East Park Energy Development Consent Order (EN010141)

Response to Natural England's Relevant Representation: For the attention of the Examining Authority

Letter directed to: West Anglia Area Team, Natural England, 2 April 2026

NSIP Senior Officer
West Anglia Area Team
Natural England
Customer Services
Hornbeam House
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Electra Way
Crewe
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CW1 6GJ

2 April, 2026

Dear Sir / Madam,

Re: Natural England's Comments In Respect of East Park Energy - High Importance

NSIP Reference Name / Code: EN010141 (West Anglia Area Team)

I am writing to express the concerns I have with respect to the lack of due diligence conducted by East Park Energy (EPE) and the negative impacts that the scheme would have on the environment.

I have already put forward my objections to the scheme, which were published on the consultation website. I also spoke at the Open Hearing, held in Bedford, on 17 March 2026. Prior to this meeting, I read your response to the scheme.

I am a chartered environmental scientist, with specialisms in terrestrial and freshwater ecology; environmental impact assessment; and environmental policy, procedure and management. During my career in civil engineering (as Principal Freshwater and Terrestrial Ecologist), I worked on a variety of projects including wind farms, port developments, flood management schemes, housing developments, and habitat creation projects. Some of this work involved acting as an Environmental Clerk of Works on construction sites. I was also seconded to the Environment Agency (Anglian Region) to work on the scoping of discharge consents under the Habitats and Birds Directives; and to English Nature, Peterborough, to assist the freshwater team.

I am working as a volunteer on this scheme, assisting the local community (comprising many villages and local towns) to respond to the various ecological and biodiversity impacts and related issues arising from the scheme as it progresses through the planning system. There is great concern amongst this 'group', including young people of school age, that EPE will undervalue the important ecology and biodiversity of the scheme's area. In addition, I am obliged under my professional

code of conduct (CIWEM membership) to share my concerns with you and direct you to the issues and risks as I understand them. Firstly, I would like to address the scheme's impacts on ecology and biodiversity, particularly in relation to habitats, species and overall ecosystem functioning. Secondly, I have set out selected key topics below, some of which 'fit' Natural England's Statement of Common Ground (SoCG) requirements, according to the Rule 6 letter issued by the Planning Inspectorate.

Direct and Indirect Impacts on Habitats and Species

EPE intend to totally change more than six miles of wildlife habitat in this area. Notwithstanding the further work required to fully determine the ecological baseline (see below), it is clear the scheme will have both direct and indirect impacts on habitats and species.

The impacts are broadly: habitat destruction; habitat fragmentation; loss of species; potential colonisation and/or spread of non-native species; cumulative effects of these impacts (with other projects such as 'neighbouring' solar, Battery Energy Storage System (BESS) and NSIP projects); and in-combination (or intra-project) effects. All of these represent significant adverse residual long-term impacts on biodiversity and nature conservation, that is, even with mitigation measures in place.

Whilst individual, discrete habitats have been referred to and impacts of the scheme, to some degree assessed, overall habitat loss on this scale is irreversible and habitat cannot be replicated elsewhere (for example, in the case of skylark, which need a large area for singing and displaying etc.). It should be noted that mobile species do not recognise boundaries.

The loss of habitat mosaics is significant. Habitat mosaics, that is, different habitats occurring both spatially and temporally, are important for all species (flora and fauna), for example, in terms of interrelated food webs. These cannot be re-created if the main area of the scheme is covered by solar panels.

Specific Impacts Include:

- Churning up land, ripping out trees and hedgerows, and replacing them with impenetrable fencing. Where new, young hedgerows and trees are planted, these will not replace mature hedgerows and trees.

- Damage to soil structure, impeding its ability to support fragile plants.

- The species impacted adversely include, though are not restricted to, otters, water voles, badgers, various species of bats, great crested newts, brown hare (all protected under legislation). Bat records for Swineshead Wood SSSI appear to be missing and / or not considered; indeed, impacts on this site have been scoped out of the Environmental Statement by EPE, even though the wood is 900m north-west of the scheme's site.

- Other species impacted include hedgehogs, muntjac deer, roe deer and Chinese water deer.

