

This submission follows my attendance at three recent Issue Specific Hearings held at Wyboston Lakes, which covered Public Rights of Way (PROW), Battery Energy Storage Systems (BESS), and Compulsory Acquisition.

This representation explicitly details procedural omissions, unverified claims, and material contradictions regarding public access, security, landscaping mitigation, and the Examining Authority's site inspection format.

Post Hearing Comments on Public Rights of Way (PROW) and Amenity Impacts

Lack of Evidentiary Basis for Claimed "Social Benefits" and Upgrades

- The Applicant asserts that their proposed redesign of existing public rights of way and bridleways will deliver net "social benefits." The specific nature, metrics, and evidence supporting these claimed benefits remain entirely unclarified. I formally request that the Applicant provide objective, tangible information to justify this assertion.
- Similarly, during the hearings, the Applicant repeatedly referenced plans to "upgrade" and "expand" local footpaths. Despite these verbal assurances, no design plans, spatial layouts, or definitive specifications have been provided to Interested Parties.

Contradictions in Corridor Widths and Visual "Openness"

- The Applicant stated that a 10-metre buffer on either side would establish a 20-metre-wide transit corridor, asserting that the walker/rider experience would remain unimpacted both during and post-construction. This claim is logically flawed: if planting and mitigation hedging are successfully established, the physical width of this corridor will inevitably be narrowed by the maturity and thickness of the hedges.
- The Applicant's insistence that spatial "openness" can be preserved while simultaneously utilising heavy vegetative screening is contradictory. The oral evidence characterising visual impacts as merely "fleeting glimpses" of solar arrays, BESS infrastructure, and associated plant relies on reassuring terminology rather than geographical reality.

Degradation of the Rural Visual and Amenity Experience

- The current baseline experience of using local footpaths and bridleways is defined by sweeping, open views of the undulating landscape and local heritage.
- It is entirely unrealistic to claim that this recreational amenity will be enhanced—or even maintained—when it is replaced by a corridor framed by security fencing, active CCTV camera poles, and intensive rows of young tree whips encased in plastic rabbit guards. The industrialisation of these paths fundamentally strips away their rural character.

Parity of Importance for Local Footpaths vs. National Trails

- The Applicant sought to minimise the project's impacts by highlighting that no designated National Trails would be physically disrupted by the scheme.
- This distinction is arbitrary from an amenity perspective. Whether a path is a designated national trail, or a localised right of way used by residents from the immediate and surrounding areas, it provides the exact same physical and mental health amenities. Local paths must be accorded the same weight and level of environmental protection as national routes.

Feasibility of Permissive Routes and Landowner Obligations

- The discussion around implementing "permissive routes" wrongly implied that there are insurmountable logistical or legal difficulties in establishing them.
- Most of these routes would cross land owned by the exact same landowners who have willingly volunteered their acreage for the commercial development scheme. These landowners own the soil beneath the paths and are already legally responsible for maintaining stiles, clearing overhanging vegetation, and keeping access unobstructed. It is highly implausible that these cooperative landowners would refuse to agree to permissive access or would actively seek to remove existing rights.

Unjustified Justifications for Closures via "Anti-Social Behaviour"

- The Applicant spent a disproportionate amount of time during the hearings discussing path closures as a tool to combat potential "anti-social behaviour."
- As a resident of this area for nearly [REDACTED] years, I have never experienced, witnessed, or heard of any anti-social behaviour occurring on our local footpaths. The Applicant's heavy focus on this issue implies either that they possess undisclosed data, or that they anticipate the massive industrial infrastructure footprint itself will actively attract undesirable activities to our rural communities.

Deficiencies in User Surveys and Surveillance Proposals

- While the Applicant referenced conducting user surveys, they did not confirm their proposed methodologies, scheduling, and exact timings.
- The applicant alluded to using CCTV to actively classify path users and stated this would be coordinated with local councils. I formally request confirmation from the Examining Authority as to whether any such agreements with local

authorities have taken place, as local privacy and surveillance concerns remain totally unaddressed.

