



EAST PARK ENERGY

East Park Energy

EN010141

Applicant's Response to Deadline 7 Submissions

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Procedure) Regulations 2009: Regulation 5(2)(q)

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EAST PARK ENERGY

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1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This document sets out the responses of BSSL Cambsbed 1 Limited ('the Applicant') to the Deadline 7 submissions submitted by Interested Parties in relation to the Development Consent Order (DCO) application for the East Park Energy project (the 'Scheme').
- 1.1.2 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 7, this response document sets out that the relevant updated document is "**[as updated alongside this submission]**".
- 1.1.3 In preparing this document, the Applicant has sought, where practicable, to avoid repeating points addressed in its previous submissions. The Applicant has therefore responded only to substantive points, in particular where it considers that matters set out in the Application have been misunderstood or misinterpreted, where clarification or additional information has been requested, or where a point of disagreement has been raised that may not have been addressed in the Applicant's previous written submissions. Where the same or a substantially similar point has been raised by multiple Interested Parties, the Applicant has not necessarily provided a separate response to each party.
- 1.1.4 Accordingly, whilst the Applicant has considered all submissions made at Deadline 7, the Applicant has only responded to a selection and has not responded to every individual submission.

1.2 Note about National Policy Statements

- 1.2.1 Section 1.6 of the 2026 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.

- 1.2.2 All references to the NPSs in this document made by the Applicant are to the 2024 NPSs unless stated otherwise.
- 1.2.3 The Applicant has prepared a separate **Note on updated National Policy Statements EN-1, EN-3 and EN-5 [PDA-018]**.

2.0 RESPONSE TO DEADLINE 7 SUBMISSIONS

2.1 Response to Bedford Borough Council

Table 1: Response to Bedford Borough Council [REP7-010]

Our Ref.	Comment	Applicant Response
BBC-D7-01	The Applicant has submitted an updated draft Development Consent Order [REP6-006]; Schedule of Changes undertaken in discussion with the Host Authorities [REP6-050]; and, Summary of outstanding matters on the draft DCO [REP6-053] as part Deadline 6. Whilst some matters/ issues remain outstanding, ongoing discussions are continuing to resolve these, including the potential to agree a position of 'Matter not Agreed'. The Council intends that any remaining areas of disagreement or unresolved drafting points will be captured in the FINAL Statement of Common Ground (SoCG) to be submitted at Deadline 8 (16 September).	The Applicant notes this comment. Discussions with the Host Authorities on the remaining draft DCO matters are continuing. The Applicant will submit an updated draft DCO and Schedule of Changes at Deadline 8, and any matters that remain not agreed will be recorded in the final Statements of Common Ground.
BBC-D7-02	<u>Highways Side Agreement</u>: the Council notes that Parties are in discussion regarding a Highways Side Agreement that would replace the current suggested Highways Protective Provisions set in the DCO Agreement. A draft Highway Side Agreement has been circulated between Parties with the intention that this would be concluded prior to the end of the Examination.	The Applicant notes that there are not currently protective provisions for local highway authorities within the draft DCO. The Applicant has explained its position on this matter previously with reference to CCC-RR-24 to CCC-RR-28 in Applicant Response to Relevant Representations - Host Authorities, Statutory Environmental Bodies and Other Interested Parties [REP1-055]. The Applicant is continuing to negotiate the highways side agreement with Bedford Borough Council and Cambridgeshire County Council and it is hoped this will be concluded by the end of examination.

Our Ref.	Comment	Applicant Response
		The Applicant will provide a final update on this matter at Deadline 8.
BBC-D7-03	<u>Dead of Easement</u>: it is noted that in the Council's Covers to Deadlines 3 to 6, that the Council as Local Highway Authorities (LHA) have been in discussion with the Applicant regarding the Applicant's request of securing land and property rights and power through a separate licence outside the DCO Agreement. The Applicant tabled the possibility of a Deed of Easement which was directed at private property rights in the subsoil interests below the highway strata, assumed that the Council were the freehold owner and held an interest in the land beyond it being adopted highway. Following discussions, the Council notes the Applicant's statement (email 14 and 19 Aug) regarding a Deed of Easement – <i>'no separate licence will be necessary in this case because the works are being authorised through the DCO, removing the need for a separate licence under Section 50 of the New Roads and Street Works Act 1991'; '...all relates to works carried out on streets, which means that its framework and approval mechanism by the streets/highway authority will be governed by the highways side agreement we are currently negotiating'; and, '...On that basis, if the Order is granted as drafted, the undertaker would not need to obtain a separate section 50 licence for the street works authorised by Article 10 read together with Schedule 4'.</i> On the basis that the Highway Side Agreement will be engrossed as part of the Examination, this matter is concluded.	The Applicant welcomes confirmation that this matter is concluded, subject to completion of the Highways Side Agreement. As previously explained, if the Order is made as proposed, the relevant street works would be authorised by Article 10 read with Schedule 4 of the draft DCO and would not require a separate licence under section 50 of the New Roads and Street Works Act 1991.
BBC-D7-04	The Council has reviewed the Applicant's substantive responses to the Host Authorities' review of the various management plans (first made at Deadline 4 [REP4-032]) tabled at Deadline 6. The Council has reviewed the amended management plans, have continued discussions between the Host Authorities and the	The Applicant welcomes the Council's confirmation that there is in-principle agreement on most of the management plans. The Applicant continues to engage with the Host Authorities on the limited remaining points and will record the final position in the Statements of Common Ground submitted at Deadline 8.

Our Ref.	Comment	Applicant Response
	Applicant on issues raised in this review, and it is agreed that there is an in-principle agreement on most of the Management Plans – the final position will be set out in the final Statement of Common Ground made at Deadline 8.	
BBC-D7-05	<u>(LHA) Highways:</u> The Council, as Local Highway Authority, are in discussion with Cambridgeshire County Council (as the other LHA) and the Applicant to conclude a Highway Side Agreement which would remove the need for a Highway Protective Provision on the proviso that, The Highway Side Agreement is to be taken forward outside the DCO Agreement but is conclude and engrossed as part of the Examination as this has direct reference to the drafting of the final DCO Agreement (inter alia Part 3 and Schedule 4, 5, 6, 9 and 11); and, with refer to [REP3-021] ‘Other Consents and Licences Statement’s statement para 2.3.1(3) Ongoing Relevant Authority Control that <i>‘the protective provisions are drafted to remain in force unless and until the relevant authority agrees otherwise with the Applicant. This ensures the relevant authority retains control, and any detailed plans or methodologies required (previously obtained via the separate consent) must be approved by that relevant authority under the DCO’s protective provisions. The relevant authority can monitor compliance and, if necessary, enforce the protective provisions as if they were conditions or requirements’.</i> It is the intent of Parties that the Highway Side Agreement will be concluded prior to Deadline 8 and consequently the Examining Authorities’ request to provide drafting of a final suggested Highway Protective Provision will not be required.	The Applicant refers to its response at BBC-D7-02 above. The Applicant agrees that completion of the Highways Side Agreement would remove the need for separate local highway authority protective provisions. The final position, including any consequential drafting should the agreement remain unsigned, will be addressed in the Deadline 8 draft DCO and Statements of Common Ground.
BBC-D7-06	<u>(LLFA) Drainage:</u> one of the issues that remain outstanding on the draft DCO is the deemed consent requirement contained in the Local Lead Flood Authority’s Protective Provisions contained at Part	The Applicant and BBC are now on agreement as evidenced by Items 1a and 6 in the final Statement of Common Ground with BBC submitted at Deadline 8.

Our Ref.	Comment	Applicant Response
	3 of Schedule 13 to the draft DCO. The protective provision is intended to replace the ordinary approval mechanism for consents under section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991. Further, Section 150 of the Planning Act 2008 provides that a DCO may not disapply or remove a requirement for a prescribed consent or authorisation unless the relevant body has consented to the inclusion of the provision. Section 23 of the Land Drainage Act 1991 is a prescribed consent under Part 1 of Schedule 2 to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 (linked here). The relevant bodies in this case will be the LLFAs and as such, the Applicant will require the consent of BBC to include Article 8(1)(a) in the draft DCO. This matter is currently under consideration by the Council. The Council will revert regarding their position on the possible disapplication of section 23 at Deadline 8.	

2.2 Response to British Horse Society and Borough of Bedford Local Access Forum

Table 2: Response to British Horse Society and Borough of Bedford Local Access Forum [REP7-013]

Our Ref.	Comment	Applicant Response
BHSB-D7-01	The key documents as regards public rights of way, the PROWMP, the CEMP and the CTEMP have few changes in the latest versions and do not reflect our concerns; further all three are to be finalised post-examination. There appears to be no mechanism whereby legitimate bodies such as LAFs or user groups such as BHS or Ramblers can have input to the final versions.	The Applicant does not agree that the updated documents fail to reflect the concerns raised by BHS and BOBLAF. The outline Public Rights of Way Management Plan [REP6-040] has been revised several times during the Examination, including to secure the temporary diversion of Bolnhurst and Keysoe BW37 and Pertenhall BW26, strengthen route-specific equestrian controls, and clarify monitoring, reporting and operational replacement arrangements. The Applicant refers to BHS-D6-05 to BHS-D6-18 in the Applicant's Response to Deadline 6 Submissions [REP7-006]. The final CEMP, CTMP and PROWMP must be in substantial accordance with the certified outline plans and approved under Requirements 5, 8 and 11 of the draft DCO [REP6-006]. The Applicant also refers to BHSB-D3-04 in the Applicant's Response to Deadline 3 Submissions - Other Interested Parties [REP4-109], where it agreed that the two Local Access Forums, the two BHS branches and the Ramblers would be invited to join the Community Liaison Group, should they wish. The Community Liaison Group provides an ongoing forum through which those organisations may raise relevant matters.
BHSB-D7-02	As regards public liaison, in the latest OCEMP there are procedures for dealing with complaints and enquiries but apparently no requirements to respond to the complainant and no sharing of issues with the local liaison group.	Paragraphs 4.1.50 to 4.1.54 of the outline Construction Environmental Management Plan [REP6-030] requires the final CEMP to include procedures for receiving, acknowledging, investigating and responding to enquiries and complaints. The Complaints Register must record the action taken, or the reason no further action was required, and must be available to the relevant local planning authority.

Our Ref.	Comment	Applicant Response
		The Community Liaison Group (CLG) provides a forum for local representatives to raise and discuss relevant issues. Matters or complaints raised through the CLG must be logged and reviewed. The Applicant does not consider that every individual complaint needs to automatically be circulated to the CLG as the relevant local planning authority retains access to the complete register, while recurring or wider issues can be raised through the CLG where appropriate.

2.3 Response to Stop East Park Energy

Table 3: Response to Stop East Park Energy [REP7-014]

Our Ref.	Comment	Applicant Response
1.1 Deadline disruption and submission and response clustering		
SEPE-D7-01	As suggested in its three procedural filings, SEPE submits that the disruption at Deadline 5 has resulted in the effective loss of a full round of iterative scrutiny. The consequence of this has been a two-way clustering and compression of submissions and responses. This is evidenced and illustrated by: - the restricted number and extent of submissions made by the Applicant at Deadline 5 – for example, its “selective”, “holding position” response to Deadline 4 submissions, and the deferral of amended documents including those related to the significant changes in the replacement works framework required as a result of Deadline 4 submissions - the restricted number and extent of submissions made by other parties at Deadlines 5 and 6 - the Applicant’s Deadline 6 response submissions, Applicant’s Response to Deadline 4 and 5 Submissions – Host Authorities (REP6-051) and Applicant’s Response to Deadline 4 and 5 Submissions – Other Interested Parties (REP6-052), where two sets of deadline comments are presented in a single response document.	The Applicant does not agree that the Examination has lacked iterative scrutiny, and notes that the Examining Authority has inserted an additional Deadline 8 after Deadline 7 (as requested by SEPE), which should have addressed SEPE’s concerns. The grouping of responses to comments made at more than one deadline did not restrict the matters that could be raised or considered by Interested Parties.
2.1 SEPE’s Deadline 4 submission and consequent material changes made to the Application at Deadline 6		
SEPE-D7-02	SEPE notes that the Applicant’s Statement of Reasons has not been corrected in line with its other amendments.	The Applicant’s amended documents at Deadline 6 only removed direct reference to the Applicant having a confirmed import

Our Ref.	Comment	Applicant Response
	... The changes to four Application documents at Deadline 6, together with the amended Grid Connection Statement at Deadline 4 (see SEPE's REP5-033, section 2.1) may be limited in textual extent, but they are highly material in substance: they amend the Application to reflect a fundamental feature of the Scheme's actual secured grid connection position which was not accurately reflected in the Application documents previously on the Examination record, with consequential implications for the operation of the BESS and the benefits claimed for it and the Scheme as a whole. The Applicant's Deadline 6 changes substantially confirm the concerns raised by SEPE in submissions at Deadlines 3, 4, 5 and 6.	connection offer for the BESS, which the Statement of Reasons [REP5-009] does not state. The Statement of Reasons explains why the land and rights identified in the Book of Reference are required and why there is a compelling case in the public interest for the compulsory acquisition powers sought. In terms of explicit references, the Statement of Reasons describes the Scheme as being "<i>capable of exporting and importing up to 100 MW via the BESS</i>". This remains accurate and does not allude any issues pertaining the connection offer specifics. The clarification did not alter the Order limits, the authorised works, the land or rights required, or the Applicant's compulsory acquisition case. The BESS remains capable of being constructed, charged from the Scheme's solar generation and exporting stored solar electricity through the export connection. The Applicant refers to SEPE-D6-02 in the Applicant's Response to Deadline 4 and 5 Submissions - Other Interested Parties [REP6-052] and SEPE-D6-23 to SEPE-D6-25 in the Applicant's Response to Deadline 6 Submissions [REP7-006].
2.2 Conditional capabilities and benefits and the planning balance		
SEPE-D7-03	Across these amended Application documents, the Applicant now appears to accept that the import capability on which wider functions depend is not secured. Yet, using conditional language, it continues to identify the benefits which would flow from that capability, including capturing otherwise "unutilised" electricity, addressing curtailment, bridging 'gaps' in production and even "avoiding potential blackouts". It retains references to the Scheme being a "flexible energy hub". SEPE submits that the Applicant cannot rationally have the matter both ways: the uncertainty cannot be sufficient to require removal or qualification of the claimed capability, but diminished almost to	The Applicant has not attributed weight in the planning balance to a future Gate 2 import connection. The statements identified by SEPE concern the benefits of storage generally and do not depend on the BESS importing electricity from the transmission network. The presently deliverable function is to store electricity generated by the co-located solar arrays and release it at a different time through the Scheme's secured export connection. Any future grid import capability would be supplementary, and the Applicant has confirmed that the need case, quantified carbon benefits and overall planning balance do not depend upon that supplementary capability. The Applicant refers to paragraphs 2.2.45

Our Ref.	Comment	Applicant Response
	irrelevance when weight is attributed to the benefits dependent on that same capability. If the import connection is contingent, the benefits dependent on it are necessarily contingent too. The question for the Examination is therefore not whether such benefits might theoretically arise if a future connection offer is obtained, but what weight can properly be attributed now to benefits dependent on an outcome which is not secured and may never occur. SEPE therefore contends that if the prospect of securing an import connection is sufficiently uncertain that the Applicant has amended the Application to remove or qualify import functionality, on what basis is that same prospect sufficiently certain for its dependent benefits to continue to attract positive weight in the planning balance?	to 2.2.52 of the Applicant Response to Deadline 4 Submissions [REP5-023], SEPE-D5-11 in [REP6-052] and SEPE-D6-23 to SEPE-D6-30 in [REP7-006].
2.2.1 Further ambiguity in the Applicant's characterisation of BESS functionality and connection status		
SEPE-D7-04	As SEPE has already set out in detail (REP4-085), this is not an isolated inconsistency. During the later stages of the Examination, and as the implications of the BESS's Gate 1 status have come under greater scrutiny, the Applicant has progressively reframed and re-characterised the BESS's role, functionality and connection position in response to the issues raised.	The Applicant does not agree that the BESS has been progressively reframed or re-characterised. The BESS for which consent is sought, its maximum parameters, and the environmental effects assessed have not changed. The current and conservative basis for decision-making is that the BESS can be charged by the Scheme's solar generation and does not have a secured import connection. The Applicant refers to paragraphs 2.2.45 to 2.2.52 of the Applicant Response to Deadline 4 Submissions [REP5-023], SEPE-D5-11 in [REP6-052] and SEPE-D6-23 to SEPE-D6-30 in [REP7-006].
SEPE-D7-05	In one context, when responding to concerns about unrestricted grid charging and energy arbitrage, the Applicant gives what appears to be a definitive statement that the BESS "would only operate as part of the co-located solar generation". In another, when responding directly to concerns about connection status, that position is	There is no inconsistency between stating that the BESS would presently operate as part of the co-located solar generation and acknowledging that the connection position could change in future. The former describes the current position, and the latter the position

