land) to be revoked, varied or amended by an order of the appropriate Minister made on an application by the Environment Agency (or direction of the Minister).	The party that principally affected by this disapplication is the Environment Agency. While an application under section 32 of the Land Drainage Act 1991 may be made by any person who is under any obligation imposed by the award, or by any internal drainage board, such an application may not be entertained unless a request to submit a scheme under this section has first been made to the Environment Agency, who has either refused to do so, failed to do	Section 32 of the Land Drainage Act 1991 will not apply to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development. As set out in the Explanatory Memorandum, this is necessary because section 32 of the Land Drainage Act 1991 would otherwise inappropriately allow the provisions of the Order relating to drainage to be revisited.	It is considered that the provision would fall within the scope of section 120(5)(a) and/or (c) to the Planning Act 2008.	No

			so within six months or has submitted a different scheme to the one requested.			
8(1)(c)	The provisions of any byelaws made under section 66 (powers to make byelaws) of the Land Drainage Act 1991.	Section 66 of the Land Drainage Act 1991 provides powers to internal drainage boards, local authorities and English county councils who are lead local flood authorities for the purposes specified in that section, and subject to the constraints set out in that section.	Local authorities. Lead local flood authorities. There is no internal drainage board for the area covered by the Order Limits.	Any byelaw made under section 66 of the Land Drainage Act 1991 will not apply to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development. As set out in the Explanatory Memorandum, this will ensure certainty that the authorised development can proceed without need for further consent. The Applicant notes that protective provisions have been included at Part 3 of Schedule 13 to the draft DCO for the benefit of the drainage authorities.	It is considered that the provision would fall within the scope of section 120(5)(a), (b) and/or (c) to the Planning Act 2008. Additionally, paragraph 32A of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may permit the 'making of byelaws by any person and their enforcement'.	No
8(1)(d)	The provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 (byelaw-making powers of the authority) to the Water Resources Act 1991.	Paragraphs 5, 6 and 6A of Schedule 25 to the Water Resources Act 1991 grant the 'appropriate agency' various powers to impose byelaws. In England, the appropriate agency is the Environment Agency.	Environment Agency.	Any byelaw made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 to the Water Resources Act 1991 will not apply to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development. As set out in the Explanatory Memorandum, this disapplication is sought to provide certainty and ensure that the authorised development is not delayed or inhibited from construction or operation as a result of byelaws given the need for the Authorised Development to cross various watercourses.	It is considered that the provision would fall within the scope of section 120(5)(a), (b) and/or (c) to the Planning Act 2008. Paragraphs 5 and 6 of Schedule 25 to the Water Resources Act 1991 are also prescribed consents under the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015. Additionally, paragraph 32A of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may permit the 'making of byelaws by any person and their enforcement'.	Yes (in respect of any consent under a byelaw made under paragraphs 5 and 6 of Schedule 25) to the Water Resources Act 1991. The relevant consent is being sought from the Environment Agency.
8(1)(e)	The legislation listed in Schedule 3 (legislation to be disapplied) in so far as the provisions still in force are incompatible with the powers contained within the DCO.	[The Applicant has conducted a review of any local legislation that might conflict with the powers and rights sought in the DCO. The Applicant has included a list of the historic local legislation that it seeks to disapply in Schedule 3, which relates to rivers, watercourses, railways, water supply infrastructure and highways within, and in the vicinity of, the Order Limits. This list has been prepared taking a precautionary approach, because in some cases it was difficult to	Various bodies.	The local legislation set out in Schedule 3 is to be disapplied in so far as the provisions still in force are incompatible with the powers contained within the DCO. This is necessary to provide the undertaker and relevant statutory bodies with certainty as to what is consented within the DCO and that such matters would not be subject to unnecessary further regulatory control.	It is considered that the provision would fall within the scope of section 120(5)(a), (b) and/or (c) to the Planning Act 2008. Additionally, paragraph 32A of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may permit the 'making of byelaws by any person and their enforcement'.	No