- There are pockets of unusual wildflowers (less common or rare) within the locality, such as spiked star of Bethlehem, common orchids and bee orchids.

- The area is used by a wide range of birds for resting, feeding, displaying and breeding. For example, barn owls and tawny owls hunt along and across the fields. Skylark (a ground-nesting bird) has been noted on the large, open fields (104 breeding pairs in the field survey for the scheme). In addition, waterfowl, including mute swan, are winter visitors to fields within the scheme area, possibly from Grafham Water SSSI and/or Paxton Pits Nature Reserve SSSI.

- Ground-nesting birds (including skylark, yellowhammer etc.) would lose safe nesting places for many years and may never return.

- Altered flight paths and foraging behaviour in birds and bats.

- Polarised-light attraction and trap effects.

- Secondary effects such as increased predation or displacement into sub-optimal habitats.

In general, disturbance effects to all species (including plants, mammals, birds, amphibians and reptiles, invertebrates) from preparation of the site (including clearance) and construction of the scheme have been underestimated.

Water Environment and Impact on Habitats and Species

The water environment within the scheme's area is an important habitat, as well as being used by a range of protected species (including otters, water voles, great crested newts and bats) for feeding, drinking and sheltering etc.

- Twenty-three water courses cross the site. These would suffer damage from vehicle crossing points and piling, and currently, provide habitat and travel routes for water voles, otters and resident amphibians.

- The combined take of habitats within the scheme area including wetlands, such as ponds and brooks/streams, and periodically or permanently wet ditches; and hedgerows has not been assessed.

- The impacts of short-term (construction phase) and long-term (operation and post-operation) changes to drainage have not been evaluated.

For these reasons, the impacts on flora and fauna cannot be assessed.

Inadequacy of Ecological Surveys

In some cases, the ecological surveys undertaken by EPE's sub-contractors have fallen short of best practice, whilst in other cases, the survey coverage (area, timing/s, species) has been inadequate to fully assess the impacts on all habitats and species affected by the scheme. These aspects are likely to have under-recorded habitats and species, and therefore, led to a lower number of adverse impacts being identified. This has implications for the calculation of Biodiversity Net Gain (BNG), leading to a potential underestimate of habitat loss and BNG required under current legislation.

The large gaps in the baseline and protected species data need to be addressed by submitting multi-season, multi-taxa survey data, which are scrutinised through independent ecological audits, undertaken by suitably qualified professionals (ecologists/biologists). This is critical as conclusions about impacts, residual effects or BNG cannot be reached at present.

Examples of these omissions include:

- Understatement of the importance of, and impact on, farmland bird assemblage. From EPE's own data record, there are 21 notable breeding species (including 9 Red List species, 11 Amber List species, 11 Species of Principal Importance, 2 Schedule 1 species, and 1 Annex species); and substantial breeding populations including: skylark (approximately 125 territories), yellow wagtail (14 territories), corn bunting (11 territories) and grey partridge (6 territories). There is also a diverse raptor and owl assemblage (with regular nesting, foraging and commuting activity) including barn owl, tawny owl, little owl, kestrel, buzzard, sparrowhawk and red kite.

- No targeted invertebrate surveys were undertaken, even though these are an important element of the ecosystem functioning, for example providing food sources for birds and bats.

- No beetle survey was undertaken. This is despite a number of rare beetles in the UK being associated with ponds and ditches on agricultural land.

- The baseline for great crested newt, a European Protected Species, is incomplete. In this case, the ponds excluded or omitted from the survey cannot be assumed to be functionally irrelevant. It should be noted that terrestrial habitat is also important for great crested newts, including habitat/s that would gain a low BNG 'score' for quality. This survey data is required for Habitats Regulations Assessment (HRA) screening.

Some ponds were sampled on 22nd and 23rd June 2022, with the results reported in September 2024 (refer to Preliminary Environmental Information Report Volume 2 - Technical Appendices. Appendix 7-5: Great Crested Newt Presence or Absence Survey Report). However, some ponds were not surveyed.

Government advice states that data is only valid for a four year period. If a development proposal is predicted to have a negative effect on great crested newts, it is important that recent data is provided to make sure it's accurate (https://www.gov.uk/guidance/great-crested-newts-advice-for-making-planning-decisions).