Our Ref.	Comment	Applicant Response
	qualified by the temporal terms “currently” and “presently”, leaving open the prospect of a future Gate 2 import connection and the wider functionality that would accompany it. SEPE contends that the Applicant appears to characterise the BESS and its connection position according to whichever formulation is most expedient in the particular context: solar-only operation is presented as a definitive answer to concerns about autonomous grid charging and energy arbitrage, while the absence of a Gate 2 import connection is presented as merely the ‘current’ position when the implications of Gate 1 status are raised. The Applicant cannot reasonably rely on the apparent permanence of the former position to answer one concern while relying on the potential impermanence of the latter to answer another. SEPE suggests that this further instance of expedient reframing reinforces the ambiguity already identified during the Examination as to what operational case for the BESS is actually being advanced, and consequently the basis on which its impacts and claimed benefits for the Scheme as a whole should be assessed.	that a Gate 1 offer does not prevent a future connection offer being provided. As set out above for SEPE-D7-04, the impacts and benefits relied upon for determination are on the presently secured connection basis. The Applicant refers again to SEPE-D5-11 in [REP6-052] and SEPE-D6-23 to SEPE-D6-30 in [EN010141/DR/8.75].
2.3 Solar-only battery storage charging – seasonal limitations		
SEPE-D7-06	As set out in its Deadline 4 submission (REP4-085), SEPE contends that it is difficult to sustain descriptions such as the following for a scheme that will, on current terms, operate on a solar-generation-only basis: - the Scheme is a “flexible energy hub” “battery storage ensures grid stability and reliability” “East Park will support the UK’s energy security ... providing on-site battery storage to balance supply and demand”	The BESS can store electricity generated by the Scheme and subsequently export it through the solar generation connection, without requiring an import connection. The reason these descriptions are valid is that where solar generation would otherwise be curtailed because supply exceeds demand or grid exports are constrained, the BESS can instead store that energy rather than simply having to ‘turn off’ the solar generation in times when electricity could be generated. The stored electricity can then be exported when demand increases and network conditions permit, including when solar output has reduced or ceased. This reduces curtailment, makes more effective use of

Our Ref.	Comment	Applicant Response
	the Scheme will “balance supply and demand locally through the use of onsite battery storage”	domestic renewable generation and enables electricity supply to be better aligned with demand.
SEPE-D7-07	These descriptions, retained in the relevant corrected Application documents submitted at Deadline 6, are difficult to reconcile with the actual pattern of solar generation in the UK climate. Alongside well established diurnal generation constraints, seasonal constraints are highly significant. During autumn and winter months, as SEPE has set out over multiple submissions, solar power generation drops to significantly low levels. Department for Energy Security and Net Zero data shows that during Q1/Q4 for the last six years, an average solar power load factor of only 5.38% was achieved. In other words, the UK’s solar power installations generated less than 6% of their total capacity on average in January, February, March, October, November and December. During Q4 alone for the last six years the average load factor for the UK’s solar installations was just 4.7%.	Seasonal variation in solar generation is well understood and is reflected in the Scheme’s annual energy yield forecast. However, solar is one component of the UK’s electricity mix, not a standalone means of meeting demand at all times. NPS EN-1 paragraph 3.3.19, identifies the need for a diverse mix of electricity infrastructure, whilst paragraph 3.3.22 recognises that wind and solar must be complemented by technologies which supply electricity, or reduce demand, when renewable output is unavailable. The Government’s Clean Power 2030 Action Plan provides for 45–47 GW of solar capacity alongside wind, nuclear, storage, interconnection and dispatchable generation. It anticipates periods, particularly during autumn and winter, when renewable and firm generation alone cannot meet demand, and provides for flexibility and reserve gas capacity to maintain security of supply. Seasonal variability is therefore recognised within Government’s strategy, rather than being inconsistent with its support for solar deployment. Furthermore, paragraphs 3.3.25 to 3.3.28 of NPS EN-1 recognise that storage supports flexibility and maximises usable renewable generation, whilst acknowledging the limitations of short-duration storage during prolonged periods of low output. The Applicant’s statements describe the Scheme’s contribution to this wider system, not an ability to provide constant output or independently overcome seasonal shortfalls. The seasonal load factors cited do not, therefore, negate that contribution.
SEPE-D7-08	The practical consequence is obvious: for substantial periods of the year, and particularly during winter, there may be little solar-generated electricity available with which to charge the East Park	In the context of the response provided above to SEPE-D7-07, the Applicant accepts that storage cannot create electricity and that the volume available for charging will vary with solar generation.

Our Ref.	Comment	Applicant Response
	Energy BESS. A battery that cannot import from the grid cannot compensate for that shortfall. The Scheme, including its storage capability, therefore remains subject to the same fundamental diurnal and seasonal limitations as solar generation itself, with the practical contribution of the BESS likely to be significantly constrained in winter, precisely when electricity demand is at its highest. That reality materially undermines the Applicant's retained descriptions of the Scheme as a "flexible energy hub", balancing supply and demand and supporting grid stability and energy security, and necessarily affects the weight those claimed benefits can attract in the planning balance.	However, that does not remove the ability of the BESS to shift generation within the day or across short periods, nor the system value of dispatching stored solar electricity at a more useful time.
2.4 Material changes to the Application		
SEPE-D7-09	Put simply, the Scheme entered the Examination as one energy asset and now approaches its conclusion as a materially different one. The Application described a scheme capable not only of generating solar electricity and storing it for short-period export, including to exploit price differentials, but also of importing up to 100MW of electricity directly from the grid, storing and exporting it back to the grid when required, hence extending storage and arbitrage opportunities beyond the Scheme's own generation. That import capability materially broadened both the function of the BESS and the Scheme's potential value to the electricity system. Yet, notwithstanding evidence suggesting that the Applicant already knew that this critical import connection was no longer secured, it is only at the originally penultimate deadline in the Examination that the Applicant has amended the Application to acknowledge that the import capability originally presented cannot presently be delivered. The consequences extend beyond the particular benefits claimed for the BESS. As suggested in section 2.3, they go to the overall nature, functionality and energy-system value of the Scheme itself. Critically, the Examination still does not know the scale of that	The Applicant does not agree that the Scheme has become a materially different energy asset for planning or environmental assessment purposes. There has been no change to Work No. 2, its maximum capacity or dimensions, the Order limits, or the environmental assessment. The Applicant has provided extensive responses about the on-site BESS throughout the Examination.

Our Ref.	Comment	Applicant Response
	reduction in value. Despite SEPE raising this issue, and asking relevant questions at Deadlines 1, 3 and 4, the Applicant still has not provided the information necessary for the Examining Authority to understand or quantify the difference between the energy asset originally presented for Examination and the materially more limited asset that can now actually be delivered.	
2.5 Timing and procedural implications of the Applicant's material changes		
SEPE-D7-10	As SEPE sets out above, the Applicant has sought, at a late stage in the Examination, to make a material change to the Application in order to address a longstanding discrepancy relating to its grid connection offer. SEPE established in its REP4-085 submission that the available evidence indicates that, during the Pre-Examination stage, the Applicant was already aware that it had not secured a standalone BESS grid connection. Where an applicant for NSIP development consent wishes to change its application after it has been accepted for examination, an established procedure applies, as set out in the Planning Inspectorate's non-statutory guidance, 'Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination' (last updated 18 August 2026). ... In this case, the Applicant appears to be attempting to proceed without following that guidance. The Application was accepted for examination on 30 October 2025, marking the start of the Pre-Examination stage, and that stage concluded when the Examination commenced on 17 March 2026. While the Applicant has not produced evidence of its grid connection offer (see section 2.4), as SEPE establishes in REP4-085, grid connection outcomes were released by NESO from December 2025. However, despite the high probability that the Applicant was already in receipt of information at	The Planning Inspectorate's change guidance applies where an applicant seeks to change the application accepted for examination. The Applicant has not sought a change to the authorised development. The same works, parameters and environmental envelope remain before the Examining Authority. The amendments corrected the description of the connection position and did not need to engage the formal change procedure given that the development for which planning consent is sought remains unchanged. SEPE's submission demonstrates that the issue has been capable of scrutiny. The Applicant therefore does not accept that procedural unfairness or a material change has arisen.

Our Ref.	Comment	Applicant Response
	the Pre-Examination stage to indicate it had not secured a stand-alone BESS grid connection, it nevertheless elected to proceed without addressing the consequent discrepancy in the relevant Application documents. That approach is difficult to reconcile with the Planning Inspectorate's guidance. ... While the amendments do not involve a physical change to the Scheme as such, they reflect a material change in its nature, functionality and system value, with the operation of the BESS highly likely to be materially constrained during periods of the year when solar generation is very significantly reduced. ... The timing of those corrections is of particular importance. Introducing a material change at such a late stage risks depriving Interested Parties of a proper opportunity to understand its significance, consider its implications and make informed representations before the Examination closes. This is difficult to reconcile with the approach set out in the Planning Inspectorate's guidance, which provides that, "under the principles of fairness and reasonableness", where an applicant is justified in seeking a change during examination, the request should be made sufficiently in advance of the end of the Examination to allow all Interested Parties an opportunity to consider the proposed change and file submissions on it. SEPE therefore submits that the manner and timing in which these amendments have been introduced give rise to a procedural concern.	
2.6 Further evidence of uncertainty surrounding BESS connection status		
SEPE-D7-11	SEPE notes that the Applicant's latest Funding Statement (AS-032) includes the most recent set of audited accounts for its ultimate	The extract from Lantern HoldCo Ltd's accounts is a portfolio level disclosure concerning the potential effect of connection reform on

Our Ref.	Comment	Applicant Response
	holding company, Lantern HoldCo Limited. These accounts incorporate a similar reference to connection reform uncertainty relating to projects with a Gate 1 allocation to that identified by SEPE in relation to Brockwell Energy Group's latest set of audited accounts in its REP4-085 submission: <i>"During the year, Ofgem launched a consultation process proposing new rules to tackle the grid connection backlog, including prioritising projects based on readiness and system need. These proposals evolved into the "first-ready, first-connected" model and the gate-based queue structure which was subsequently approved in April 2025 and became collectively known as the "TMO4+" reforms. Under the revised framework, projects are awarded Gate 1 status where they remain in the queue but without firm connection rights, while only projects that demonstrate sufficient maturity (such as planning progress and deliverability) are promoted to Gate 2, where they receive confirmed connection dates and capacity. Subsequent to the balance sheet date, the Group received the initial results under the TMO4+ review process which confirmed Gate 1 status for several of its projects. The Group is in the process of analysing the results of the initial application process on its prospective projects and the wider UK energy market, together with potential scope for securing the Gate 2 status in the future application rounds. Nevertheless, as set out in note 12 to the financial statements, the directors acknowledge that the results of the TMO4+ reforms may impact on the recoverable amounts of the Group's Assets in the course of construction recognised in relation to some of its projects."</i>	some projects. It does not identify the East Park solar export connection as a Gate 1 project or establish that the Scheme is undeliverable.
3.1 SEPE's evidence of errors in the Applicant's emissions avoidance assessment remains unaddressed		
SEPE-D7-12	The Applicant has not engaged in any meaningful way with SEPE's 'East Park Energy: review of the Applicant's carbon assessment –	The assertion that the Applicant has not engaged with [REP4-086] is incorrect. The Applicant addressed SEPE's alternative lifecycle calculations in its Applicant's Response to Deadline 3

Our Ref.	Comment	Applicant Response
	reliability, transparency and alternative lifecycle analysis' (REP4-086).	Submissions - Other Interested Parties [REP4-109] , the overarching response at paragraphs 2.2.7 to 2.2.20 of [REP5-023] , and SEPE-D6-03 to SEPE-D6-11 in Applicant Response to Deadline 6 Submissions [REP7-006] .
SEPE-D7-13	SEPE's evidence-based critique of the Applicant's carbon dioxide emissions avoidance assessment sets out inconsistencies, erroneous assumptions and apparent data selection errors. SEPE's submission also presents an alternative carbon dioxide emissions avoidance analysis based on the government's Green Book data and employing transparent assumptions that are favourable to the Applicant's emissions avoidance case. Alongside SEPE's Deadline 3 emissions analysis, which projects that the Scheme would produce carbon dioxide emissions of at least 1,500,000 tCO ₂ e, SEPE's Deadline 4 analysis demonstrates that the Scheme would avoid just over 295,000 tCO ₂ e across its lifetime. SEPE therefore contends that the Scheme would generate more carbon dioxide emissions than it would save – a net carbon increase of in excess of 1,200,000 CO ₂ e.	The Applicant does not accept SEPE's alternative carbon assessment. It combines SEPE's alternative lifecycle inventory with one selected avoided emissions projection and is therefore a different assessment based on different scope and assumptions, rather than a correction to the Applicant's assessment, ES Vol 1 Chapter 15 [REP4-014] presents a range of counterfactual scenarios, including Green Book and adjusted Green Book scenarios, because future grid displacement is inherently uncertain and no single method is prescribed. The Secretary of State has previously confirmed that the predicted grid average intensity is an appropriate baseline against which to estimate future carbon savings. The Green Book scenario has therefore not been omitted from the Applicant's assessment, but the Applicant has explained why it should not be treated as the sole or determinative comparator.
SEPE-D7-14	Elsewhere in its response to another Interested Party, the Applicant places reliance on the Scheme's low operational GHG intensity of "0.246 gCO ₂ e/kWh". That reliance is misplaced. Operational intensity excludes the substantial carbon cost of constructing the Scheme and replacing equipment over its lifetime, while saying nothing about how much carbon its electricity would actually avoid. SEPE submits that the relevant measure is the Scheme's net lifetime carbon effect, which is the subject of SEPE's analysis in its Deadlines 3 and 4 submissions (REP3-108, REP4-086).	The Applicant has not presented 0.246 gCO₂e/kWh as a measure of the Scheme's net whole life carbon effect. It is an operational generation intensity figure used for a like-for-like comparison with published operational intensity figures for other generators. Construction, replacement and decommissioning emissions are separately included in the whole life assessment. SEPE's alternative 18.6 gCO₂e/kWh figure includes maintenance and replacement emissions and is therefore not directly comparable with the operational only benchmark. The distinction is explained at paragraphs 2.2.11 to 2.2.16 of [REP5-023] and SEPE-D6-07 to

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		SEPE-D6-11 in the Applicant Response to Deadline 6 Submissions [REP7-006] .
3.2 The distinction between reasonable uncertainty and material error		
SEPE-D7-15	The overarching theme of the Applicant's position appears to be that information should be "sufficient" or "proportionate" but does not need to be "perfect". That proposition misses the point. SEPE does not contend that greenhouse gas assessments must achieve spurious precision where transparent assumptions and corresponding ranges are appropriate. There is, however, a material distinction between reasonable uncertainty and a more straightforward concern: calculations that are erroneous, based on erroneously selected data, or founded on inadequately informed or flawed assumptions, particularly where those assumptions are not transparently explained and appear designed to produce more favourable results. SEPE's Deadlines 3, 4, 5 and 6 submissions provide evidence of precisely these deficiencies. See also SEPE's Finch case analysis and previous references to a "reasoned conclusion", sections 3.4 and 3.5.	The Applicant does not accept SEPE's characterisation of its position. The Applicant agrees that a genuinely material error cannot be dismissed. The Applicant's references to sufficiency and proportionality reflect the statutory test in regulation 14(3)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, namely whether the ES contains the information reasonably required to enable a reasoned conclusion to be reached on the likely significant environmental effects. The statutory reasoned conclusion is ultimately one for the Secretary of State, following examination of the environmental information as a whole. SEPE's submission conflate three materially different matters; an arithmetical error, uncertainty inherent in forecasting future emissions, and a legitimate difference of professional or methodological judgment. Where an arithmetical error has been identified, the Applicant has acknowledged and corrected it rather than seeking to excuse or conceal it. For example, the battery production calculation was corrected to use the BESS storage capacity, increasing the assessed lifetime emissions to approximately 735,000 tCO₂e. The relevant assessment documents were updated and the implications of the correction were explained, as set out in SEPE-D3-28 in the Applicant's Response to Deadline 3 Submissions – Other Interested Parties [REP4-109], the correction did not alter the conclusions of the assessment. The identification of an error does not provide a rational basis for treating the assessment as a whole as unreliable. The Applicant's review also identified errors in SEPE's alternative calculations, including a battery production figure four times greater than the