		conclusively determine whether or not the provisions of the legislation were relevant to the Order, given that the majority of the Acts considered did not append plans making it clear to which relevant rivers, watercourses, highways, railways or infrastructure they related.]				
8(1)(f)	The provisions of the Neighbourhood Planning Act 2017 in so far as they relate to the temporary possession of land.	The provisions of the Neighbourhood Planning Act 2017 are not yet in force insofar as they relate to temporary possession of land.	Not applicable as the relevant provisions are not yet in force.	The provides of the Neighbourhood Planning Act 2017 (insofar as it relates to the temporary possession land) will not apply to the construction of any work or the carrying out of any operation required for the purpose of, or in connection with, the construction, operation, maintenance or decommissioning of any part of the authorised development. This disapplication is provided on the basis that the temporary possession of land is dealt with by Articles 30 and 31 of the draft DCO, and the drafting of those provisions is well established. The Neighbourhood Planning Act 2017 Act contains untested provisions that differ from those in the draft Order and although they are not yet in force it is necessary to disapply them in case they should come into force in the future.	It is considered that the provision would fall within the scope of section 120(5)(a) and/or (c) to the Planning Act 2008. Additionally, paragraph 2 of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may permit the 'creation, suspension or extinguishment of, or interference with, interests in or rights over land (including rights of navigation over water), compulsorily or by agreement'.	No
8(2)	Regulation 6 of the Hedgerows Regulations 1997 is modified for the purposes of the DCO only to include a new paragraph 1(k).	Regulation 6 of the Hedgerows Regulations 1997 sets out the circumstances in which the removal of any hedgerow to which the Regulations apply is permitted.	Consent to remove a hedgerow is normally required from the local planning authority.	The modification of Regulation 6 of the Hedgerows Regulations 1997 has the effect of ensuring that the removal of any hedgerow to which the Regulations apply is permitted for carrying out development which has been authorised by the DCO. The Hedgerows Regulations allow a local planning authority to object to and prohibit interference with a hedgerow. The normal exception for development permitted by a planning permission does not apply to development authorised by a DCO and therefore this modification is necessary to extend the exception to development authorised by a DCO, which is necessary as the authorised development is anticipated to require the removal of a total of 84m of hedgerow, as described in **ES Chapter 2 [APP-038]**.	It is considered that the provision would fall within the scope of section 120(5)(a) and/or (c) to the Planning Act 2008. Additionally, paragraph 13 of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may permit the 'cutting down, uprooting, topping or lopping trees or shrubs or cutting back their roots.'	No
8(3)	Regulation 5 of The Management of Hedgerows (England) Regulations 2024 is modified for the purposes of the DCO only to include a new paragraph 5(f).	Regulation 5 of the Management of Hedgerows (England) Regulations 2024 sets out general maintenance requirements for important hedgerows.	The Secretary of State as the "Regulator".	The modification of Regulation 5 of the Management of Hedgerows (England) Regulations 2024 has the effect that the requirements of the Regulations do not apply to the carrying out of any development, or the exercise of any functions that are authorised by the draft DCO. As set out in the Explanatory Memorandum, this modification is considered necessary to give legislative clarity that there is no conflict between the exercise of any functions authorised by the draft DCO and the Regulations. Moreover, while there has been no formal assessment of whether the hedgerow to be removed form site is important hedgerow (within the meaning of the Hedgerows Regulations 1997) there is a prospect that some of it will be albeit the scheme would only involve a very small loss with no individual length being more than 6m . , However, the	It is considered that the provision would fall within the scope of section 120(5)(a) and/or (c) to the Planning Act 2008. Additionally, paragraph 13 of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may permit the 'cutting down, uprooting, topping or lopping trees or shrubs or cutting back their roots.'	No

				definition of important hedgerows within the Management of Hedgerows (England) Regulations 2024 is wider and includes any hedgerow growing on land used for agriculture with a continuous length of 20m or more, or that joins two hedgerows.		
8(4)	For the purposes of Regulation 6 (meaning of "development") of the Community Infrastructure Levy Regulations 2010, any building comprised in the authorised development is deemed to be (a) a building into which people do not normally go or (b) a building into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery.	Regulation 6 of the Community Infrastructure Levy Regulations 2010 sets out the meaning of 'development' for the purposes of section 208 of the Planning Act 2008 (liability).	Local planning authorities (as charging authority).	The modification of Regulation 6 of the Community Infrastructure Levy Regulations 2010 effectively disapplies the Community Infrastructure Levy Regulations 2010, by making clear that any building comprised in the authorised development is to be deemed to be of a type that does not trigger liability for payment of the Community Infrastructure Levy in line with paragraph 1 of Regulation 6 of the Regulations. The provision is not intended to substantially alter the Authorised Development's liability for the Community Infrastructure Levy but is intended to clarify that the authorised development will not incur liability under the regime.	It is considered that the provision would fall within the scope of section 120(5)(a) and/or (c) to the Planning Act 2008. Additionally, paragraph 35 of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may include provision for the 'payment of contributions'.	No
8(5)	For the purposes of section 9 (requirement of licence for felling) of the Forestry Act 1967, any felling comprised in the carrying out of any work or operation required for the purposes of, or in connection with, the construction of the authorised development is deemed to be immediately required for the purpose of carrying out development authorised by planning permission granted under the 1990 Act.	Section 9 sets out the circumstances in which a felling licence would be required, from the Forestry Commissioners, for the felling of growing trees.	Forestry Commissioners.	Section 9(4)(d) of the Forestry Act 1967 already disapplies the requirement from felling required to implement development authorised by a planning permission, but does not apply to development authorised by a DCO. Therefore, this modification extends the exception to any trees felled as a result of the authorised development, which is necessary given the extensive planting proposed as part of the authorised development, as described in ES Chapter 2.	It is considered that the provision would fall within the scope of section 120(5)(a) and/or (c) to the Planning Act 2008. Additionally, paragraph 13 of Schedule 5 to the Planning Act 2008 explicitly provides that a DCO may permit the 'cutting down, uprooting, topping or lopping trees or shrubs or cutting back their roots.'	No

APPENDIX D: RESPONSE TO Q1.10.1

Q1.10.1: ***Tables 13.10 and 13.11 of ES Chapter 13 Land and Soils APP-049] provide an analysis of the proportion of ALC of the site compared to individual local authorities. Please provide additional tables highlighting similar comparison to the region and nationally.***

The Applicant has responded to this question within the tables below. In so doing they have used the data provided within Defra's new Predictive Agricultural Land Classification Map for England[5] which was published on 18th March 2026 alongside the Government's new Land Use Framework[6].

