
Deadline 4 Submission: Comprehensive Written Representation

Project Reference: East Park Energy – Brockwell

Submitted by: Simon C E Lane

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Executive Summary

This representation raises severe procedural, technical, and environmental concerns regarding the proposed Battery Energy Storage System (BESS). Key areas of deficiency include major discrepancies in emergency firewater planning, unmodelled topographical risks on a sloping site, an over-reliance on evolving "post-consent" design choices, and an apparent pattern of commercial cost-cutting. Furthermore, the applicant has failed to provide substantive answers to direct questions raised at the Specific Hearing on BESS during the Wyboston hearing, relying instead on unverified project benefits.

The Examining Authority is urged to compel the applicant to resolve these critical issues prior to granting a DCO, as current proposals stand in breach of multiple provisions within National Policy Statements EN-1 and the National Planning Policy Framework (NPPF).

1. Procedural Deficiencies, Unfulfilled Promises, and Outstanding Queries

- **Review of Submissions:** During the Wyboston hearing, the case officer had not yet reviewed key written submissions. The Examining Authority must ensure all stakeholder evidence is fully processed under the Planning Act 2008 procedural rules.
- **Unanswered Questions:** The applicant failed to answer critical questions raised during the hearing. These outstanding responses must be provided in writing.
- **Unresolved Technical Notes:** Key technical notes from the applicant remain completely unanswered and require immediate, formal clarification.

- **Overstated Project Benefits:** The applicant's public claim that the project will power 108,000 homes is heavily contested and inaccurate. The actual net contribution must be verified against realistic capacity factors.
- **Unfulfilled Promises:** The applicant has a track record of unfulfilled promises across various project phases. The Examining Authority must require concrete, legally binding enforcement frameworks rather than accepting unsubstantiated corporate assertions ("waffle").
- **Deferred Accountability:** The applicant is continually "kicking the can down the road" by pushing critical safety, technical, and environmental assessments into post-consent stages.

2. BESS Siting, Safety Flux, and Technology Risk

- **Concentrated Layout Risks:** The applicant is proposing a single, massive centralised BESS cluster rather than spreading smaller units across the footprint.
- **Enclosure Hazards:** A centralised layout utilises massive shared enclosures. This configuration is sub-optimal for fire safety, drastically increasing the risk of cascading thermal runaway.
- **Siting Determinants:** Emergency access routes, access road maintenance, and the resulting noise footprint must serve as the primary determining factors in locating the BESS.
- **Refusal to Commit to Design:** The applicant claims they cannot commit to a final design because technology is rapidly moving on and they must design to "best current practice" at the detailed design stage.
- **Breach of the Rochdale Envelope Principle:** This open-ended approach prevents proper statutory scrutiny. While planning guidelines allow minor flexibility for evolving technologies, case law dictates that the applicant *must* define the maximum realistic environmental and safety parameters of the project prior to consent. Pushing foundational safety system designs entirely to the post-consent phase breaches this core legal principle.
- **Battery Chemistry and Testing:** The applicant claims the chosen battery type will be "low risk" based on ongoing testing. However, implementation, testing, and safety protocols must be formally instigated and validated by independent experts before consent is granted.

3. Water Provision, Fire Suppression, and Lagoon Capacity

- **Conflicting Water Volumes:** The applicant must reconcile the massive discrepancy in fire suppression calculations. Notes indicate a baseline of **1,900 litres over 4 hours**, yet independent data suggests up to **8 million litres of water** may be required to fully douse a severe BESS fire.
- **Lagoon Capacity Failure (NPS EN-1 Section 5.8):** The applicant has completely failed to answer whether the proposed on-site lagoon has the capacity to hold and supply the vast water requirements needed during a major fire event. This failure breaches **NPS EN-1 Section 5.8 (Flood Risk)**, which mandates that project attenuation systems must account for extreme event scenarios.

- **Topography and Sloping Site Risks (NPS EN-1 Section 5.16):** The proposed water storage and attenuation systems are located on a sloping site. This topography means toxic, contaminated firewater runoff could spread much further and faster than shown in the applicant's flat-surface modelling. This fails **NPS EN-1 Section 5.16 (Water Quality and Resources)**, which requires applicants to rigorously mitigate impacts on the physical characteristics of water bodies and local runoff pathways.
- **Infrastructure Delivery:** All emergency hydrants must be supplied directly via dedicated on-site water tanks rather than relying on fluctuating local mains pressure. We know that this is an area of water shortage.
- **Attenuation Decommissioning:** Clear, long-term plans must be submitted detailing the eventual decommissioning and environmental remediation of the water attenuation systems.
- **Environmental Protections:** The applicant must provide definitive proof that all pollution and toxic runoff concerns have been fully resolved with the Environment Agency.