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		Applicant's corrected calculation. The existence of competing calculations therefore does not establish that SEPE's figures are correct, still less that the Applicant's wider assessment is deficient or unreliable. SEPE's criticisms of the avoided emissions analysis principally come back to the selection of counterfactuals and emissions factors. Those are matters of methodology and professional judgment, rather than arithmetical errors. Estimating the emissions displaced by a solar scheme over a 40 year operational period necessarily requires assumptions about the future grid mix, system operation and decarbonisation. Different assumptions may produce different numerical outputs without demonstrating that one assessment is unlawful or incapable of informing the decision-maker. SEPE's preference for a particular Green Book dataset or counterfactual does not, without more, establish that alternative government data or methodologies have been "erroneously selected". The Applicant has responded in relation to Finch with reference to response SEPE-D7-18 below.
3.2.1 Misunderstanding of battery lifecycle: an erroneous assumption falling short of a reasonable 'worst case'		
SEPE-D7-16	SEPE also notes once more (section 5.3, REP5-033) that despite conceding that its calculations for battery cells were inaccurate, stating that following receipt of SEPE's alternative emissions analysis it had now "completed a sensitivity analysis for the batteries having at the lower end of the service life range", the Applicant's Greenhouse Gas Emissions Assessment has not been updated since Deadline 4. The current version (REP4-021) still states, at paragraph 3.1.2:	The Applicant did not concede that a ten year battery service life is the only appropriate or industry-standard assumption. The Applicant's assessment applied a 20 year life assumption and a ten year case was considered as a sensitivity to test the lower end of the identified range. The sensitivity test increased estimated whole-life emissions to approximately 809,000 tCO₂e but did not alter the overall assessment conclusion. Because the ten year case was a sensitivity test rather than a correction to the central assumption, and because it did not change the significance conclusion, it was not necessary to replace the

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	“the total emissions over the lifetime of the Scheme are ~735,000 tCO₂e” The Applicant’s current total emissions figure is approximately 9% lower than the ~809,000 tCO₂e that would result from applying what the Applicant now concedes is the appropriate, industry-standard assumption of battery replacement every 10 years over the operational lifetime of the Scheme. This example of a misunderstanding of battery cell lifecycles undermines the Applicant’s claim, made at paragraph 2.2.8 of its “holding position” Deadline 5 submission (REP5-023), that: “Where assumptions were made within the Applicant’s assessment these were conservative estimates to align with a reasonable worst-case assessment scenario.” The Applicant’s calculation for battery cell replacement falls well short of a “reasonable worst-case assessment scenario”: it does not even reflect the extensive body of current academic and technical literature concerning accepted battery cell service life, as set out in section 5.2 of SEPE’s Deadline 5 submission (REP5-033).	central figure in ES Vol 1 Chapter 15 [REP4-021]. The sensitivity and its outcome are nevertheless on the Examination record. The Applicant refers to SEPE-D6-05 and SEPE-D6-06 in the Applicant Response to Deadline 6 Submissions [REP7-006].
3.3 Errors in data selection and assumptions underpinning the Applicant’s emissions avoidance assessment		
SEPE-D7-17	SEPE’s own analysis of the Scheme’s carbon dioxide emissions avoidance, presented in REP4-086, adopts more realistic, transparent assumptions and bases its calculations on Green Book data, the established government forecasts. SEPE projects that the Scheme would avoid 295,418 tCO₂e carbon emissions across its lifetime, more than 83% lower than the Applicant’s claim of 1.8 million tCO₂e. SEPE’s analysis is closest to the Applicant’s scenario 3, which it elected not to take forward as its selected projection. The Green Book demonstrates that, year on year, the long run marginal generation figure is forecast to drop significantly	SEPE has used the DESNZ Green Book long-run marginal generation-based electricity GHG emission factors to calculate displaced electricity generation in [REP4-086]. As explained in ES Vol 1 Chapter 15 [REP4-014] and the Applicant Response to Deadline 4 Submissions [REP5-023], those factors reduce significantly throughout the operational phase of the Scheme due to the projected implementation of renewable projects, such as the Scheme. This means that there becomes a point at which the GHG emissions offset by the electricity generated by the Scheme are lower than those associated with the Scheme. However,

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	across the Scheme's lifetime. Notwithstanding the Applicant's Climate Change 'Catch 22' argument, the Green Book remains the authoritative source of projected emissions factors and using this data therefore represents a robust and Rochdale-compliant scenario, in fact, the "reasonable worst-case assessment scenario" that the Applicant itself says its assessment is intended to reflect.	developments such as the Scheme are required to achieve the projected reductions in generation based GHG emission factors.
3.4 Finch: errors, sufficiency and the requirement for a "reasoned conclusion"		
SEPE-D7-18	As part of its referenced response to another Interested Party in REP6-052, the Applicant cites the well known Finch case [R (Finch) v Surrey County Council -2024- UKSC 20] in its support. The Applicant maintains that what is required of it in providing an assessment is only that it provides sufficient 'evidence' for the decision-maker to draw a reasoned and appropriate finding. It notes that in Finch the Court held that "Conjecture and speculation have no place in the EIA process". Finch is a leading authority. It was a judgment of the Supreme Court and so a decision which all other courts must follow unless distinguishable on the facts. What the Applicant does not say about the Finch decision, however, is that the ultimate ruling was to quash the planning approval that had been granted because the assessment data provided by the applicant in that case had been incomplete and, thereby, misleading. Therefore, while SEPE would agree when the Applicant claims "Information must be sufficient but does not need to be perfect", as set out earlier in this section, SEPE would also submit that there is a material distinction between reasonable uncertainty and demonstrably erroneous calculations and assumptions underpinned by flawed data. SEPE would suggest that for the purposes of the instant application the primary teaching from Finch comes in paragraph 76 of the	The Applicant does not accept SEPE's characterisation of either the Finch judgment or the Applicant's submissions on it. The Applicant has consistently referred to the statutory test under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, namely whether the environmental information is sufficient to enable the Secretary of State to reach a reasoned conclusion on the likely significant environmental effects of the Scheme. Nor does the Applicant consider that Finch provides any support for SEPE's position. Finch concerned whether the environmental statement for an onshore oil development should have assessed downstream (Scope 3) greenhouse gas emissions arising from the future combustion of oil produced by the development. The Supreme Court held that those emissions are "effects of the project", and therefore should have been assessed, because it was "known with certainty" that, if the project proceeds, the extracted oil will be burnt and release greenhouse gas emissions in a quantity that can readily be estimated. By contrast, and as addressed in the Applicant's responses to SEPE-D7-12 to SEPE-D7-17 above, and the submissions referenced therein, SEPE's submissions on the Applicant's Environmental Statement concern alleged arithmetical errors,

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	Judgment which the Applicant chose not to draw attention to in its submission: “... the preparation of the environmental statement [is] directed towards the ability to reach a reasoned conclusion on the significant effects of the project on the environment. This is confirmed in article 5(1) [EIA Directive], which provides that the environmental statement shall “include the information that may reasonably be required for reaching a reasoned conclusion on the significant effects of the project on the environment, taking into account current knowledge and methods of assessment.” Similarly, article 5(3)(c) provides that, “where necessary, the competent authority shall seek from the developer supplementary information, in accordance with Annex IV, which is directly relevant to reaching [a] reasoned conclusion on the significant effects of the project on the environment.”” As SEPE has made clear in its Deadlines 3, 4, 5 and 6 submissions, the Applicant’s assessment data in the instant case features both errors and flawed assumptions such as to render it incompatible with the requirements of the EIA Directive as cited by the Supreme Court in Finch.	disputed assumptions and differences of professional judgment, in respect of matters that have been assessed by the Applicant. The central issue in Finch was the failure to assess a likely significant effect which the Supreme Court concluded formed part of the environmental effects of the project. SEPE has not identified, nor does it contend, that there has been any such omission within the Applicant’s Environmental Statement. Accordingly, the Applicant considers SEPE’s reliance on Finch to be fundamentally misplaced, and further maintains that the Environmental Statement, together with the further environmental information submitted during the Examination, provides sufficient information to enable the Secretary of State to reach a reasoned conclusion on the likely significant climate effects of the Scheme.
3.5 Basic errors and incorrect calculations cannot constitute “sufficient” information		
SEPE-D7-19	SEPE again draws attention to the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Planning Inspectorate’s ‘Nationally Significant Infrastructure Projects – Advice Note Seven: Environmental Impact Assessment: process, preliminary environmental information and environmental statements’, set out in section 5 of SEPE’s Deadline 4 submission (REP4-086), specifically in relation to the requirement for the Environmental Statement to contain sufficient information to enable the Secretary of State to	The Applicant agrees that the Secretary of State must have sufficient environmental information to reach a reasoned conclusion on the likely significant effects. The Applicant’s assessment identifies the Scheme’s whole life emissions, explains the scope of the operational intensity comparison, records the relevant sensitivities and presents alternative displaced generation scenarios. No correction has altered the significance conclusion and SEPE has not identified a category or categories of impacts that would mean

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	reach a legally compliant “reasoned conclusion” on the Scheme’s likely significant environmental effects. SEPE also again refers (section 3.2.1, REP6-065) to the Planning Inspectorate’s advice relating to the Rochdale Envelope, that: <i>“information should be sufficient to enable the main, or the likely significant effects on the environment to be assessed”</i> SEPE suggests that “sufficient” must imply, as a minimum, information that is accurate in its material respects and not affected by straightforward calculation or factual error. SEPE contends that greenhouse gas assessment is not a peripheral issue for the Examination to consider: the Scheme’s greenhouse gas assessments are fundamental to understanding its claimed climate benefits and weighing those benefits in the planning balance.	<u>likely significant</u> greenhouse gas effects have remained unassessed.
4.1 SEPE’s sample materials and construction transport reconciliation: a repeatedly avoided evidential test		
SEPE-D7-20	SEPE submits that the Applicant’s response, made at what was the penultimate deadline, once more offers a deflective answer and fails to engage with or respond to the specific calculations set out across SEPE’s submissions. SEPE’s question does not relate to “methodology”; it is a straightforward test of reconciliation of materials quantities and associated transport movements. SEPE suggests that the Applicant’s repeated reluctance to engage with what is, on its face, a basic reconciliation exercise, inevitably raises a question as to whether a direct response might expose significant inaccuracies and an inconsistency between the construction traffic figures presented in the Application and the underlying materials requirements. Importantly, the figures presented by the Applicant in its DCO submissions have been employed during engagement with the national and local highways authorities.	The Applicant has addressed the construction traffic reconciliation at paragraphs 2.12.1 to 2.12.3 of the Applicant’s Response to Deadline 4 and 5 Submissions - Other Interested Parties [REP6-052].

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4.2 Construction traffic omissions and the reliability of forecast volumes		
SEPE-D7-21	The Applicant's response does not go beyond acknowledging SEPE's evidence that certain categories of the Applicant's estimated construction traffic volumes have been omitted or miscalculated and underestimate the total forecast trips, with consequential implications for the construction and environmental impact assessments (and potential significance rating). Neither does it acknowledge that the outcome of engagement with National Highways and local highway authorities and the content of their submissions is based on those figures which SEPE contends are not an accurate representation of the total forecast flows.	The Applicant has not acknowledged that construction traffic has been omitted or materially miscalculated. The Applicant has explained where the vehicle categories identified by SEPE are included and why any genuinely additional low frequency movements would be negligible in the context of the assessed peak. The highway authorities were provided with the Transport Assessment, traffic-flow forecasts, proposed routing, the A1/B645 technical work and the Applicant's Examination responses. Their agreement is not a substitute for the Applicant's evidence, but it is relevant independent confirmation that the trip generation methodology and conclusions are robust, and that there are no significant concerns regarding the construction phase of the Scheme. The highway authorities have also had access to Interested Parties submissions through the examination, and attended Issue Specific Hearing 2 in relation to construction traffic, which was also attended by SEPE.
4.2.1 Applicant's reliance on unenforceable behavioural assumptions		
SEPE-D7-22	SEPE's contention is that as the car-sharing and minibus options are entirely optional there is merely an 'expectation' that workers will use them. The inconsistency within the Application is that any value attributed to these optimistic, behaviour-dependent travel assumptions is undermined by the Applicant's provision for car parking for the full peak site workforce. SEPE submits that this demonstrates the Applicant itself lacks confidence in its unenforced car-sharing and minibus arrangements, which rely entirely on worker behaviour. SEPE submits that without enforceable measures to secure those optional arrangements, the Applicant's	The potential option to provide whole workforce parking provision within the Site is a safeguard against parking on the public highway and is not evidence that the Applicant expects one person per vehicle. The final Construction Workers Travel Plan will include monitoring of vehicle occupancy and measures to increase car sharing or minibus use where required. The accident record has not been disregarded and fatal collisions shown outside the defined assessment links were considered in the accompanying commentary, which concluded that the construction

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	“worst-case scenario” (2.12.6) is not merely theoretical but is likely to be close to representing the real-world scenario. A similar example of a dismissed and mischaracterised comment is evident at paragraph 2.12.9, where the Applicant deflects from the point made by SEPE relating to an omission in presented fatality data by referring back to its Deadline 4 response where SEPE’s comment was also disregarded without engagement. SEPE once more repeats the concern that one of the three recorded fatalities occurred at Pigg’s Hill on the B645. This fatal injury accident involved a collision between a car and an HGV. This section of the B645 would form the principal construction traffic route to Site D.	route did not contain an accident cluster as defined by the highway authority. The Applicant refers to SEPE-D3-19 in [REP4-109].
4.3 Further potentially omitted construction traffic		
SEPE-D7-23	Paragraph 4.3.5 of the Outline Construction Traffic Management Plan (oCTMP) confirms that mobile welfare units will be provided at satellite compounds. Their delivery, servicing and eventual removal will generate vehicle movements, but it is unclear whether these trips are included in the Applicant’s construction traffic figures. This provides a further potential example of the omitted traffic categories identified by SEPE across its submissions and reinforces the need for a comprehensive reconciliation of construction traffic by the Applicant to inform stakeholder engagement and, in particular, provide a revised, more accurate basis for agreement of Statements of Common Ground.	Mobile welfare units form part of the satellite construction-compound and general servicing assumptions. Their initial delivery and removal would be low frequency movements within the compound, plant and general delivery allowances already used to develop the construction traffic profile. Even if a small number of additional servicing movements were treated separately, they would not materially affect the assessed peak of the Scheme or any significance conclusion. EIA does not require a separate movement category for every minor item attending a construction site where the reasonable worst-case traffic envelope already accommodates that activity. The Applicant refers to paragraphs 2.12.1 to 2.12.3 of [REP6-052] and SEPE-D6-18 to SEPE-D6-22 in [REP7-006].
4.4 Host Authority responses		
SEPE-D7-24	The Applicant relies on the agreement of National Highways and the local highway authorities on traffic and transport matters.	The Applicant has not relied on highway authority agreement as a substitute for assessment. Detailed responses to the construction

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	However, that agreement necessarily reflects the evidence provided to those authorities by the Applicant during the course of the Examination. As SEPE has submitted, relevant evidence may be missing, including traffic modelling assessment to understand the impact on the 'U-turn junctions' for the junctions to the north and south of the A1/B645 junction where U-turn manoeuvres are required (including the A1 Buckden Junction or A1 Little Paxton Junction to the north and Black Cat Junction or A428/A1/B1428 Wyboston Roundabout to the south), while other evidence may rely on incorrect information, calculations or assumptions, including the total HGV movements associated with materials deliveries.	quantities, accident record, A1 routing and U-turning issues are already before the Examination. Peak construction HGV traffic on the A1 would be limited to 30 movements in each direction per day for a short period. National Highways and the local highway authorities did not require separate modelling of every junction identified by SEPE. No new evidence in this submission demonstrates that their conclusion, or the Applicant's assessment, is unsound. The highway authorities were provided with the Transport Assessment, traffic-flow forecasts, proposed routing, the A1/B645 technical work and the Applicant's Examination responses. Their agreement is not a substitute for the Applicant's evidence, but it is relevant independent confirmation that the trip generation methodology and conclusions are robust, and that <u>there are no significant concerns regarding the construction phase of the Scheme</u>. The highway authorities have also had access to Interested Parties submissions through the examination, and attended Issue Specific Hearing 2 in relation to construction traffic, which was also attended by SEPE.
4.5 Reliance on construction traffic assumptions not secured by enforceable controls		
SEPE-D7-25	SEPE has consistently called for more robust and enforceable controls over construction traffic and transport movements and has also submitted that the Applicant's reliance on anticipated peak HGV movements is not reflected in its control plans.	Requirement 8 of the draft DCO [REP6-006] requires approval and implementation of a final CTMP in substantial accordance with the outline Construction Traffic Management Plan [REP6-032]. The final CTMP will control permitted routes, access arrangements, delivery booking and timing, monitoring, reporting and corrective action. The final CTMP will also provide the mechanism for action where contractors or drivers fail to comply. It is neither necessary nor conventional to reproduce every numerical assessment input on the face of the DCO where the assessed envelope and management