Landscaping and Mitigation Discrepancies

Failure to Answer Core Questions on Early and Mature Planting

- The Applicant conspicuously failed to answer direct questions from the Examiners regarding the implementation of early planting strategies. They similarly evaded suggestions to utilise more mature plant stock to accelerate visual screening and growth.

Supply Chain Deficiencies and Reliance on Substandard Stock

- The Applicant failed to confirm whether native species would be strictly utilised across the site. However, they explicitly conceded that the sheer volume of plants required creates substantial sourcing and cost challenges.
- This admission signals that the Applicant intends to rely on cheap, small tree whips and a prolonged, phased planting schedule to meet their numbers. This approach guarantees that effective visual screening will not be achieved for many years, leaving the community exposed to severe visual blight in the interim.

Procedural Concerns Regarding Site Inspections

Inadequacy of Unaccompanied Site Inspections (USIs)

- To date, the Inspector has conducted two Unaccompanied Site Inspections (USIs)—one prior to the close of the Relevant Representation (RR) registration period, and the second on the day preceding the PROW specific hearing.
- Neither of these routes successfully captured the critical vantage points and highly impacted locations explicitly suggested by Relevant Representations. The current USI routes have missed the vital perspectives of the local people who live, work, and possess deep, knowledgeable appreciation of these communities.

Necessity of an Accompanied Site Inspection (ASI)

- An Accompanied Site Inspection (ASI) is essential to provide a realistic, effectual understanding of the scheme's true impact on local views, landscape heritage, historic landmarks, rural roads, residential properties, and local businesses.
- Conducting site visits exclusively on an unaccompanied basis—especially prior to hearing the powerful oral evidence and specific geographical points raised by local authorities and residents at Wyboston Lakes—severely limits

the Examination's scope. An ASI must be scheduled to properly achieve final assessment or alternatively a follow up USI which includes those many aspects hitherto ignored.

Conclusion & Action Requested

The oral case presented by the Applicant at the Wyboston Lakes hearings relies on contradictory, pacifying rhetoric and evasive responses regarding public corridors and environmental mitigation.

The Examining Authority is respectfully requested to:

1. **Compel the Applicant** to submit definitive, cross-sectional design blueprints for the proposed 20m PROW corridors and clarify any CCTV agreements with local councils.
2. **Reject the Applicant's minimised assessment** of local footpath value and their unsubstantiated claims regarding anti-social behaviour.
3. **Organize a comprehensive Accompanied Site Inspection (ASI)** that includes the specific local vantage points highlighted by the community, ensuring local amenity disruptions are given full weight in the final recommendation to the Secretary of State

Post Hearing Comments on Battery Energy Storage Systems (BESS)

- **Disparate Grid Connectivity Offers:** The BESS hearing exposed a stark divergence in project readiness. The applicant has only secured a speculative Gate 1 grid connection offer for the battery facility, whereas the solar component has secured a firm Gate 2 offer.
- **The "Gate 1" vs "Gate 2" Regulatory Failure:** Under NESO's Connections Reform framework, a Gate 2 offer represents a guaranteed, strategic, and contractually binding connection position. Conversely, a Gate 1 position holds no firm connection date and acts merely as an indicative placeholder.
- **Inappropriate Combined Application:** By tethering a non-viable Gate 1 battery asset to a Gate 2 solar scheme, the applicant is hiding project uncertainty. Because of the differing grid realities and technical profiles, the solar and BESS elements should be severed and dealt with as entirely independent planning applications.
- **Premature DCO Application:** A Development Consent Order (DCO) should not be awarded for a single, unified project that will fundamentally be constructed and commissioned in separate, unequal halves due to missing grid rights.
- **Obsolete and Unspecified Infrastructure:** The applicant admits that the BESS technical specifications cannot be finalised because current battery technology will be completely obsolete within 2–5 years. A DCO must not be granted for an unknown, speculative design regarding size, performance, safety, and operational security.