4. Grid Connection, Peak Demand, and Operational Context

- **Gateway Connection Vulnerabilities:** The primary gateway connection remains a major unresolved issue that threatens the technical viability of the project. (The **BESS** has only been afforded **Gate 1** with the solar element only having been afforded **Gate 2**)
- **Relevance of Gate 2 Approval:** The applicant's reliance on Gate 2 grid approval is questioned. Clarification is required as to why Gate 2 status should be considered relevant to the immediate planning merits of this specific site.
- **Summer Peak Demand Profiles:** While national policy supports **BESS** deployment, the applicant has failed to detail exactly how long peak demand periods last during summer months, which directly affects battery thermal stress profiles.

5. Environmental Impacts, Air Quality, and Public Health

- **Statement of Common Ground on Carbon:** A formalised Statement of Common Ground regarding the project's lifecycle carbon balance must be agreed upon.
- **BESS Fire Data Assimilation:** The applicant must clarify how many years of empirical data from real-world **BESS** fires have been integrated into their safety models.
- **The Moss Landing Benchmark (NPS EN-1 Section 5.2):** The applicant relies on the Moss Landing **BESS** fire air quality results to claim "no risk to public health." The contextual differences and containment failures of the Moss Landing incident must be audited before it is accepted as a safe baseline. This generalized assumption violates **NPS EN-1 Section 5.2 (Air Quality and Emissions)**, which requires the applicant to assess localised atmospheric impacts of unexpected or accidental operational releases.

- **Meteorological Baseline:** Plume dispersion modelling must utilise a minimum of 5 years of local meteorological data to simulate accurate seasonal wind conditions.
- **High-Pressure Gas Main Proximity (NPS EN-1 Section 4.17):** The proximity of the **BESS** footprint to a high-pressure gas main presents an unacceptable compound risk. A thermal runaway event or blast radius could jeopardise critical national infrastructure. Under **NPS EN-1 Section 4.17 (Security Considerations)**, the applicant must demonstrate that critical infrastructure co-location has been fully mitigated.

6. Governance, Auditing, and Capacity

- **Detailed Design Audit (NPS EN-1 Section 4.12):** Clarity is required regarding which regulatory entity holds ultimate accountability for auditing the final detailed engineering designs. Under **NPS EN-1 Section 4.12 (Safety)**, applications must explicitly demonstrate that all major safety hazards have been mitigated to *As Low As Reasonably Practicable (ALARP)*.
- **Cyclical Safety Reviews:** Standard operating procedures must be bound to a strict 2-to-3-year cycle of drafting, testing, and updating to keep pace with advancing technology.
- **Emergency Service Overwhelm (NPPF Paragraph 180):** Concerns remain regarding the finite capacity of the local Fire and Rescue Service. Current proposals indicate local crews cannot safely respond to a catastrophic thermal runaway event without specialised, site-provided infrastructure. This fails **NPPF Paragraph 180**, which mandates that planning decisions ensure a project is appropriate for its location, fully accounting for the likely effects of pollution on local health and safety.
- **Prevention of Cost-Cutting:** Evidence suggests a recurring corporate pattern of trying to save money at every opportunity. Safety frameworks and emergency infrastructure must be legally ring-fenced from commercial cost-cutting.

7. Archeological Impact

- **Scope Restriction (NPS EN-1 Section 5.9):** While the Cambridgeshire County Council archaeological lead has confirmed a low archaeological risk specifically within the immediate BESS area, this low-risk status must not be used to downplay wider archaeological impacts across the broader project footprint. Under **NPS EN-1 Section 5.9 (Historic Environment)**, a comprehensive impact assessment must cover all heritage assets across the *entire* site boundary.

Actionable Demands Required from the Applicant

To ensure accountability, the applicant must formally respond to the following actions before the close of the next examination phase:

1. **Provide a Written Response to this submission.** Explicitly answer the outstanding queries raised during the Wyboston oral hearing.
 2. **Reconcile Firewater Discrepancies:** Provide engineering calculations explaining the massive variance between the 1,900-liter baseline and the independent 8-million-litre estimate.
 3. **Submit Sloping Site Runoff Modelling:** Deliver an updated, topographically accurate fluid-dynamics model showing where contaminated firewater will flow on the site's sloping terrain.
 4. **Disclose Lagoon Capacity Metrics:** Provide exact volumetric data proving the proposed lagoon can hold and manage peak emergency water requirements.
 5. **Produce a Joint Risk Assessment for the Gas Main:** Submit a risk assessment coordinated with the national gas grid operator detailing the blast radius and thermal runaway safety margins regarding the nearby high-pressure gas main.
 6. **Define the Detailed Design Auditing Body:** Clearly name the independent body or authority that will hold legal accountability for auditing the BESS layout during its active lifespan.
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