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		controls are secured through the certified documents and Requirements.
5.3 Traffic and access matters requiring resolution before the close of the Examination		
SEPE-D7-26	SEPE requests that three significant matters are resolved before the close of the Examination to provide clarity, secure more robust control measures and reduce adverse effects on local communities: - The need for a definitive plan of restricted routes for all construction-related vehicles (including construction workers) for each phase of works, providing clarity and transparency as to where vehicle movements are permitted. - The retention of appropriate sections of the access tracks to keep replacement works construction traffic away from villages, including Great Staughton and Pertenhall; accident-prone junctions, including the B645/Moor Road junction; and sensitive locations such as Great Staughton Primary School and school bus stops. - A more robust assessment of the effects on Great Staughton and Pertenhall, as the traffic and transport effects on these local communities are materially different from the construction-stage scenarios assessed in the Environmental Statement.	The Proposed Construction Access Strategy plan at Appendix C of the outline Construction Traffic Management Plan [REP6-032] identifies the routes which construction traffic is permitted to use. As explained at SEPE-D2-18 in Applicant Response to Deadline 2 Submissions - Other Interested Parties [REP3-074], routes not shown on that plan are restricted routes, and use of a restricted route would constitute a breach of the approved CTMP. A second plan showing the inverse of the same information is not necessary. It would not be proportionate or necessary to retain every temporary haul road throughout the 40 year operational period. Replacement traffic is controlled by the approved OEMP, and any Major Replacement Campaign must identify its vehicle numbers, routes, accesses, timing and traffic-management measures for approval before works commence. ES Vol 2 Appendix 2-4 [REP6-028] assesses the reasonable worst case replacement campaign, including effects on Great Staughton and Pertenhall. The updated controls also require deliveries passing Great Staughton Primary School to avoid peak and school arrival and departure periods.
7.2 Financial protection for infrastructure risks but not scheduled decommissioning and restoration		
SEPE-D7-27	SEPE draws the Examination's particular attention to SEPE's submissions relating to National Gas and financial security, detailed in section 3 of REP4-083. SEPE notes that in relation to its live gas pipelines across the site, National Gas Transmission plc has sought protective provisions requiring insurance and financial security, including a parent	The Applicant refers to paragraphs 2.2.43 to 2.2.47 of the Applicant Response to Deadline 4 Submissions [REP5-023] and Table 3 (Procedural Deficiency #18B) of the Applicant Response to Stop East Park Energy [REP2-045], where the Applicant has addressed these matters in detail. The Applicant maintains its position, as set out in those submissions.

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	company guarantee, bank bond or letter of credit, against insolvency and unrecoverable future liabilities, expressly highlighting the additional risks of Special Purpose Vehicle-promoted developments such as East Park Energy. This demonstrates recognition by a major statutory undertaker that legal obligations alone may be insufficient. SEPE submits that the Applicant has not explained why substantial decommissioning and restoration liabilities, an important and scheduled phase in the Scheme, should remain unsecured, or attract a lower standard of financial assurance than National Gas requires for its own infrastructure relating to the risk of accidents, damage or other physical failure events. SEPE contends that the National Gas position set out at Compulsory Acquisition Hearing 1 illustrates why financial backing matters. Responding to the Applicant's reluctance to agree to the full financial provisions requested, its planning barrister, Rebecca Clutton, described the Applicant's approach as "unconventional" and explained: <i>"I could say to you, I'll indemnify you to the tune of £100m – if you don't have £100m that indemnity is worthless."</i> She further warned that: "there is always a risk of uninsured events arising" with failure affecting critical gas infrastructure representing "a low risk, but highly damaging outcome if it arises." Questioning the Applicant's resistance to financial safeguards, Ms Clutton added: "It's really difficult to see why the party won't just agree to this." SEPE submits that the same reasoning applies to decommissioning and restoration liabilities, which, by contrast, under the terms of the Development Consent Order (DCO) will more certainly "be called upon" and supports the need for demonstrable financial security rather than reliance on legal obligations alone.	The Applicant further submits that the comparison with National Gas' protective provisions is neither appropriate nor relevant in this context. Those provisions concern the protection of existing third-party critical infrastructure and the financial backing of indemnities owed to a statutory undertaker in the context of works being carried out, as a result of the implementation of the Scheme, in the vicinity of this statutory undertaker's apparatus. They do not provide a relevant comparator for decommissioning and restoration obligations secured through the DCO. As previously submitted, the Applicant maintains that the draft DCO and oDEMP secure decommissioning and restoration in a clear and enforceable manner which is consistent with established practice on solar DCOs. The Applicant further maintains that there is no policy requirement for a decommissioning bond or financial security for solar development and again notes that this position was expressly upheld by the Secretary of State in determining the Oaklands Farm Solar Park Order 2025, where the recommendation for a decommissioning fund requirement was omitted. Accordingly, the Applicant maintains that sufficient reliance and weight should be given to the controls available within the planning regime, including the fact that failure to comply with a requirement of a DCO amounts to a criminal offence under the Planning Act 2008, with the Proceeds of Crime Act 2002 acting as a further deterrent to non-compliance.

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7.3 The Helios precedent		
SEPE-D7-28	SEPE also once more draws the Examination's attention to the Helios Renewable Energy Project Order 2025, as identified in REP1-058. The Applicant accepts that the Helios DCO includes a specific requirement for decommissioning security. While this does not establish a mandatory precedent, it demonstrates that such security can be secured through a DCO and has been accepted by the Secretary of State within the NSIP regime. The relevant question is therefore not whether such a safeguard can be included, but whether there is any compelling reason why equivalent protection would be inappropriate for East Park Energy. SEPE accepts that comparable provisions have not been included in every solar NSIP. However, each application must be determined on its own merits. In the present case, the justification is particularly strong given the high proportion of Best and Most Versatile agricultural land affected by the Scheme and the importance of effective restoration to agricultural use in underpinning its claimed temporary nature. SEPE submits that an absence of equivalent provisions in other DCOs therefore provides no reason not to secure appropriate financial safeguards here.	The Applicant refers to Table 3 (Procedural Deficiency #18B) of the Applicant Response to Stop East Park Energy [REP2-045], where this matter has been addressed in detail. The Applicant maintains the position set out in those submissions and does not propose to revisit these at length. The Applicant notes, however, that the decommissioning security requirement in the Helios Renewable Energy Project Order was included at the discretion of the applicant for that scheme. As such, and for the reasons set out at paragraphs 2.2.43 to 2.2.47 of [REP5-023] and Table 3 (Procedural Deficiency #18B) of [REP2-045], the Applicant's position remains that there is no precedent for the Secretary of State including decommissioning funding security in a solar DCO decision or made Order, and further that the Secretary of State has consistently upheld that NPS EN-3 does not require a decommissioning bond. Examples of this include: the Oaklands Farm Solar Park Order, Mallard Pass Solar Farm Order, Sunnica Energy Farm Order, and the Cleve Hill Solar Park Order.
7.4 Applicant's projected decommissioning costs and the absence of secured funding		
SEPE-D7-29	The Applicant submitted a revised Funding Statement (AS-032) after Deadline 5, updating its Deadline 5 version (REP5-011). Paragraph 3.1.1 of REP5-011 states: "The current estimated cost to construct the Scheme is approximately £370 million."	The Applicant refers to paragraph 3.1.4 of the updated Funding Statement [AS-032]. As explained therein, the Applicant has provided what it considers to be a realistic cost estimate for decommissioning, based on estimates from qualified specialists and European comparison studies, in order to provide comfort that this matter has been considered, to the extent that is possible at this

Our Ref.	Comment	Applicant Response
	Paragraph 3.1.1 of AS-032 states: “The current estimated cost to deliver the Scheme is approximately between £370 and £380 million.” Paragraph 3.1.4 states: “The Applicant has provided what it considers to be a realistic cost estimate for decommissioning, based on estimates from qualified specialists and European comparison studies, in order to provide comfort that this has been considered and that the Applicant is confident that funding will be available.” It therefore appears that the Applicant has estimated decommissioning costs at up to £10 million. However, it provides no accompanying cost breakdown or parameters for the decommissioning phase, nor does it specify whether restoration is included within that estimate. Nor does the Applicant explain how its estimate would be reviewed over the 40-year operational period, including to account for inflation and changes in decommissioning and restoration costs. The Applicant is seeking development consent for a 40-year project as a ‘temporary’ scheme, after which the solar and battery storage infrastructure should be decommissioned and the land restored to the status quo ante. As SEPE contended in its REP4-083 submission, securing not only provision for eventual decommissioning and restoration, but an executable means of delivering it, is a central part of the development application. The Applicant does not give any sources for its figures. In the absence of supporting sources, assumptions or evidence, it is not possible to test those figures or assess their reliability. SEPE has therefore considered the available UK government evidence on decommissioning costs as a point of comparison. The Department of Energy Security and Net Zero’s Arup study includes a brief reference to decommissioning costs. Its findings are based on a	point in time, and that the Applicant is confident that funding will be available. The Applicant maintains, however, that there is no statutory or policy requirement requiring an applicant to evidence how it would fund the decommissioning of a project. Rather, as set out in the Funding Statement, the purpose of that document is to demonstrate how an order containing powers of compulsory acquisition is proposed to be funded in compliance with Regulation 5(2)(h) of the APFP Regulations. In those circumstances, the Applicant does not consider it necessary or proportionate to engage further with SEPE’s submissions in respect of the DESNZ/Arup study. In respect of SEPE’s proposals for a decommissioning bond or other financial security, the Applicant refers to paragraphs 4.3.1 to 4.3.3 and 2.2.43 to 2.2.47 of the Applicant Response to Deadline 4 Submissions [REP5-023] and its responses to SEPE-D6-27 to SEPE-D6-31 in the Applicant’s Response to Deadline 6 Submissions [REP7-006], where this matter has been addressed in detail. For the reasons set out in those submissions, the Applicant maintains that there is no policy requirement for a decommissioning bond or similar form of financial security, that the draft DCO and oDEMP secure decommissioning and restoration in a clear and enforceable manner which is consistent with established practice on solar DCOs and, accordingly, that sufficient reliance and weight should be given to the controls available within the planning regime to secure decommissioning in accordance with the approved details.

Our Ref.	Comment	Applicant Response
	very small sample of schemes. None of these schemes is at NSIP-scale (only one NSIP-scale solar complex has so far been constructed, Cleve Hill in Kent). At paragraph 6.8.4, the Arup study states: “Decommissioning costs involve the expenses related to safely dismantling and removing the infrastructure of a solar farm at the end of its operational life. Arup received five responses regarding these costs, and after evaluating the information received based on the criteria outlined in Chapter 3, four data points were used to calculate an average decommissioning cost of £15k/MW, with a low cost of £4k/MW and a high cost of £25k/MW.” At paragraph 3.8, Arup states: “Decommissioning cost: This cost pertains to dismantling and removing infrastructure at the end of the farm’s operational life. It includes disposal and recycling expenses, net of earnings from the sale of scrap.” The Arup study does not provide further information about the basis or scope of these decommissioning cost estimates. In particular, it does not identify whether the limited responses on decommissioning costs relate to projects on greenfield or brownfield land, whether the estimates include the decommissioning of any associated battery energy storage systems, or whether they include the full restoration of the site following removal of the solar farm infrastructure. The responses should also be distinguished from the wider solar dataset, which comprised 18 project responses, of which only a subset was used for particular elements of the cost analysis.	

Our Ref.	Comment	Applicant Response
	The Arup figures therefore provide, at most, a broad benchmark for solar infrastructure removal; they do not establish the likely cost of decommissioning and fully restoring this particular scheme. Based on its nameplate capacity of 400MW, and according to these very broadbrush figures, East Park Energy's decommissioning costs would therefore be between £1.6 million and £10 million. Given that the Applicant itself appears to consider a figure of up to £10 million to be a "realistic cost estimate" of its decommissioning liability, the issue is therefore not whether such a liability exists, but how the necessary funds will be secured and remain available when required. As SEPE has repeatedly submitted, expectation that funding will be available is not equivalent to securing that funding for the purpose for which it will ultimately be required. SEPE suggests that, as the upper end of this range broadly accords with the upper end of the Applicant's own projection – notwithstanding the significant limitations and uncertainties attaching to both figures, and the resulting likelihood that they materially underestimate the full cost of decommissioning and restoring a scheme of this scale – the Applicant should reasonably be able to ringfence less than 3% of the Scheme's estimated capital cost to secure its eventual decommissioning and restoration. SEPE therefore respectfully invites the Examining Authority to consider whether appropriate financial security should be secured as part of the DCO. As suggested in REP4-083, such security could be provided through an appropriate financial mechanism, such as a bond or other ringfenced financial guarantee, ensuring that sufficient funds remain available for decommissioning and restoration irrespective of the Applicant's financial position at the end of the Scheme's operational life.	
7.5 The case for securing foreseeable decommissioning and restoration liabilities		

Our Ref.	Comment	Applicant Response
SEPE-D7-30	Such financial security is particularly important given that effective decommissioning and restoration underpin the Scheme's claimed temporary nature and the eventual return of the land to productive agricultural use, particularly where such a high proportion of the Scheme comprises Best and Most Versatile agricultural land. It is also consistent with National Gas's position in this Examination, which seeks a parent company guarantee, bank bond or letter of credit to protect against potential future events such as insolvency and financial default. By contrast, decommissioning and restoration are not merely contingent risks: they are an integral and foreseeable part of the Scheme itself. SEPE contends therefore that there is a compelling case for ensuring that sufficient funds are secured and remain available to meet those obligations when they arise. For completeness, SEPE also submits that the financial position or corporate status of other companies within the Applicant's group is irrelevant in the absence of any legally enforceable intra-group guarantee requiring those companies to meet the Applicant's liabilities.	The Applicant refers to its responses to SEPE-D7-27, SEPE-D7-28 and SEPE-D7-29 above, together with paragraphs 4.3.1 to 4.3.3 and 2.2.43 to 2.2.47 of the Applicant Response to Deadline 4 Submissions [REP5-023] and Table 3 (Procedural Deficiency #18B) of the Applicant Response to Stop East Park Energy [REP2-045], where these matters have been addressed in detail. The Applicant maintains the position set out in those submissions. For the reasons set out in response to SEPE-D7-27, the Applicant does not consider the comparison with National Gas's requested protective provisions to be relevant or appropriate in this context. The Applicant further maintains that there is no policy requirement for a decommissioning bond or similar form of financial security, and that there is no precedent for the Secretary of State including decommissioning funding security in a solar DCO decision or made Order. For the reasons set out in response to SEPE-D-27 to SEPE-D7-29, together with the submissions referenced therein, the Applicant maintains that the draft DCO and oDEMP secure decommissioning and restoration in a clear and enforceable manner which is consistent with established practice on solar DCOs. Accordingly, sufficient reliance and weight should be given to the controls available within the planning regime to secure decommissioning in accordance with the approved details.
Part 2 Section 3. The Lullington judgment and the requirement for a robust alternatives assessment		
SEPE-D7-31	In its Applicant's Response to Deadline 4 and 5 Submissions – Other Interested Parties (REP6-052) pages 61–63, the Applicant addresses the key case authority that SEPE has drawn attention to, namely the Lullington case (Lullington Solar Park Ltd [2024] EWHC 295).	The Applicant maintains its response at SEPE-D6-07 in the Applicant's Response to Deadline 4 and 5 Submissions - Other Interested Parties [REP6-052]. <i>Lullington</i> did not establish a general legal or policy rule that an applicant must undertake intrusive soil surveys on land outside the proposed site, nor that permission must be refused whenever the selected site contains BMV land.

Our Ref.	Comment	Applicant Response
	The Applicant accepts, as noted already by SEPE, that the Honourable Mr Justice Jarman KC stated the following in his judgment: <i>“an assessment which involves no soil surveys outside the [appeal] site is not sufficiently robust”.</i> However, the Applicant criticises SEPE for not prefacing this quote from the judgment with the learned judge’s additional words: <i>“It is not necessarily inconsistent to conclude that”</i> The Applicant advances the questionable contention that this ‘longer quote’ from the judgment effectively produces a meaning which is the exact opposite of that which SEPE had drawn from the ‘shorter quote’. The Applicant goes further and argues that in light of the ‘longer quote’, Mr Justice Jarman’s judgment in fact supports its case that off-site soil surveys are not a prerequisite to lodging an application to build a grid-scale solar power site on largely BMV agricultural land. Accordingly, SEPE and the Applicant have drawn diametrically opposed conclusions from the teaching in Lullington. SEPE contends Lullington supports the submission that where a putative developer decides to apply to site a solar power facility on BMV land it should justify that selection by producing evidence of reasonable and proportionate efforts to first find an alternative site not consisting largely of BMV land. The Applicant says this is wrong and that there is no such need and that Lullington supports that position. However, only one of those contrasting positions is consistent with government policy. As has been cited on many occasions throughout this Examination the National Planning Policy	The words relied upon by SEPE formed part of the court’s consideration of whether an Inspector’s evaluative finding was legally inconsistent on the particular evidence in that appeal. The <i>Lullington</i> judgement confirmed that it is not practicable or reasonable to investigate every possible location and that the scope and adequacy of the alternatives evidence are matters of planning judgement. It does not support the wider proposition advanced by SEPE.