Further understanding is needed of the relationship between great crested newts in the various ponds and their hinterland (including adjacent areas, such as terrestrial habitat including scrub and hedgerows), before the scheme could progress.

The Applicant should seek advice from Natural England (as stated in their letter of 14 January 2026 NSIP Ref. EN010141) including agreeing the survey approach, methodology / methodologies, assessment and licensing requirements.

It should be noted that great crested newts require both aquatic areas for breeding; and terrestrial habitats (such as grassland and scrub) for foraging and 'hibernation'. This means that both areas are important.

At present, the population size, habitats and dispersal routes of great crested newts are unknown, and hence, district level licensing is inappropriate. SEPE favours a precautionary approach at this stage to ensure full legal protection of great crested newts.

Developer's Plans (Mitigation Measures Including Mitigation Monitoring Procedures)

In general, EPE has failed to identify appropriate mitigation measures, including monitoring procedures throughout the 'life' of the scheme from the construction phase, to the operation, replacement (cycles) and post-operation phases.

At present the scheme lacks a robust monitoring protocol, and audit schedule. If consent was to be granted, these could only be determined against an accurate, up to date ecological baseline.

Examples include:

- The intention to sow grassland areas and plant trees and hedges prior to developing the site is a 'novel' concept and not identified as best practice.

- The intention to fence and hedge the site, and resow the grassland with inappropriate species is unacceptable. Many of the proposed species are not native and hence, will be incompatible with the existing, native species.

- The movement of animals and birds will be impeded by the construction works; and permanent fencing and loss of their present wide splays. The intention to graze sheep on the site will also adversely impact wildlife use.

- The implementation element of the Management Plan of so called ‘wildlife areas’ has not been fully detailed.

- For otter and water vole, no exclusion, pre-construction survey, or buffer protocol is set out in the Outline Construction Environmental Management Plan (CEMP).

- The intention to ‘lookout’ for wildlife during the works is inadequate and does not meet statutory legal requirements to protect wildlife, including species covered by their own legislation, such as badger.

- Nesting birds, including ground nesting birds, should not be disturbed from March - August. What mitigation measures will be undertaken by EPE with respect to this? Will construction work cease?

- Wildlife boxes are no guarantee of success and in the case of the scheme, may be of limited use as the loss of existing habitat is large and the remaining habitat is fragmented, even with mitigation measures in place (see comment above re. habitat mosaics).

The role of Environmental Clerk of Works (ECW) has not been detailed by EPE. Given the size of the scheme, it would be impossible for one ECW to monitor all the work. In addition, the environmental training of contractors and visitors to the scheme is not described by EPE. These elements are an important means of ensuring the applicant’s commitment to environmental legislation, as well as compliance with mandatory obligations set out in planning documents including the CEMP.

In summary, it is difficult to envisage how many of EPE’s plans will work on the ground.

Ecosystem Services Including Recreational Use; Physical and Mental Health and Well-being; and Environmental Education

The North Bedfordshire Wolds (defined as part of the Hidden Britain business and tourism initiative) offer a ‘hidden’ rural escape, characterised by quiet villages, and undulating farmland. Keysoe Row and Swineshead are key locations within this area. Footpaths and bridleways are popular for cycling, hiking and wildlife and bird watchers. For example, I have led ecological walks for primary school children in Keysoe and Upper Dean, teaching them about the environment. They are very enthusiastic about being outside and looking at habitats and species. I have taught them bird watching and flora identification, which they adored.

Ecosystem services such as recreational use for walkers, dog walkers, birders etc.; physical and mental well-being; and environmental education have not been considered. These services would be adversely affected by the scheme; and as such, conflict with other government policies, including promoting healthy lifestyles.

Other ecosystem services including habitat connectivity functions; carbon storage (soil, trees and fluvial sediment); and flood alleviation, which are associated with the existing farmland and corridor network (such as hedgerow and riparian features) have also been excluded from EPE's Environmental Statement.

In summary, EPE has not demonstrated that the environmental benefits of the proposal outweigh its huge cost to the local, regional and national biodiversity resource, as well as to environmental education, and mental and physical health.

Kind regards,

Dr Helen Stark MCIWEM C.WEM