- **Deficient Fire Mitigation and Water Logistics:** Safety plans are profoundly inadequate. The Statement of Common Ground with the Cambridgeshire Fire and Rescue Service lacks integrity because the fire service has not been given the actual technical details of the eventual infrastructure.
- **Critical Local Resource Deprivation:** Severe confusion remains regarding the massive volume of water required to suppress a lithium-ion thermal runaway event. North Bedfordshire and Cambridgeshire are already critically water-stressed regions; emergency firefighting logic cannot ignore this local supply drain. Anglian Water have today announced a ban on hose pipes and have reduced the water pressure to alleviate the strain on domestic demand.
- **Unexamined Toxic Footprints:** The applicant has completely failed to model how prevailing winds would disperse toxic plumes during a BESS fire event. This failure poses a catastrophic risk to major regional developments, such as the planned Universal Studios project to the south, as well as unconsulted institutions such as nearby schools, care homes and businesses in the surrounding vicinity.

Comments on Compulsory Acquisition & Infrastructure Protection

- **Unconventional Resistance to Protective Safeguards:** During the Compulsory Acquisition Hearing, National Gas Transmission PLC actively challenged the applicant's aggressive refusal to secure standard, commercial protective provisions. National Gas planning barrister [REDACTED] openly branded the developer's stance as "unconventional" and highly irregular.
- **Proximity Risks to Nationally Critical Utilities:** Multiple high-pressure national gas transmission pipelines route directly through and alongside the target development areas. Crucially, a major high-pressure transmission line passes directly adjacent to the proposed boundary for the hazardous 100MW BESS site.
- **Evasion on Operational Status:** Despite persistent, formal inquiries from the community group Stop East Park Energy, the applicant has flatly failed to clarify or publicly confirm whether the critical gas pipeline intersecting the battery site is currently live and operational.
- **Refusal of Market-Standard Indemnities:** National Gas continues to demand standard financial protections—including a parent company guarantee, bank bond, or an irrevocable letter of credit backed by robust insurance. The applicant's ongoing resistance to these boilerplate safeguards shifts catastrophic asset liability risks away from the developer and onto the national utility grid, presenting an unacceptable, reckless threat to the UK's strategic energy network.

Conclusion

The hearings at Wyboston Lakes demonstrated a consistent pattern of behaviour by the applicant: masking significant technological, safety, and logistical uncertainties with generic, "soothing" public relations catchphrases. Whether evaluating the visual

degradation of our historic public rights of way, the un-specifiable and unsafe infrastructure of the BESS site, or the refusal to financially guarantee the safety of our national high-pressure gas grid, the developer is shifting substantial long-term risks onto local communities and national utility providers. A DCO should not be granted based on speculative assumptions.

Required Actions for the Examining Authority

I formally request that the Examining Authority directs the applicant to execute the following actions before the close of the Examination stage:

1. **Produce Tangible PROW Evidence:** Supply immediate, concrete metrics detailing the exact social benefits of the PROW redesign, alongside exact layout specifications for all upgraded footpaths and screening hedges.
2. **Sever the BESS Application:** Force the applicant to decouple the BESS and solar elements into separate applications due to the mismatched Gate 1 and Gate 2 grid status.
3. **Submit Full BESS Safety and Modelling Data:** Mandate a full, independent plume dispersion model evaluating toxic fire risks to Universal Studios and surrounding communities, along with a certified water logistics framework approved by local water authorities.
4. **Enforce National Gas Protective Provisions:** Compel the applicant to accept full, standard protective indemnities—including the bank bonds and parent company guarantees demanded by National Gas Transmission PLC—as an absolute condition of any draft DCO.
5. **Mandate Asset Transparency:** Order the developer to formally confirm the live operational status of all gas infrastructure intersecting the BESS boundaries.