Our Ref.	Comment	Applicant Response
	Framework states in clear terms that where significant development of agricultural land is demonstrated to be necessary “areas of poorer quality land should be preferred to those of a higher quality”. See section 4.1. Establishing that the preference for a site on BMV land is not feasible in a given circumstance must inevitably involve some degree of reasonable and proportionate efforts to find an alternative site. Accordingly, SEPE submits that its interpretation of the Lullington authority is the correct one, and the one that accords most closely with government policy, in contrast to the more convoluted interpretation advanced by the Applicant before the Examining Authority.	
Part 2 Section 4. The clear policy preference for poorer quality agricultural land over BMV land		
SEPE-D7-32	It further provided that, where significant development of agricultural land was demonstrated to be necessary: “areas of poorer quality land should be preferred to those of a higher quality.” The 2026 NPPF retains and develops this policy approach, requiring development to be steered towards land of least environmental value, including by: <i>“avoiding the use of higher quality agricultural land where land of poorer quality is available”,</i> and requiring proposals, where significant development of agricultural land is necessary, to: <i>“use areas of poorer quality land where possible.”</i> Against this clear and continuing policy preference for the conservation of more productive land and use of lower quality agricultural land in preference to higher quality land, the adequacy	The Applicant refers to the Note on updated National Planning Policy Framework [REP7-009]. The updated NPPF is a potentially relevant consideration, but it does not displace the designated National Policy Statements as the primary policy framework under section 104 of the Planning Act 2008. The preference for poorer quality agricultural land continues to be qualified by the words 'where possible' and does not materially differ from the position in the previous NPPF. It does not create a sequential test or a prohibition on the use of BMV land. The Scheme's site selection process considered agricultural land quality alongside the fixed grid connection, scale, land availability, landscape, heritage, ecology, flood risk, access and deliverability. The updated NPPF does not alter the Applicant's conclusions.

Our Ref.	Comment	Applicant Response
	of the Applicant's site selection process, its justification for the proposed use of BMV land, and its consideration of available lower quality alternatives require careful scrutiny.	
Part 2 Section 5. Long term or permanent damage to soil and the implications of future "repowering"		
SEPE-D7-33	SEPE contends that the following claim by the Applicant is not supported by the evidence (REP6-012, page 81). It states that the majority of the site: <i>"...would not be permanently adversely impacted by the Scheme and could be easily reverted to its existing agricultural condition upon completion, with anticipated benefits in relation to soil structure is and resources."</i> By contrast, a 2023 ADAS report found that solar sites cause soil compaction which results in structural damage; compaction leads to reduced permeability to water and air as well as increased surface water runoff and erosion. The study concludes that reversing soil compaction could take years and in some cases may prove permanent. ADAS also calls for more research into the impacts of corroded galvanised metal piles and beams used in foundations for the panels, and associated soil contamination. Numerous other technical and academic studies highlight issues with soil post development. For example, Moscatelli et al. recorded measurable changes in soil organic matter, microbial biomass and hydraulic conductivity beneath solar arrays after seven years, indicating that shading, traffic and compaction can alter soil structure and biological function. Hernandez et al., in a review of the environmental impacts of utility-scale solar development, identified potential impacts on soils and hydrological processes arising from land-cover change and site preparation, including vegetation	The research cited by SEPE identifies potential effects where soils are inadequately managed and does not demonstrate that permanent damage will arise under the controls secured for this Scheme. Soil compaction, drainage, contamination and restoration have been assessed, and the outline Soil Management Plan [REP6-042] together with the oCEMP, oOEMP and oDEMP require appropriate working conditions, soil handling and storage, monitoring, reinstatement and remedial action. The DCO authorises a defined operational period and any speculative future proposal to extend that period or repower the Scheme beyond the authorised parameters would require separate consent and is not part of this Application.

Our Ref.	Comment	Applicant Response
	removal, grading and soil compaction, with consequential implications for soil moisture and nutrient dynamics. SEPE also submits that longer term studies of solar developments are not yet available, either internationally or in the UK. SEPE notes that NSIP-scale schemes do not generally allow for any form of genuine associated agrivoltaics undertakings. In addition, the NPPF encourages “future re-powering and life extension” of renewable installations, facilitating more or less permanent loss of farmland to solar power developments. Two of the existing solar power sites in the immediate local area have already successfully applied for extensions to their project lifetimes.	
Part 2 Section 6. Concerns regarding the Applicant’s assessment of reasonable alternative sites		
SEPE-D7-34	SEPE therefore submits that the issue is not whether every conceivable alternative was required to be assessed. SEPE instead contends that: • The alternatives exercise was not sufficiently objective and robust when the principal factor determining the preferred Zone was itself fixed in advance. • Potentially material environmental considerations were omitted from the comparative appraisal. • The claimed 15km “technical engineering” grid-connection constraint is contradicted by comparable solar NSIPs with viable connection distances of 20–27.5km, calling into question a key justification for the defined search area. • The site-selection process appears to have been materially shaped by land offered by interested landowners.	The Applicant does not agree that these matters demonstrate a deficiency in the alternatives exercise. They should be read alongside Section 3.3 and the responses to alleged Procedural Deficiencies 4A and 5A in the Applicant Response to Stop East Park Energy [REP2-045], which address both the applicable requirements and the justification for the approach taken.

Our Ref.	Comment	Applicant Response
	- The agricultural evidence underpinning the alternatives exercise raises questions of chronology. - Zone B contains the highest proportion of BMV land of the alternatives. - An apparently credible combination of Zone C and Little Barford was never comparatively assessed.	
Part 2 Section 7. The Applicant's reliance on Brownfield Registers in assessing alternative sites		
SEPE-D7-35	Accordingly, SEPE does not accept that the mere fact that Brownfield Land Registers were reviewed establishes that previously developed alternatives were robustly assessed or exhausted.	The Applicant did not rely only on Brownfield Land Registers in preparing the Site Identification Report [APP-058]. The registers and other potential previously developed land within the search area were reviewed as the first stage of the site selection process. No individual parcel or practical, readily connectable cluster met the land requirement for a 400MW solar generating station. The Applicant notes that no interested party has identified a suitable alternative area of brownfield or previously developed land that could accommodate the Scheme.
Part 2 Section 8. The regional context of the site-selection exercise		
SEPE-D7-36	These issues are even more salient in 2026. The loss of BMV land for non-agricultural purposes has been particularly highlighted by the drought across the country. This year's harvest is due to be the lowest on record, with key crop production falling to 18.5 million tonnes, according to the Energy and Climate Intelligence Unit. ¹⁷ Yields are down by 25–30% in many areas and food self-sufficiency has become a higher priority national issue, reinforcing the importance of protecting the country's most productive agricultural land. Against this backdrop, every hectare of good quality land lost to non-agricultural use is significant.	The Applicant recognises the importance of food security, however, the ECIU analysis cited by SEPE itself identifies extreme weather and climate change as threats to food production and stresses the importance of reducing emissions. As explained at paragraph 2.2.5 of the Written Summary of Applicant's Oral Submissions at ISH2 [REP1-059] , the Government's Solar Roadmap identifies the climate and nature crisis as the greatest risk to food security and does not consider increased solar deployment, with appropriate planning safeguards, to threaten food security.

Our Ref.	Comment	Applicant Response
	Ultimately, these matters do not create an absolute prohibition on the development of BMV land. They do, however, reinforce the importance of the policy framework set out above. A proposal to occupy approximately 1,900 acres of predominantly BMV farmland in a major food-producing region requires a convincing demonstration that reasonable opportunities to use land of lower agricultural quality were properly identified and investigated.	Paragraphs 2.2.6–2.2.11 of [REP1-059] that summary quantify the potential reduction in production. Assuming all 694.8 hectares removed from arable production were growing wheat, the estimated annual reduction represents approximately 0.043% of five-year average national wheat production. The cited harvest forecasts do not, by themselves, demonstrate a significant food security effect from the Scheme.
Part 2 Section 10. Overall assessment of BMV land use and site selection		
SEPE-D7-37	SEPE submits that the Applicant cannot answer SEPE’s objection simply by suggesting that national policy does not require it to identify a wholly BMV-free solar site or that Lullington does not require an applicant to examine “every possible location”. SEPE accepts both propositions. Indeed, the Applicant’s own August 2026 formulation (AS-035) – that national policy does not require it to “identify, or compulsorily assemble, a wholly best and most versatile (BMV) agricultural land-free solar site” – is not in dispute. The issue is whether the Applicant made a genuine and sufficiently robust effort to establish whether reasonable alternatives existed which would avoid, or materially reduce reliance on, BMV agricultural land.	As explained in response to Procedural Deficiency 4A in the Applicant Response to Stop East Park Energy [REP2-045], the preference for lower-quality agricultural land actively informed the identification of the search zones, rather than merely being acknowledged after the Site had been selected. Paragraphs 2.1.4–2.1.9 of the Written Summary of Applicant’s Oral Submissions at ISH2 [REP1-059] explain the steps undertaken. These included reviewing brownfield and previously developed land, individually and in practicable clusters, before concluding that agricultural land was necessary. Natural England’s provisional Agricultural Land Classification mapping was then used, alongside spatial planning constraints, to identify three search zones directed towards areas more likely to contain lower-quality agricultural land. These were substantive investigations of opportunities to avoid or reduce reliance on BMV land. The zones were subsequently compared against other relevant factors, including grid connection, topography, proximity to dwellings and accessibility. Zone B was preferred principally because it offered the most straightforward grid connection, with subsequent land identification and refinement reported in [APP-059]. NPS EN-3 paragraphs 2.10.29 to 2.10.31 require the preference for poorer quality land to inform site selection and the choice of site to

Our Ref.	Comment	Applicant Response
		be explained, while providing that land type should not be a predominating factor.
SEPE-D7-38	Most strikingly, the process ultimately selected the Search Zone with the highest proportion of BMV land of the three alternatives, notwithstanding the clear national policy preference for poorer quality agricultural land where it is available. The High Court's observation in <i>Lullington</i> is therefore particularly apposite: "an assessment which involves no soil surveys outside the [appeal] site is not sufficiently robust". That is essentially the evidential problem here. The Applicant asks the Examining Authority and Secretary of State to accept that the extensive use of BMV land is justified, but the alternatives exercise set out in APP-058 did not contain the comparative soil investigation capable of robustly establishing whether lower quality agricultural alternatives were available. In that sense, <i>Lullington</i> and government policy are entirely <i>ad idem</i>. Neither requires a perfect or wholly BMV-free site. Both require the question of lower quality alternatives to be addressed on a sufficiently robust evidential basis. SEPE therefore submits that the Applicant has not demonstrated compliance with the policy approach set out above. It has demonstrated that, within a search process constrained by Eaton Socon, land availability and high level desk-based information, Zone B was selected. That is materially different from demonstrating that higher quality agricultural land was avoided where poorer quality land was available.	As set out with reference to SEPE-D7-31 above, the Applicant does not agree with SEPE's interpretation of <i>Lullington</i>. The quoted passage must be read in context. At paragraph 36, the Court held that it was "<i>not then necessarily inconsistent to conclude</i>" that the particular assessment before the Inspector was insufficiently robust. That upheld a case-specific planning judgement; it did not establish a universal requirement to undertake soil surveys of alternative sites. The same paragraph 36 recognises that grid connection, landscape, ecology, heritage, highways, flooding and availability also constrain and narrow the search.
Part 3 Section 3.1 Solar power site clustering and submissions from local solar schemes		

Our Ref.	Comment	Applicant Response
SEPE-D7-39	NPS-EN3 states (paragraph 2.10.26) that where applicants “choose a site based on nearby available grid export capacity”, they: <i>“should consider the cumulative impacts of situating a solar farm in proximity to other energy generating stations and infrastructure.”</i> The Applicant has sought to downplay any suggestion that solar developments already operational or planned in the immediate area will, when combined with the Scheme, create a cumulative development impact. SEPE suggests that the decision to scope out from its assessments two existing solar power sites, Manor Farm, Pertenhall, and the Little Staughton Airfield solar array, on the grounds that the schemes are <i>“operational and ... therefore already accounted for within the EIA baseline”</i>, is difficult to justify.	The operational solar farms identified by SEPE were not ignored or excluded from the environmental assessment. Their physical presence and influence formed part of the baseline against which landscape, visual, traffic, ecological and other effects were assessed. Treating them again as future cumulative projects would double-count effects already embedded in that baseline. This is a basic principle of cumulative effects assessment in that the existing environment (which includes the two schemes identified by SEPE) is considered against the Scheme and other future developments. ES Vol 1 Chapter 17 [APP-053] considered relevant proposed and consented developments which were not already part of the baseline. The approach taken by the Applicant is consistent with the purpose of cumulative assessment and with paragraph 2.10.26 of NPS EN-3. The fact that operational schemes contribute to a wider concentration of solar development does not demonstrate that a cumulative effect has been omitted.
SEPE-D7-40	SEPE contends that the fact that these scheme developers/operators have themselves submitted concerns, including in relation to land rights and risks to the conditions on which existing planning permissions were granted, provides compelling evidence that solar development clustering is already occurring adjacent or in close proximity to the East Park Energy Scheme. These are not hypothetical cumulative effects: they are real-world evidence of an increasing concentration of solar power infrastructure within the same locality, with consequential effects on the landscape, neighbouring communities, agricultural land use and existing developments. This directly undermines the Applicant’s attempt to minimise the extent and significance of solar development clustering in the area.	The submissions cited from neighbouring solar operators principally concern land interests, access arrangements, construction interfaces or the protection of their existing permissions and infrastructure. The fact that such parties have sought protective or practical arrangements does not itself establish a likely significant cumulative environmental effect.

Our Ref.	Comment	Applicant Response
SEPE-D7-41	In its Written Representation (REP1-080), Addleshaw Goddard for National Grid Electricity Transmission plc (NGET) stated at paragraph 2.4: <i>“The Eaton Socon Substation Project is critical infrastructure to enable the connection of multiple projects at this location, with the East Park Project being only one of a number of projects referred to on the National Energy System Operator Transmission Entry Capacity (TEC) register as requiring a future connection to the Eaton Socon substation, including for Clearstone Energy Limited’s and Telis Energy’s projects.”</i> Despite this evidence from NGET, neither of these projects appear to have been included or even referenced by the Applicant in its assessments of cumulative impact.	An entry on the NESO Transmission Entry Capacity register, or a reference by NGET to projects that may seek a future connection, is not by itself a sufficiently defined development proposal for EIA cumulative assessment. A meaningful assessment requires adequate information about the location, scale, design, programme and likely environmental effects of the other project. The possible future connection of these projects at the Eaton Socon Substation does not establish an omitted likely significant cumulative effect. Any future application for either the Clearstone or Telis project will likely be required to consider the cumulative effect of their development with the Applicant’s and any other emerging or consented developments.
Part 3 Section 3.2 Recent fires involving electrical equipment on agricultural land		
SEPE-D7-42	SEPE therefore asks the Applicant to identify precisely where within the Application documents the preventative, protective and mitigation measures addressing this specific type of fire incident are set out, and to explain how those measures would operate in practice to prevent such a fire, contain or limit its consequences should prevention fail, and protect people, property, surrounding infrastructure and the environment. This should include specific consideration of the potential presence of dry or combustible vegetation beneath and around the solar panels, the risk that such vegetation could facilitate the ignition or spread of fire across the solar array or battery energy storage compound, and the measures relied on to prevent, manage and mitigate that risk. In particular, SEPE requests that the Applicant demonstrates that the identified measures are specific to the fire risks and	The Applicant recognises that dry vegetation beneath and around the solar arrays can provide fuel for a field fire. The relevant vegetation management provisions are set out in Section 6.5 of the outline Landscape and Ecological Management Plan [REP6-038], including annual grass cutting. Grazing or cutting grass are directly relevant to reducing the vegetation available to fuel a fire, but are not, however, a guarantee that vegetation cannot ignite during drought conditions. For potential ignition sources associated with equipment and maintenance activities, paragraphs 2.4.8, 4.1.24 and 4.1.45 of the outline Operational Environmental Management Plan (oOEMP) [REP6-034] provide for routine equipment inspections, site-specific risk assessments and method statements, and regular inspection of mobile plant.