The new agricultural land classification map replaces the 1960s provisional ALC map and, in doing so, it includes a series of changes, the most significant of which from a town planning perspective is that it now splits grade 3 agricultural land into grades 3a and 3b. The new dataset is derived from the latest (2025) ALC assessment methodology and is presented digitally, allowing more accurate extraction of information. Defra considers that it gives a modern, nationally consistent indication of agricultural land quality, using currently available soil and ALC data and assessment methods.

The Applicant used the previous 1960's mapping and data in the production of the agricultural land classification tables in **ES Vol 1 Chapter 13 [APP-049]**. As such, these have also been updated with the new data as part of this submission, along with the introduction of two new tables which directly respond to Q1.10.1 (see tables 13-12 and 13-13 below).

[5] https://environment.data.gov.uk/dataset/a817d96f-271d-487b-89ad-48d271f931aa
[6] https://www.gov.uk/government/publications/land-use-framework

Table 13.9: Predictive Agricultural Land Classification for Bedford Borough and Huntingdonshire District

ALC Grade	Description	Total Area (ha)	Percentage of Council Area (%)
Grade 1	Excellent	7,271.8	5.23
Grade 2	Very good quality	67,674.0	48.70
Grade 3a	Good quality	35,947.4	25.87
Grade3b	Good quality	9,882.5	7.11
Grade 3 (Combined)	Good quality	50.7	0.04
Grade 4	Poor quality	36.0	0.03
Non-agricultural	Non-agricultural land uses	6,478.8	4.66
Urban	Urban areas	11,613.8	8.36

Table 13.10: Comparative Proportion of Agricultural Land Classifications for the Site, Bedford Borough and Huntingdonshire District

ALC Grade	Percentage of Site (%)	Percentage of Council Area (%)	Difference (%)
Grade 1	0.0	5.23	- 5.23
Grade 2 *(and Ungraded)*	26.6	48.70	- 22.14
Grade 3a	45.2	25.87	+19.33
Grade3b	23.6	7.11	+16.49
Grade 3	0.0	0.04	+ 35.82
Grade 4	0.0	0.03	- 0.03

ALC Grade	Percentage of Site (%)	Percentage of Council Area (%)	Difference (%)
Non-agricultural	4.6	4.66	- 0.06
Urban	0.0	8.36	- 8.36

Table 13.11: Proportion of ALC in the Site compared to Bedford Borough and Huntingdonshire District

ALC Grade	Total Area in Site (ha)	Total Area in Council Areas (ha)	Percentage (%)
Grade 1	0	7,271.8	0.00
Grade 2 *(and Ungraded)*	205.6	67,674.0	0.30
Grade 3a	349.5	35,947.4	0.97
Grade3b	182.4	9,882.5	1.85
Grade 3 Combined	531.9	45829.9	1.16
Grade 4	0	50.7	0
Non-agricultural	35.4	6,478.8	0.55
Urban	0	11,613.8	0.00

Table 13.12: Proportion of ALC in the Site compared to the East of England Region

ALC Grade	Total Area in Site (ha)	Total Area Regionally (ha)	Percentage
Grade 1	0	113,713.2	0.000%
Grade 2 *(and Ungraded)*	205.6	648,439.1	0.032%
Grade 3a	349.5	608,849.9	0.057%

ALC Grade	Total Area in Site (ha)	Total Area Regionally (ha)	Percentage
Grade3b	182.4	193,021.7	0.094%
Grade 3	531.9	801,871.6	0.066%
Grade 4	0	8,624.4	0.000%
Non-agricultural	35.4	128,666.1	0.028%
Urban	0	196,154.2	0.000%

Table 13.13: Proportion of ALC in the Site compared to the Nation (England)

ALC Grade	Total Area in Site (ha)	Total Area Nationally (ha)	Percentage
Grade 1	0	453,064.7	0.0000%
Grade 2 *(and Ungraded)*	205.6	1,976,296.0	0.0104%
Grade 3a	349.5	2,888,406.8	0.0121%
Grade3b	182.4	3,159,416.8	0.0058%
Grade 3	531.9	6,047,823.6	0.0088%
Grade 4	0	995,581.0	0.0000%
Non-agricultural	35.4	1,096,901.1	0.0032%
Urban	0	1,491,411.8	0.0000%

The Applicant intends to provide an update to **ES Vol 1 Chapter 13 [APP-049]** at Deadline 4 to reflect the new Predictive Agricultural Land Classification Map for England.