

Would the ExA please consider these issues following the June 9th hearings on Public Rights of Way and the proposed BESS.

PUBLIC RIGHTS OF WAY.

The ExA has specifically asked Brockwell to address 3 points regarding the Public Rights of Way and I deal with those accordingly.

1. FIRST The Overall approach to the design in relation to Rights of Way (RoW). It is insufficient for Brockwell to maintain they have simply retained the RoWs. The experience of these has been reduced to a walk (or ride) between two security fences. This is a total transformation of the open countryside enjoyment of those RoWs. For many years this will also be a walk between two security fenced fields that have been 'industrialised' beyond any possible resemblance of what is today beautiful rolling countryside. There is no evidence Brockwell have seriously considered alternative designs or layouts that dispel this impression. They have simply duplicated the standardised approach common on other schemes. It is manifestly not sufficient for Brockwell to say 'it will all be sorted later once we have permission'. What is the purpose of this enquiry and examination if it is not to receive answers to basic fundamental questions?
2. SECOND Brockwell was asked to explain its overall approach to the landscape and the impact on views by users of the network. The dramatic effect on the landscape by users of RoWs OUTSIDE the solar array areas will be one of very significant change, the views from many positions will become similar to looking onto a vast industrialised landscape. Brockwell's proposals have significant effects, not just within their red edged area, but more significantly upon ALL neighbouring properties. Any appreciation of these impacts based upon site inspections or visualisations should be carried out or visualised from those external viewpoints. For users of the network within the proposed solar array areas the real question to be asked is... What views can possibly be expected by a 1.8m tall user of any footpath when they are sandwiched between two arrays of 3m high panels? There will be NO landscape views from these enclosed RoWs. I would urge the ExA to visit any local solar site currently being developed, such as Cobholden Farm and to walk the RoW crossing it to appreciate what a walk through experience would be. Once again Brockwell imply 'this will all be sorted later once we have permission'. So, once again...What is the purpose of this enquiry and examination if it is not to receive answers to such basic fundamental questions?
3. THIRD Current position between the Applicant, local authorities, etc. and progress in resolving concerns about the negative impact on the RoW network. Unfortunately Brockwell's response to this has again been not to just minimise our very real concerns but to repeat the refrain 'it will all be sorted later once we have permission'. This phrase needs to be amalgamated with Brockwell's previous and equally brazen attempt not to answer difficult questions. A variation of this approach

was seen in their response to the Deadline 2 Submissions where they pick and choose which points they answer, at 1.1.4 they say 'the applicant has only responded to a selection and has not responded to every submission'. So, once again...What is the purpose of this enquiry and examination if it is not to receive full answers to such basic fundamental questions?

On all 3 of these headings I would urge the ExA to insist Brockwell cannot brush the points aside but provide the examination with realistic, detailed answers.

PHYSICAL AND VIRTUAL (RIGHTS OF WAY) INSPECTIONS

I note the ExA carried out a site inspection just one day before the June 9th hearing. Unfortunately this did not allow time for a fully considered appraisal of the limited extents possible during that inspection. Brockwell's proposals span 6 villages. Each of those villages will have many users of their local networks and every part of those networks will provide significantly varied appreciations of the associated countryside. Obviously it would be unreasonable to expect every RoW was inspected and walked however it would be just as unreasonable to accept that as little as 1hr 45mins (much of which was spent in a car) was sufficient to gain any appreciation of local RoW users' experiences. I note Brockwell have submitted their proposals for their 'Virtual Site Inspection' and whilst some 50% of this is 'from external locations' the total proposals (both internal and external) cover an insignificantly small percentage of the visual perceptions likely to be experienced by users of the RoWs surrounding these 6 villages.

BESS

The ExA had specifically asked Brockwell to address a number of points regarding the BESS and in particular to explain the need for a BESS as part of the proposed development and its proposed design approach including its distribution across the proposed site.

4. This examination is for an NSIP, it is for a scheme currently described as a single integrated solar and BESS NSIP. The solar facility has a guaranteed Gate 2 connection. The BESS facility does not, it only has Gate 1 status. This immediately divides the project's deliverability into two parts. Brockwell have previously shown they need the BESS to ensure viability of the scheme, with that BESS being able to trade off-peak (frequently gas generated) electricity. Without the BESS there are doubts about the overall scheme's deliverability. At this stage the N.G.E.T are only able to progress the designs for the solar connection under the Gate 2 offer. They have confirmed the BESS element of the scheme does not even feature in their plans for the Eaton Socon Substation. This uncertainty regarding any possibility of a Gate 2 connection is highlighted in the April 2026 open letter issued by the Department for Energy Security and Net Zero (DESNZ) and Ofgem, which explicitly acknowledges that the

current grid connections queue contains a “battery surplus” – that is a substantial oversupply of battery storage projects – hence many schemes will not secure viable connections or proceed to delivery. The commercial ability of any BESS to trade electricity as a standalone operation accounts for much of this regional and national battery surplus. Brockwell’s BESS is effectively a standalone commercial venture, not an NSIP and should therefore require independent justification under EN-1.

Brockwell should be required to separate their application for the commercial BESS from the solar elements. It has clearly been assessed as a separate discrete piece of infrastructure by N.E.S.O in its Connections Reform. Brockwell’s initial proposals for the Solar and BESS indicated the financial realities of their scheme relied significantly upon the BESS being able to trade the off-peak (frequently gas-generated) surplus electricity. Without Gate 2 connectivity the BESS cannot deliver all its claimed benefits. Industry wide as well as government sources (NESO, DESNZ, Ofgem, National Grid, even Brockwell’s own evidence, etc.) all accept that Gate 1s do not automatically evolve into Gate 2s. Brockwell have not altered their application to reflect the reality of there being no Gate 2 offer, but continue to minimise the likely impact upon viability of only using a Gate 1 model for the BESS. Once again this is brushing aside legitimate concerns and real risks with the argument that everything will be sorted post planning. This is simply not an argument to make in a Planning Inspectorate enquiry where there are material discrepancies between the application and universally available evidence. What is the purpose of this Planning Inspectorate enquiry and examination if it is not to receive full answers to such basic fundamental questions?

5. Turning now to the BESS design approach and its **distribution** across the proposed site. Brockwell originally indicated the BESS component on site C but has now moved it to site D. Brockwell have stated this is the best position for the BESS, however it still occupies quality, productive BMV agricultural land and it clearly demonstrates moving the BESS from one location to another is achievable. Whilst this may also be a consideration under the Compulsory Acquisition matters there now appears to be no reason not to locate any BESS at the other end of the proposed connection cable route, immediately adjacent to the Eaton Socon Substation on lesser quality land already blighted by the A1M, the substation, pylon routes, overgrown scrubland, etc. Once again I would urge the ExA to require full and transparent answers from the applicant and not to accept bland assertions such arguments ‘might all be sorted later once we have permission’. What is the purpose of this Planning Inspectorate enquiry and examination if it is not to receive full and adequate answers to such fundamental questions?