Our Ref.	Comment	Applicant Response
	circumstances in question, rather than relying on generalised safety provisions or controls to be developed at a later stage.	Should an incident occur, paragraphs 4.1.43 to 4.1.46 of the oOEMP [REP6-034] require emergency planning in consultation with the relevant emergency services, an Emergency Response Plan, emergency contact notices around the Site, and induction of personnel on firefighting equipment, escape routes and procedures.

2.4 Response to Christopher Faulkner

Table 4: Response to Christopher Faulkner [REP7-016]

Our Ref.	Comment	Applicant Response
CF-D7-01	Firstly CL-D5-01 my concern over the creation of a new ridgeline - I can not agree with the applicant response. When I met with them in Oct 2024 on the ridgeline, I had erected a series of 3 metre high stakes all along the ridgeway set back some 25m from the Bridleway 37. These could be very clearly seen from Mill Hill in Keysoe, from Church Road in Keysoe and from the Riseley Road in a number of places. I would also state that they could be seen from may other areas further away as they sat on top of the ridgeline from where you can see for many miles in a Easterly and Southerly direction. The applicant did react and moved the panels back by some 25m (50 m form their original plan) saying that they would not be seen. This is totally incorrect - The ridgeline is flat across the top and then slopes down to the north being visible from Swineshead. Since their revised plans I have again waled the Bridleway and then inserted the poles 60m back from it in a northerly direction - they remain visible from Mill Hill, Church Road and some of the Riseley Road, as well as from may other area further away. There is absolutely no doubt that a new ridgeline will be created which is a fundamentally against planning policy and thus this area must be removed from any scheme. In October 24 they were shown fields that were not included in the scheme for panels, where they would have been hidden from all residential homes and thus a better more considerate positioning - this was ignored, demonstrating that the welfare and concerns of the local population means nothing to the applicant.	The Applicant refers to response CL-D5-01 in the Applicant's Response to Deadline 4 and 5 Submissions - Other Interested Parties [REP6-052]. The Applicant has not stated that the panels north of BW37 would be wholly invisible. Their visibility from BW37, Mill Hill, Keysoe and the surrounding landscape has been assessed in the LVIA. The observation that 3m poles can be seen from selected locations does not demonstrate that the Scheme would create an unacceptable new ridgeline or give rise to effects beyond those assessed. As noted by the Interested Party, the layout has been set back from BW37 in response to pre-application consultation. There is no specific planning policy imposing an absolute prohibition on solar infrastructure being visible near a ridgeline.
CF-D7-02	Thirdly re CL-D5-03, the point relating to the use of more mature trees and not the 18inch whips that tend to be used has not been answered in their responses nor was it responded to in the specify	The Applicant refers to Hearing Action Point 9 in [REP4-110]. The planting proposals are not limited to '18 inch whips'. Native woodland and woodland belts may include light standard trees to

Our Ref.	Comment	Applicant Response
	hearing 3 when written up afterwards in section 2.2.16. I understand that the applicant does not want to commit to trees before the award of the DCO. BUT on award it will then be a good period of time before they commence work and then even longer before the first planting can commence. I do agree planting can only be done at certain times of the year to promote growth and increase the chances of survival but in order to give some degree of screening before 10 years the applicant must be advised it has to use larger older plants. I have researched the availability of UK grown, natural and indigenous hedging and have received a number of confirmations that if an order is placed for 4ft hedging /trees then they will be available in 36 months - and many will be available sooner - so the point is that the examiner, should he support the scheme, should condition it that the landscaping and screening needs to be done with more mature trees/hedging.	provide early filtering of views, while individual native trees would be heavy standards with a stem girth of 12-14 cm and a height of at least 3.5m. The final LEMP will confirm the detailed species, provenance, stock size, planting method and establishment requirements. For the reasons already given at Hearing Action Point 9, the Applicant does not consider that a further requirement for widespread use of larger or semi-mature stock is necessary or appropriate. Such stock is not always available at the required scale and may carry greater establishment risks than younger stock.

2.5 Response to Christopher Lacey

Table 5: Response to Christopher Lacey [REP7-016]

Our Ref.	Comment	Applicant Response
CL-D7-01	Paragraph 4.2.14 sets out that the presumption in favour of granting consent for what NPS EN1 defines as Critical National Priority infrastructure will not apply where the mitigation hierarchy has not been applied properly. For numerous reasons set out in multiple written representations this mitigation hierarchy has not been adequately demonstrated on this project.	The Applicant does not agree that the mitigation hierarchy has not been applied, and compliance with the mitigation hierarchy has been set out by the Applicant throughout Section 7.0 of the Planning Statement [REP6-010] . The comment does not identify a specific effect or available mitigation measure that has been omitted. Avoidance and reduction have informed the site selection and iterative design process, including the exclusion and repositioning of infrastructure, setbacks, buffers and retention of existing landscape and ecological features. The remaining mitigation, management, monitoring and enhancement measures are secured through the draft DCO [REP6-006] and certified documents. The Applicant therefore maintains its position regarding the application of the Critical National Priority infrastructure policy in NPS EN-1.

2.6 Response to Elaine Anne Wheeler

Table 6: Response to Elaine Anne Wheeler [REP7-018]

Our Ref.	Comment	Applicant Response
EW-D7-01	Planning applications for less significant proposals always have to provide details of everything that is proposed to be carried out. This of course does not apply to an outline only application, so does this mean we can assume that the entire application is an outline only and if work does not commence within 3years it will no longer be valid? It will also mean that the applicant will have to submit details and that work will not commence until these have been submitted, available publicly and go through the same procedure as any application. This is an important and valid query, deserving a response.	The Application is not an outline planning application under the Town and Country Planning Act 1990, and therefore the three year time limit typically applicable to some outline planning permissions does not apply. Requirement 1 of the draft DCO [REP6-006] provides a five year commencement period, subject to the limited extension where a legal challenge is brought. Specified detailed design and management plans must be approved under the relevant DCO Requirements before the corresponding works commence.

2.7 Response to James Duberly

Table 7: Response to James Duberly [REP7-019]

Our Ref.	Comment	Applicant Response
JD-D7-01	Regarding Plot 10-16 (Water Pipe at SA16): Further to my previous submissions, the applicant has still not provided any rationale, drawings, depths, or other specifications for the water pipeline that they wish to run through my subsoil. Nor has it engaged in genuine commercial negotiation, beyond a token offer of £50. To cover the proposed change from a cable to a pipe, the applicant has, at this late stage in the process, altered the generic text at the end of Schedule 1 (work numbers 6 and 9) of their draft rules to include water connections. However, the applicant's core application materials – specifically the Book of Reference (document 4.3) and Statement of reasons (document 4.1), and the Environmental Statement Chapter 2 (document 6.1) – remain unchanged and restrict the justification of this corridor to an underground cable connection.	The proposed operational water connection is not a late change from a cable to a pipe. ES Vol 1 Chapter 2 [APP-038], submitted with the Application states at paragraphs 2.4.147-2.4.148 that the Scheme requires a water supply and that the connection is expected to be made close to the Main Site Access on the B645. The Applicant subsequently confirmed at Q2.10.3 of the Applicant Response to the Examining Authority's Second Written Questions [REP4-113] that Anglian Water had identified the existing main in the B645, close to the pump house, as the point of connection. Work No. 6 includes utility connections and the rights sought over Plot 10-16 include access rights for Work Nos. 6 and 9. The definition of access rights in Schedule 9 to the draft DCO expressly includes the installation and maintenance of pipes, mains and services. These provisions were already included in the P06 draft DCO and are maintained in P07. The Book of Reference identifies land interests and the rights sought; it is not intended to prescribe construction level engineering detail. The final alignment, depth, construction method and specification will be developed at detailed design stage and must remain within the Order limits, the rights sought and the assessed environmental envelope. The Applicant does not propose to address the detail of ongoing commercial negotiations in this public response as this matter was covered in previous submissions extensively. It continues to seek voluntary agreement. The Applicant has offered open market value in respect of a plot that is presumed to be owned by Mr. Duberly on an ad medium filium basis but for which Mr. Duberly is not the registered proprietor. The Applicant seeks to acquire new rights (not

Our Ref.	Comment	Applicant Response
		freehold) over a subsoil plot that runs underneath an adopted highway. If DCO powers are exercised, the statutory compensation code will apply.
JD-D7-02	Regarding Plot 10-18 (Farm Access at SA16) and Plot 7-7 (Garden Farm Access at SA12): The applicant and its agent have told me by email that these green verges are only required for "visibility purposes" and that blocking our access at 10-18 "is not required for the project". This correspondence, while welcome, falls well short of the binding assurance I have asked for that our farming operations will not be impeded. Yet, if the applicant only requires these areas for visibility and traffic management, it would continue to appear that the applicant's request for temporary possession is unnecessary	This issue was discussed and addressed during the Compulsory Acquisition Hearings 1 [REP4-112]. The Applicant notes the correspondence referred to and confirms that the inclusion of Plots 10-18 and 7-7 within the temporary possession schedule does not mean that either farm access will be permanently blocked. The plots are included in Schedule 11 to enable temporary use, including access, where necessary to construct and safely manage Work Nos. 1 to 10. Control of the adjoining verge may be required to establish and maintain visibility splays, install or operate temporary traffic management, undertake access works and maintain highway safety. An indication that permanent closure of Plot 10-18 is not required does not remove the need for those temporary powers. Article 30 requires advance notice, restoration of temporarily possessed land and compensation for loss or damage arising from the exercise of the powers. The Applicant will continue to engage with Mr Duberly on practical arrangements to minimise interference with farming operations.

2.8 Response to M T Benford

Table 8: Response to M T Benford [REP7-023]

Our Ref.	Comment	Applicant Response
MB-D7-01	2.1 Table 17.4 assesses the cumulative construction phase landscape effects on the Southern Wolds LCA arising from East Park Energy and High Wood Solar Farm together. The Applicant's own assessment in that table identifies a cumulative effect of Moderate-Major Adverse (Significant) — the Applicant's own words, in the Applicant's own document. This is not a disputed conclusion; it is what the Applicant found when it assessed the two schemes together. 2.2 The Applicant then sought to dismiss any additional cumulative significance on the basis of two timeline assumptions. First, that 'the construction of the Scheme would not occur until 2027 at the earliest.' Second, that 'High Wood Farm must have commenced by 2027 at the latest.' On the basis of these assumptions, the Applicant concluded that whilst there could be some cross-over in construction, any additional cumulative visual effects over and above those identified for East Park in isolation would not be significant. 2.3 Both of these timeline assumptions are now visibly in play. Construction signs for High Wood Solar Farm were directly observed on 22 August 2026 — consistent with the Applicant's own assessment that High Wood must have commenced by 2027 at the latest, and suggesting that commencement is imminent or already underway. The second assumption — that East Park's own construction will not occur until 2027 at the earliest — means that the two construction phases are now converging on exactly the overlap scenario that Table 17.4 identified as producing Moderate-Major Adverse (Significant) cumulative effects.	The Applicant agrees that Table 17.4 of ES Vol 1 Chapter 17 [APP-053] identifies a Moderate-Major Adverse (Significant) cumulative construction effect on the Southern Wolds LCA. The table shows that the Scheme-alone construction effect is already Moderate-Major Adverse (Significant) and remains at that level when High Wood Solar Farm is considered. The conclusion is therefore that High Wood does not increase the assessed level of significance above the effect already identified for the Scheme in isolation. The assessment assumes that construction of the two schemes could overlap. The observation of construction signage at High Wood is consistent with the overlap scenario already assessed; it does not establish a more intensive concurrent scenario or an effect beyond the assessment. An earlier commencement does not create a greater concurrent scenario than both schemes being under construction, which Table 17.4 already assesses. The Applicant therefore maintains the cumulative landscape conclusion.

Our Ref.	Comment	Applicant Response
MB-D7-02	3.1 The Applicant's only basis for dismissing the Moderate-Major Adverse (Significant) finding in Table 17.4 was the argument that 'there would be no significant additional cumulative visual effects over and above those identified for the Scheme in isolation' — relying on the large-scale nature of the Southern Wolds LCA and woodland blocks between the two developments. That argument has already been directly challenged by the host authorities' landscape expert, Rebecca Condillac of AECOM, who told ISH3 on 9 June 2026 that the Applicant's LVIA under-represents significant effects and that screening of views has generally been assessed as an improvement to magnitude rather than as a potentially adverse change. The Applicant's dismissal of the Table 17.4 finding rests on the same methodology that AECOM has challenged. 3.2 The Examining Authority is asked to note that the Applicant's own cumulative assessment — Table 17.4 of Chapter 17 — identifies the concurrent construction of East Park Energy and High Wood Solar Farm as producing Moderate-Major Adverse (Significant) cumulative effects on the Southern Wolds LCA. The construction timeline assumptions on which the Applicant sought to qualify that finding are now being realised. The Examining Authority is asked to require the Applicant to confirm whether it maintains its dismissal of additional cumulative significance in light of: the actual construction timeline now unfolding for High Wood; AECOM's professional challenge to the underlying LVIA methodology; and the observation of construction signs at High Wood on 22 August 2026. 3.3 In short: the Applicant found Moderate-Major Adverse (Significant). The only question is whether its reasons for dismissing that finding hold up. I submit that they do not, for the reasons set out in my Deadline 7 submission and confirmed by Table 17.4 itself.	The Applicant refers to MB-D7-01 above – it is incorrect to characterise Table 17.4 as dismissing a Significant effect. The Host Authorities' methodological comments were addressed in Appendix C of [REP4-110]. The LVIA does not treat planting solely as a beneficial screen; it recognises that planting may filter, truncate or restrict existing open views, increase enclosure and alter the experience of PRoW users. The Applicant's position remains unchanged.
MB-D7-03	4.1 The same timeline assumptions that underpin the Applicant's dismissal of the Table 17.4 landscape finding also underpin the	The Applicant does not agree that the traffic assessment depends on High Wood commencing only in December 2027. Paragraph

Our Ref.	Comment	Applicant Response
	Chapter 17 cumulative traffic assessment for the B645. Paragraph 17.4.59 assumed that High Wood construction 'will need to commence by December 2027 at the latest,' and paragraph 17.4.62 assessed the cumulative B645 impact of High Wood and East Park construction on that basis, concluding it was 'limited to link 1 of the study area' with a maximum of approximately 40 two-way movements per day during peak High Wood construction. If High Wood is at or approaching construction in August 2026 — consistent with the Applicant's own assessment that it must commence by 2027 at the latest — the concurrent B645 traffic from both schemes will arrive earlier, and overlap more substantially with East Park's own construction traffic, than the Chapter 17 traffic assessment modelled. 4.2 There is a further point that makes the traffic dimension sharper than the landscape one. Whereas Table 17.4 at least identified a Moderate-Major Adverse (Significant) finding before seeking to dismiss it, the Chapter 17 traffic assessment characterised the cumulative B645 impact as merely 'limited to link 1' — an already understated conclusion relative to the landscape finding, drawn from the same superseded timeline assumptions. The B645 between the A1 and the B660 junction is, as I set out in my Deadline 7 submission, the only direct route for an entire cluster of villages. Every additional vehicle — whether from High Wood or East Park — using that corridor during overlapping construction phases falls on a road with no realistic alternative for the communities that depend on it daily. 4.3 The Examining Authority is asked to note that the timeline assumptions on which both the Table 17.4 landscape dismissal and the Chapter 17 B645 traffic conclusion were based are now being realised simultaneously. The construction signs observed at High Wood on 22 August 2026 confirm that both assessment conclusions — already challenged in my Deadline 7 submission — were drawn	17.4.79 of ES Vol 1 Chapter 17 [APP-053] explains that December 2027 was the absolute latest commencement date and that earlier commencement was considered likely. For robustness, Table 17.8 [APP-053] adds High Wood's full peak of approximately 40 two-way vehicle movements per day, including 8 HGV movements, to each of East Park's maximum-HGV, maximum-staff and average construction scenarios on the shared section of the B645. It therefore already tests simultaneous peak activity. An earlier commencement cannot increase the daily combined traffic above the scenario tested; the actual period of overlap will depend on the respective construction programmes. The Applicant maintains the conclusion at paragraph 17.4.80 that there would be no significant cumulative traffic effect. If construction has now commenced on the High Wood solar project, it is highly unlikely that there would be any construction phase overlap with the Scheme.

Our Ref.	Comment	Applicant Response
	from assumptions that can no longer be treated as future contingencies. They are the current position.	

2.9 Response to Maria T Benford

Table 9: Response to Maria T Benford [REP7-024]

Our Ref.	Comment	Applicant Response
MTB-D7-01	7.1 I am asking the Examining Authority to require the Applicant to address the following six points before the end of the Examination on 16 September 2026: (a) What is the current actual construction status of High Wood Solar Farm and Cobholden Solar Farm, and do the Chapter 17 construction timeline assumptions remain accurate? Construction signs were observed at High Wood on 22 August 2026 — over 16 months before the assumed December 2027 commencement. Chapter 17 stated Cobholden construction would begin in late-2025. The Applicant should confirm the current position for both. (b) Do the Chapter 17 cumulative landscape, visual, and traffic conclusions remain valid on the actual construction timelines now unfolding? In particular, does the conclusion that cumulative effects are temporary, short-term, and reversible still hold when High Wood construction appears to be already beginning? (c) Does the Applicant maintain that there is no solar clustering in this area? If so, how does it reconcile that position with its own Chapter 17 language acknowledging an increased concentration of solar development, AECOM's professional challenge to the cumulative LVIA methodology, the active disputes with at least three solar farm operators, and the confirmation that an existing operational solar farm at Manor Farm, Pertenhall is partially surrounded by the East Park order limits? (d) Does the Chapter 17 cumulative B645 traffic assessment remain valid if High Wood construction commences materially earlier than December 2027? Has the school and commuting times action point from OFH1 been addressed in any submission document — and if	The Applicant responds to the six points as follows: (a) The Applicant understands, as at the date of this response (and based on the Interested Party submission), that Cobholden Solar Farm is under construction and that High Wood Solar Farm has progressed into mobilisation or early construction activity during 2026. The Applicant is not the promoter of either scheme and cannot provide a definitive programme on their behalf. The precise High Wood commencement date is not determinative as ES Vol 1 Chapter 17 [APP-053] treated December 2027 as the latest possible commencement and assessed a scenario in which construction overlaps. The earlier construction of Cobholden does not undermine the assessment because ES Vol 1 Chapter 17 [APP-053] found the separation from the main East Park works sufficient to avoid notable additional cumulative landscape and visual effects, and did not identify a significant cumulative traffic effect. If construction has now commenced on the High Wood solar project, it is highly unlikely that there would be any construction phase overlap with the Scheme. (b) The Applicant refers to responses MB-D7-01 to MB-D7-03 above. The cumulative landscape, visual and traffic assessments consider overlapping construction, and the description of construction effects as temporary, short-term and reversible relates to their duration and reversibility on completion, not to an assumption that no overlap would occur. The conclusions remain valid. (c) The Applicant has not maintained that there is no concentration of solar development. Paragraph 17.4.21 of ES Vol 1 Chapter 17

Our Ref.	Comment	Applicant Response
	so, which one — on the basis of the combined East Park and High Wood traffic? (e) What is the current position on available capacity at Eaton Socon substation, having regard to Clearstone Energy's Gate 2 connection offer? Does this have any bearing on the deliverability of the BESS connection, which remains at Gate 1? (f) On what basis will the recommendation report attribute substantial weight to the scheme's claimed generation output and grid balancing benefits, having regard to the UK solar capacity factor of 9.4% cited by the Department of Energy Security and Net Zero for 2024, which places the scheme's average continuous power equivalent at approximately 37-38MW? Has the BESS's claimed grid balancing contribution been assessed on the basis of that realistic average output?	[APP-053] identifies an increased concentration of solar development within this part of the Southern Wolds LCA. Existing operational schemes form part of the environmental baseline, while consented and proposed schemes are considered through the inter-project cumulative assessment. The existence of land rights or commercial disputes involving other promoters does not itself demonstrate an additional cumulative environmental effect. (d) Table 17.8 already combines the full High Wood project peak with the relevant East Park peak scenarios. The school transport issue raised at OFH1 was addressed at paragraphs 2.2.51-2.2.56 of [REP5-023] and response MB-D5-01 in [REP6-052]. (e) The Applicant has not been provided with evidence establishing the current Gate status or detailed terms of Clearstone Energy's separate connection offer. In any event, a connection offer for another project does not vary East Park Energy's connection position. The Scheme has a Gate 2 offer for 400MW export. As explained at paragraphs 2.2.45 to 2.2.52 of [REP5-023] and responses SEPE-D6-23 to SEPE-D6-30 in [REP7-006], the BESS can be constructed, charged from the Scheme's solar generation and export stored solar electricity within the 400 MW export connection. (f) The Applicant refers to responses SEPE-D3-35 and SEPE-D3-40 in [REP4-109], and response SEPE-D6-02 in [REP7-006].
MTB-D7-02	This annex accompanies my Deadline 7 written submission on cumulative landscape and visual impact. It presents an annotated map showing the spatial relationship between the proposed East Park Energy development (Sites A to D) and the other solar farm developments already operational, consented, or permitted within the same landscape study area. I have produced it to make the	ES Vol 1 Chapter 17 [APP-053] considers the cumulative context through a long-list and short-list process. Existing operational schemes are included in the baseline, while consented and proposed schemes capable of interacting with East Park are assessed as cumulative developments. The other development assessed as part of the cumulative assessment, which includes the

Our Ref.	Comment	Applicant Response
	cumulative picture visible in a single image — something that I found was not easy to piece together from the documents alone.	High Wood solar farm and Cobholden Solar farm, are shown on ES Vol 3 Figure 4-2 [REP2-027] .

2.10 Response to Shaun Woodward

Table 10: Response to Shaun Woodward [REP7-028]

Our Ref.	Comment	Applicant Response
SW-D7-01	Ref: SW-D5-06 The applicant states I do not understand this point. To clarify, I was stating that under the old rules for NSIP's a 20% replacement of panels would not so long ago, itself be regarded as an NSIP. Only a recent government classification change altered this. My point is that 20% of 695,760 panels still represents 139,152 panels (...that's 5200 tonnes of PV panels!) which can hardly be described as an insignificant solar scheme, in its own right, even just for replacement of degraded panels. It will require significant cost, traffic and a construction workforce. In total 5 x 20% replacement is no different in many respects to replacing over a shorter period say one year. The total number of vehicles, and movements will be the same. The foundations of Historic buildings such as those at the 'Town' in Great Staughton don't realise the difference between HGV's travelling past whether over one year or five. 139,152 panels represents 281 articulated truck loads to deliver, and the same to remove the old panels from the site. 139,152 panel delivery and removal is not "occasional HGV traffic" in any ordinary sense. Even if spread over a year, it potentially represents a substantial logistics operation. I think it is highly unlikely the same vehicles will remove the degraded panels. At present, there is no firm recycling point stated for the for discarded panels, only a vague 100km journey from site quoted for GHG calcs to a fictional non-existent recycling plant. If the old panels are to be removed in the same containers as delivered it is most likely they will be transported back to China	ES Vol 2 Appendix 2-4: Replacement Works [REP6-028] assesses replacement of up to 20% of the panels and includes a sensitivity assessment of replacement of 100% of the panels within a single campaign. The potential for vibration effects on historic and other buildings from HGV traffic has been addressed at paragraphs 2.2.4 to 2.2.8 (pages 21-22) of the Applicant Response to Deadline 4 Submissions [REP5-023], as well as ES Vol 2 Appendix 2-4: Replacement Works [REP6-028]. On recycling capacity, the Applicant refers to its response reference SW-D6-01 in the Applicant Response to Deadline 4 and 5 Submissions - Other Interested Parties [REP6-052] and SW-D6-09 of the Applicant's Response to Deadline 6 Submissions [REP7-006].

Our Ref.	Comment	Applicant Response
	where they came from where recycling will perhaps be more developed in 20 years time. If this is the case and in light of no credible current source of recycling in the UK or Europe, perhaps mitigation should be made now in the DCO for the 'worst case' of sending to China and applied to the current GHG calculations. The same applies at 40 years which should also be included in the 'Cradle to grave' GHG calcs for the scheme.	
SW-D7-02	SW D5-07 My question related to the applicants point that sub 20% replacement of panels in any 12mth period would be regarded as 'maintenance' allowing open use of the local road system to all vehicles. The justification being the traffic load would be spread over a longer period and vehicles could operate use the roads without the timing and access limitation of the construction phase. I questioned why EPE were seeking this? It's purely to make it more efficient and cost effective for them, as it does not require all commuting and vehicular traffic to access the site via the contolled site 'D' main entrance, or be restricted by specific timing. Convenience for developers, not so good for the locality who would prefer 281 articulated lorries delivering panels plus those delivering and removing invertors, transformers and the commuting workforce to still be controlled by the construction phase DCO limitations. I do not believe the self-administered approach. <i>"Operational and replacement traffic would not have unrestricted use of local roads. The oOEMP controls vehicle types, delivery bookings, routing, timing, parking, queuing and interaction with PRowS, and requires deliveries passing Great Staughton Primary School to avoid peak periods and school arrival and departure times. A Traffic Coordinator has also been added to the Site team. Any Major Replacement Campaign submission must identify staff, delivery, collection and waste movements, vehicle types, routes, accesses, booking arrangements and traffic-management</i>	The Applicant does not agree that replacement at or below 20% would permit unrestricted use of the local road network or avoid all local planning authority oversight. The 20% threshold is the trigger for the additional Major Replacement Campaign approval process; it is not a threshold below which the controls in the approved OEMP cease to apply. All replacement activity will remain subject to the final OEMP secured by Requirement 9 of the draft DCO [REP6-006], including the Operational Access Strategy, controls on vehicle types, routes, bookings, timings, parking and queuing, daily movement limits, the school-hours restriction, the Traffic Coordinator and the Replacement Register. The register will record all panels replaced and prevent the cumulative total from exceeding 20% in a rolling 12-month period without prior Major Replacement Campaign approval. The Applicant notes that, at Deadline 7, the Host Authorities confirmed that they are content with the replacement controls now contained in the oOEMP [REP6-034] and agree that the amended approach can be progressed, as recorded at BBC-D6-04 and HDC-D6-04 in [REP7-006].

Our Ref.	Comment	Applicant Response
	<i>measures, and must be approved in writing before the works commence."</i> I note that in EPE's Technical Note. It expressly says that the oOEMP requires notification only "where more than 20% of solar panels are to be replaced in any one calendar year", it calls this a "Major replacement campaign." The technical Note specifically says that it assesses replacement of up to 20% of panels, for which prior notification would not be required. It seems EPE are seeking open road networks for their replacement activities. Their response above means nothing as 20% pa approach will not activate the 'controls' stated in their response to me above. I would be grateful if the inspector would consider this point again and insist on tight traffic controls and road access for the 20 year and 40 years stages in the DCO, as well as the initial construction phase to protect all our local villages.	
SW-D7-03	SW D5-08 I questioned the applicants claim that a five man team could replace 420 panels per day. I questioned all associated handling movements such as the 420 old panels and the time required to remove seized fixings and deal with other unexpected problems. which will occur to any structure after 20 years. I queried building storage capacity and security, and 'just in time' deliveries and the potential offsite storage and double handling with respect to greenhouse gases and carbon footprint. The applicant's response it's far from convincing. They quote automated replacement rigs which lift and position panels being increasingly common. They suggest this will speed up replacement. I suggest these will not speed up replacement but remove the physical difficulty of the currently proposed two man team	The matters raised substantially repeat SW-D5-08 in [REP6-052] and are addressed in that response, read with BBC-D5-75 in [REP6-051]. The figure of up to 420 panels per crew per day is an indicative productivity assumption based on the Applicant's experience of a coordinated replacement operation; the assessment does not depend upon that precise output being achieved every day. A lower rate would extend the programme rather than increase the maximum daily crew and traffic parameters. The controls in the oOEMP [REP6-034] would apply regardless. Mr Woodward's assumed future supply chain through Felixstowe and a third-party depot is one possible commercial arrangement, but it has not been demonstrated to be the likely or necessary arrangement in approximately 20 years. Progressive delivery and distribution from Site D would be controlled through the approved

Our Ref.	Comment	Applicant Response
	repeatedly lifting 38 kg panels onto raised structures at the rate of one a minute for an entire working day. I suggest my original comments on this rate of replacement and staff requirements are understated. Please could the inspector ask the applicant to provide practical real-world evidence of a five man team bringing 420 panels from Site D, changing 420 degraded panels and replacing with 420 new panels then making them operational, whilst loading and removing 420 degraded panels, to evidence their point. This is not an arbitrary figure so they must have arrived at it from some source or other. It does not cover replacement of any damaged or defective cabling, or transformers or invertors which are all stated to be replaced at 20 years. What mitigation has the applicant put in place for this? The applicant again refers to a major replacement campaign but the draft DCO seeks 20% (or under) replacement of panels would not trigger a major replacement campaign so is immaterial. Anyone who has worked on removing old bolts and fixing which have been subject to weathering over 20 years will know that problems can occur. Even galvanised fixings corrode over time especially where the zinc coating has been damaged by the ordinary tightening of fixings, from securing bolts, and with inevitable frame movement over 20 years from temperature and weather. The applicant is being optimistic to believe this will not create a future issue and affect the 'one panel per minute' rate when replacing many panels. The applicant describes my comments on deliveries, storage capacity and double handling as 'speculative'. They state it does not reflect the supply chain and phased delivery that would be established for a replacement campaign. They do not however say how this would be achieved. I am more pragmatic.	OEMP. The GHG assessment already includes manufacture and transport of replacement equipment and transport, recycling or disposal of removed equipment. No further adjustment is considered necessary or likely to change the conclusion on the likely significant effects of the Scheme.

Our Ref.	Comment	Applicant Response
	To illustrate, 420 new panels per day is roughly in line with one load which will contain 495 panels per 40 foot high cube container, according to the Canadian solar panel specification sheet provided by EPE. To replace 20% of the panels requires 281 articulated loads (HQ Containers). 139,152 panels weigh 5148 tonnes. The applicant suggests these will be delivered to various teams around the site via two 18 tonne rigid vehicles, but how will this work in practice? I have experience of the supply chain of goods in containers from China. The chain is as follows:- a) Ship arrives Felixstowe – Unloads 281 containers (...or a proportion of, if orders are split – Say 140 containers on two shipments, 70 containers on 4 shipments etc). b) The containers, after selective customs checking are released in a few days, after which the port charges the importer for demurrage (storage costs). c) This means within a few days the 281/140/70 containers will all need moving from port by a haulier. d) If they are not to be delivered directly to EPE in site ‘D’ in containers from port then they must be dropped at a third party holding area (a large one!). e) If they are to be delivered as needed and dropped daily on site in 18 tonne fixed vehicles as stated by EPE, they must first be unloaded from the shipping containers, and reloaded into 18 tonne vehicles which means there must be a sizeable secondary depot. This involves additional traffic movements, adds to the carbon footprint and GHG calcs for loading/reloading and extra transport if more miles are needed to access the depot than a direct run from	

Our Ref.	Comment	Applicant Response
	port. They are still part of 'Cradle to grave costs' for the scheme even though they are off site and should be calculated and included in GHG Carbon calculations.	
SW-D7-04	SW-05-09 Again, regarding the 20 year replacement stage. 20% panel replacement or less per annum as is being sought by the by applicant would allow FULL road access, as it would NOT trigger a 'Major Replacement Campaign', so not require LA involvement and overview. I also dispute the numbers of staff required for this stage and suggest there would be additional traffic which would concentrate at particular times of day, if not fully controlled within the DCO. This was my point, and I request the inspector examines the traffic claims carefully. Please remember 854 workers max during construction phase, (average about 600 for three years), but only a few teams of five workers are stated for replacing 420 panels to transport, replace, make operational, and dispose of 420 panels per day only taking a few months? What about transformers, inverters, wiring faults, and BESS replacement at the same time? I also dispute that leaving degraded panels in situ for years as fall out from the 20% approach is commercially ineffective, hence I don't believe this strategy. EPE state "any reduction in efficiency due to dust or dirt accumulation is usually negligible". But on EPE's 433GWh/yr figure, a 1% loss is 4.33GWh, and using say £75 per MWh = an annual loss ois £325,000. This is significant and means panels must be kept clean. Removing only 20% per annum (100% replacement over 5 years) makes no commercial sense as some blocks of panels will be removed 2.5 years before	The Applicant refers to its responses to SW-D7-02 and SW-D7-03 above. Replacement at or below 20% would not be uncontrolled; it would remain subject to the approved OEMP and all applicable access, traffic, PRoW, waste, noise, soil, drainage and monitoring controls. Paragraph 2.4.33 of the oOEMP [REP6-034] states that: <i>"Replacement traffic will use the operational access routes identified on the Operational Access Strategy Plan provided as Appendix B. Existing internal tracks will be used once vehicles enter the relevant Site area"</i>. This is not dependent on the replacement traffic being part of a Major Replacement Campaign. The Applicant does not assume that panels would necessarily be replaced individually or that 100% would be replaced in five equal annual campaigns. Replacement decisions would be informed by condition and performance and may reflect faults, deterioration, obsolescence, compatibility and technological change. Planned work would progress sequentially through defined areas. The sensitivity assessment in [REP6-028] considers 100% panel replacement, and the replacement of inverters, transformers and BESS units has also been assessed. Future compatibility would ordinarily be addressed through compatible modules, rails, clamps or fixings within the authorised parameters; materially different works outside the assessed envelope could not proceed under the DCO. The Applicant notes that many of the assertions are largely conjectural, but regardless, the Applicant is satisfied with and bound by the approach controlled by the oOEMP [REP6-034].

Our Ref.	Comment	Applicant Response
	they are fully degraded, and others will be left for up to 2.5 years working at full degradation. Simply swapping out individual panels (up to 20% per annum) for new to replace the most degraded in an array I don't think will work. Logic suggests in 20 years the panel model and design will have changed and is unlikely to be compatible if mixed in with older degrading panels. I sense whole connected blocks will require replacement together along with their upgraded inverters and transformers.	
SW-D7-05	SW-05-10 I questioned water security for BESS. I questioned how requirements can have been met when the detail design of the BESS plant is not known. Details matter here. Failure events may be rare but they do happen, and when they do they can be catastrophic. Recent field fires like the one in Pertenhall last week could also create an unexpected problem. How will the applicant mitigate for events such as this? There is a major gas main running very close to the proposed site. Irrespective of any 'technical mitigation' to be included at a later design stage it seems totally crazy in an open landscape to even consider placing such a risk anywhere near a major gas main. The storage of water for the fire-fighting tanks which is claimed will be supplied by rainwater sourced from building run off... How long will these take to fill before completely full? They represent only 2 hrs of hosed water. What happens after that? BESS fires sometime reignite days after cooling, and take days of hosing to control, not simply 2 hours at 1900 ltrs per hour.	The Applicant has addressed these matters at SW-D5-10 in [REP6-052]. Mr Woodward's description of the firewater provision is incorrect. The illustrative design provides two tanks with a combined capacity of approximately 456,000 litres, sufficient to supply approximately 1,900 litres per minute for four hours, not two hours or 1,900 litres per hour. The dedicated firewater supply would be filled from an appropriate licensed and controlled source and would not depend on rainfall or a live mains supply during an incident. Detailed replenishment and emergency response arrangements will be specified in the final BSMP and Emergency Response Plan, approved under Requirement 10 of the draft DCO [REP6-006] following consultation with Cambridgeshire Fire and Rescue Service and the Environment Agency. The National Gas pipeline has been identified, and the Scheme has been designed around its easement and agreed minimum buffers. The legally enforceable protective provisions in Part 4 of Schedule 13 to the draft DCO require National Gas approval of relevant plans and method statements and allow it to require design modifications or protective works.
SW-D7-06	SW-D5-11	The Applicant refers to SW-D5-11 and SW-D6-01 in [REP6-052], and SW-D6-01 and SW-D6-03 in [REP7-006]. A biennial cleaning

Our Ref.	Comment	Applicant Response
	I questioned the water usage for cleaning the panels, and that water usage and traffic, diesel use and GHG effects should be included. The stated site diesel usage used for the GHG calcs has still not been qualified. The applicant suggested that natural rainfall would predominantly clean the panels, but also that once installed site-specific conditions would be monitored and panels cleaned as required. This is a reasonable approach, but if the 'site specific conditions' are found to be as follows (I know they will be because of the airborne dust created on our cars and homes during harvest), then significant intervention and cleaning will be required. The applicant states: Natural weather generally keeps the panels clean Reduction in efficiency from dust/dirt is "usually negligible" Site-specific conditions may affect the need for cleaning Annual cleaning is said generally not to be cost-effective EPE assumes cleaning every two years as a precautionary worst-case scenario and it may ultimately prove necessary less frequently than every two years. They also state cleaning would take place at night when the panels are cool. There are issues with this. Firstly, EPE has not confirmed it will only clean once every two years (on which its GHG calcs etc are based), only suggested it's a worst case. I believe this is highly optimistic. Secondly, night cleaning means potential noise and light pollution disruption for residents, particularly those nearest or surrounded by the panels. Multiple vehicles equipped with 5m rotary brushes will be required for speedy effective cleaning after a layer of harvesting dust and chaff is laid down or leaves in autumn.	cycle is a precautionary assessment assumption, with the actual frequency to be determined by site-specific condition and operational performance and controlled through the final OEMP. The reference to cleaning 'at night or when the panels are cool' provides alternatives and does not require night-time cleaning. Any cleaning undertaken outside normal maintenance hours would remain subject to the applicable noise, lighting and working-hours controls. The calculations presented adopt alternative assumptions about cleaning frequency, water use per square metre, equipment and inspection that are not the operational scenario assessed by the Applicant. Even accepting a traversal of approximately 452km for an activity, the associated vehicle emissions would not materially affect the GHG assessment, as explained at SW-D6-03 in [REP7-006]. Water used in the off-site manufacture of ready-mixed concrete or cement-bound material is not on-site construction water demand; the GHG assessment separately accounts for the embodied emissions of construction materials using recognised emission factors. The Applicant remains satisfied that the water and GHG assessments are proportionate and does not consider further revision necessary.

Our Ref.	Comment	Applicant Response
	Cleaning will be important for EPE efficiency despite claims to minimise it. In addition panels which sustain bird droppings can 'cement' to the glass if left, or leaves. Both can create panel hotspots, damaging the panel or activating fail-safes to switch the individual panel off for protection. If the panels are to be 'monitored', this will require someone to inspect each panel on a regular 450km journey each trip, and either clean bird droppings or leaves as they find them, or record them for future cleaning. It's ironic that the applicant is claiming additional animal, bird and plant biodiversity, planting thousands of hedge plants and trees to attract more birds and create more droppings, leaves, seeds and pollen alongside the harvesting dust, chaff and dry soil dust. How does the client intend to resolve this? If for example panels are inspected every month, that is 12 x 450km journeys minimum per annum by vehicle, further adding to diesel use and GHG calculations. Cleaning only small sections of the site on a rotational basis will not overcome the dust drop of harvest or autumn leaf fall, leaving thousands of panels dirty and underperforming for months. Rotary brushes may not remove engrained bird droppings if left to 'cement' without soaking. Research shows a 'state of the art' rotary brush vehicle moves at a speed of about 2Kmph. To clean every array (arrays of 2 panels stacked 'portrait') is a journey of around 450Km plus travel between sites and field compounds. Therefore, this represents a minimum of 225 hrs per cleaning run = 32 x 7.5 hr working days for one machine with no stops for water replenishment, or travelling between arrays, fields and between block or sites.	

Our Ref.	Comment	Applicant Response
	Using only 500ml of water per sq metre of panel uses over one million litres of water per each wash, but EPE state : Solar PV Cleaning 0.09 million litres per annum (0.180 million each 2 yr clean) This also includes water for welfare facilities , and other operational uses, plus 0.50 million litres for Landscaping giving a total of 0.59 million litres per annum or 23.6 Million litres over 40 years. This is understated. The cleaning water alone I believe will amount to two cleans per year, = 2.2million litres pa. In addition, there is no water allowance isolated for making concrete or cement. I calculate the following additional water use, which although used off site still forms part of the overall 'Cradle to grave' calculation and should be included. EPE's GHG assessment says it will use 26,400 tonnes of concrete and 17,500 tonnes of cement-bound sand. It also identifies Eastern Concrete Limited as the assumed supplier, with ready mixed concrete transported from the supplier to the site. 26,400 tonnes of concrete is approximately 11,000 m³ of concrete Using EPE's density of 2,400 kg/m³. A typical ready-mix concrete requires roughly 150–200 litres of mixing water per m³, depending on mix requires an additional 1.65–2.20 million litres not accounted for at the construction phase. The sand cement mix depends on mix design for water usage, but a reasonable average for 17,500 tonnes would be approx 2.0 million litres of water based on 120 litres of water per tonne of dry material. Total unaccounted water usage for Concrete and cement = approx 4 million litres.	

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	It would be helpful if the inspector could question why construction water appears so understated, even allowing for harvested rainfall from the building roofs. Harvested water is not always reliable and although the calculations show a potential of 1.1 million litres pa with a 610mm rainfall from roof collection, it may not be available when it's needed (similar to solar energy). Overall, I would be grateful if the inspector would ask the applicant to recheck these figures and provide clear responses and calculations to prove I am incorrect, or make adjustments. And to add further GHG carbon input where needed.	
SW-D7-07	1/. Unresolved Traffic management I do not believe there has been a satisfactory response to how traffic and commuting workers will be controlled in real world conditions at all stages, particularly the construction phase. How will the applicant mitigate this and offer an infallible solution to avoid traffic using the entire road network? Once underway this requires independent third-party monitoring and should not be left to local people to police it.	The oCTMP [REP6-032] requires HGVs to be identifiable from other traffic and requires data to be collected concerning vehicle routes, timings and speeds. Compliance with the prescribed HGV routes will be monitored through either an automatic number plate recognition system or GPS-based geofencing. The final system, monitoring responsibilities and monitoring timetable must be included in the final CTMP approved by the relevant planning authority following consultation with the highway authority. The approved CTMP will be enforceable by the local highway authorities.
SW-D7-08	2/. Access for site traffic to the A1 travelling south There is still no satisfactory solution to large number of HGV's and commuting traffic accessing the A1 South. What plans have developed to mitigate this?	The Applicant would note that the proposed restriction on construction traffic entering the A1 using the southbound slip road at the Eaton Ford junction only applies to HGVs, not construction staff movements. Construction HGVs would be required to turn round at Buckden Roundabout or at the Wyboston junction, depending on the direction of travel. There would be a maximum of 30 HGV movements per day in each direction along the A1 during the

Our Ref.	Comment	Applicant Response
		construction phase (approximately 4 movements per hour). This volume of HGV traffic would only occur for a 3-month period. National Highways has confirmed that it is satisfied that the forecast construction traffic would not result in a detrimental impact on the A1, as per the Statement of Common Ground with National Highways [REP4-103].
SW-D7-09	3/. More about Solar Panel Recycling I am still unconvinced that the applicants plans for recycling at the 20 and 40 year point are credible, or correctly reflected in the schemes GHG Carbon calculations. For the Inspectors assessment I submit the following information, and request the applicant comment on this. What mitigation has been considered for the recycling, other than 'Lets wait and see if technology catches up...' and how is this accurately reflecting in 'Cradle to grave' GHG Carbon calculations? About panel recycling. From research I found a current off the shelf Chinese made recycling (production) line can process 300kgs to 1000 Kgs of panels per hour. Cost £279,000 for one line. Not including the acid leach machinery required to remove the silver from the ground up cell material. The recycling recovery of materials is worth about £27 per panel, based on a realistic 90% recovery of materials, but silver accounts for around 30% of this figure so if the recycling plant cannot recover this the value is nearer £14. This does not include processing costs. Most plants do not include silver recovery because it currently requires a separate acid leaching process using the ground-up cell aggregate to extract it. Other new processes are developing but not yet at an industrial scale (ref: Newcastle University).	The Applicant refers to the response under 'Recycling, disposal and future infrastructure' at SW-D6-01 in [REP6-052] and SW-D6-09 in [REP7-006]. Mr Woodward's calculations assume a particular present day Chinese recycling line, operating rate, recovery process and cost; and that no additional UK or European capacity, producer-responsibility route or alternative recovery technology will become available. Those assumptions do not establish a likely future scenario for East Park Energy approximately 20 or 40 years from now. The GHG assessment adopts a transparent and conservative assumption that 50% of equipment and materials would be recycled and 50% disposed of to landfill, with a 100km journey to each facility. It includes manufacture and transport of replacement equipment and the transport and end-of-life treatment of removed equipment. The approved Waste Management Plan will require application of the waste hierarchy and compliance with the legislation and authorised waste infrastructure available at the relevant time. It is neither necessary nor realistic to identify today the specific recycling machinery, processing facility or recovery method that will operate decades in the future. The further calculations do not alter the Applicant's assessment conclusion. As the Applicant set out at paragraph 16.3.41 of ES Vol 1 Chapter 16 [APP-052], it is noted in the decision by the Secretary of State for East Yorkshire Solar Farm, although the capacity of facilities to handle decommissioned solar PV panels is still developing, the

Our Ref.	Comment	Applicant Response
	For EPE: Canadian solar panels are 27.8KG each. As they are bifocal, they will be at the lower end of the process speed range (Bi-focals include two glass panels, not one) however if the fastest recycle speed of 1000kg/hr or 27 panels per hour is used = 648 pieces each day with a plant running 24hrs. Therefore, for EPE alone – 695,760 panels will require 1074 days running 24hrs for one processing line which realistically is 3 years, if general down time and maintenance is factored in. Two lines will take 537 days = 1.5 years to recycle EPE panels Ten lines will take 107 days = 3 months to recycle EPE panels Cost of machines alone without installation, transportation from China to site and construction of suitable buildings Two lines - £594,000 Ten lines - £2,970,000 BUT , For UK NSIP's in total Replacement of all UK NSIP solar projects in 20 years = 20 to 30 million panels (This depends if every project is accepted) So assume 25 million panels. All will be shed in a short time frame of maybe five years if all are granted DCO at a similar time. Panels will therefore be shed over a similar timescale as they degrade at the same rate :- 25,000,000 divided by 648 panels per day per recycling line = 38,580 days to recycle. With one recycling line = 38,580 days or 105 years to recycle - Plant cost £297,000	recycling industry is likely to respond to demand over time. Refer to paragraph 3.13.50 of the following link: https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN010143-001217-EYSF%20Report%20Final.pdf#page=136

Our Ref.	Comment	Applicant Response
	Using ten recycling lines = 3,858 days = 10.5 years to recycycle – Plant cost £2,970,000 Using a hundred recycling lines = 385 days = 1.05 years – Plant cost £ 29,700,000 These recycling stages are not accounted for in any CO2 or carbon calcs but will create significant additions when adding in the energy consumption, construction of machinery, warehouse buid to house the machines, transport and spare parts (all cutters and shredding blades will need regular replacement). The calculations are based on 24hr 365 day per year running. Realistically this will drop to maybe 11 months when holidays, down time and maintenance are introduced. All of this should be included in Carbon calcs, it's energy intensive, uses lots of acid, heat, steam etc. I would welcome the inspector giving weight to this aspect and their mitigation for the disposal of 695,760 panels (twice) plus 10% for general failure.	

2.11 Response to Simon Lane

Table 11: Response to Simon Lane [REP7-030]

Our Ref.	Comment	Applicant Response
SL-D7-01	SL-D5-01 What is the source of the water for the 1900 litre /minute supply and how is this kept at constant level? What is the source of the water to fight the fire beyond the initial period?	The tanks will be filled from an appropriate licensed and controlled source, anticipated to be by tanker, with inspection, maintenance and replenishment arrangements secured through the final BSMP.
SL-D7-02	SL-D5-02 How will contaminated firewater be safely stored once the initial 456,000 litre firefighting water volume is exhausted?	The comment assumes that 456,000 litres is an initial quantity followed by an unlimited or unassessed demand, it is the minimum stored volume required to sustain the four hour boundary cooling strategy.
SL-D7-03	SL-D5-03 How can it be guaranteed that during an external fire event the holding lagoon capacity will not be exceeded? Please confirm what best practice guidance stipulates. Also, that the Environment Agency accept the proposals put forward regards potential for pollution of ground water and water courses during an extreme fire event.	Retained water will be tested and, if contaminated, removed by tanker for authorised off-site treatment. The outline Surface Water Management Plan (oSWMP) [REP6-048] also requires temporary containment, recovery and tankering measures where necessary. The design follows NFCC guidance on containment of polluted firewater and CIRIA SuDS guidance. The Applicant has a Statement of Common Ground with the Environment Agency [REP4-104] where all matters related to the Scheme are agreed.
SL-D7-04	SL-D5-04 Please confirm that there is formal approval from National Gas regards the proposals for safely protecting the live gas main during construction and in the event of an extreme fire event.	The Scheme has been designed around National Gas's easement and the minimum buffers agreed with National Gas. Part 4 of Schedule 13 to the draft DCO [REP6-006] provides the formal approval mechanism for relevant detailed works. Specified works cannot commence until plans and method statements have been

Our Ref.	Comment	Applicant Response
		submitted to and approved in writing by National Gas, which may require modifications or protective works to safeguard its apparatus.
SL-D7-05	SL-D5-05 Who verifies that the qualifications and experience of the Independent Fire Engineer are sufficient? Who checks that their conclusions and recommendations are acceptable?	The oBSMP [REP6-044] requires an independent Fire Protection Engineer specialising in BESS. The final BSMP must identify the engineer's technical-verification responsibilities and be submitted to the relevant local planning authority for approval under Requirement 10, following consultation with Cambridgeshire Fire and Rescue Service and the Environment Agency.

