STOP
EAST PARK
ENERGY
SOIL OVER SOLAR

Executive Summary

Written Representation: East Park Energy Solar and Battery Energy Storage System – DCO Application EN010141

2 April 2026

About Stop East Park Energy

Stop East Park Energy (SEPE) is an independent, community-led group established in response to the proposed East Park Energy solar and Battery Energy Storage System (BESS) development. The group, which has more than 1,000 registered supporters, comprises residents, landowners and stakeholders from across Hail Weston, Great Staughton, Little Staughton, Pertenhall, Keysoe, Swineshead, and neighbouring settlements including Perry, Stonely, Kimbolton, Catworth, Buckden and St Neots, all of whom may be directly or indirectly affected by the project.

SEPE operates entirely on an unfunded and voluntary basis. It brings together individuals with professional and practical expertise in agriculture, civil engineering, community engagement, construction, ecology, energy, energy development, engineering, environmental science, finance, infrastructure development, land management, law, planning, and technical analysis, in addition to experience with the NSIP/DCO process, working collaboratively to review the East Park Energy proposal and its implications for rural character, agricultural land quality, biodiversity, heritage assets, transport, and public amenity.

The Written Representation has been prepared independently by SEPE to assist the Examining Authority in evaluating the proposal against the requirements of national energy and planning policy. The group aims to contribute evidence-based analysis throughout the Examination process, ensuring that environmental safeguards, procedural fairness and statutory policy principles are fully and transparently applied.

Executive summary

The Written Representation is submitted on behalf of Stop East Park Energy in relation to the proposed East Park Energy solar and Battery Energy Storage System Development Consent Order. It addresses whether the application, as currently presented, provides the Examining Authority with sufficient and accurate environmental information and policy justification to enable a lawful and robust recommendation under the Planning Act 2008, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, and the designated National Policy Statements. SEPE's review identifies substantial deficiencies in the assessment of alternatives, environmental baseline, risk, deliverability and secured mitigation, together with unresolved uncertainties affecting the scale, nature, necessity and durability of the claimed public benefits. Taken together, these matters materially constrain decision-stage confidence and raise serious doubt as to whether the proposal can presently be concluded to represent a proportionate, policy-compliant and least-harmful means of delivering the asserted energy objectives.

At its core, the application suffers from a central evidential gap affecting decision-stage confidence: the Environmental Statement does not presently provide sufficient environmental information in several key areas, and the Draft DCO fails to secure the mitigation on which the ES relies. In combination, these deficiencies engage EN-1 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), calling into question whether the Examining Authority can safely conclude that the environmental information is adequate for decision-making.

Taken together, the defects identified throughout the Written Representation demonstrate that the application fails to meet the legal adequacy requirements of the EIA Regulations and does not comply with the key policy tests in EN-1, EN-3 and the National Planning Policy Framework (NPPF), thereby limiting the ability of the Examination to reach a fully informed and policy-compliant recommendation. As set out in the accompanying Legal Appendix (Appendix B), established authorities (including Blewett, Moseley, Lebus, ClientEarth and Holborn Studios) indicate that proposals advanced without sufficient environmental information or secured mitigation may not provide a sound evidential basis for recommendation or determination.

A structured schedule of the procedural deficiencies and evidential gaps identified in the Written Representation is provided in Appendix M. Appendix L provides a cross-reference linking the evidential insertions made throughout the Representation to those deficiencies and to the relevant policy and legal provisions engaged, demonstrating internal consistency and traceability. Appendix N summarises relevant Development Consent Order precedents illustrating the types of safeguards and evidential material secured in comparable solar NSIP examinations.

The scheme does not demonstrate necessity, does not minimise harm, and does not provide the enforceable safeguards required for a project of this scale, duration and risk profile, nor does it presently establish that the claimed public benefits are proportionate to the site-specific impacts identified.

Mis-siting and the loss of nationally significant agricultural land

The Applicant's own Agricultural Land Classification evidence identifies approximately 518 hectares (c. 74%) of the c. 773-hectare Order Limits as Best and Most Versatile (BMV) Grades 2 and 3a agricultural land. This directly engages the national policy protections in EN-1 and the solar siting principles in EN-3.

Under these provisions, development on BMV land must be justified through a transparent sequential assessment demonstrating necessity and proportionality. While the Applicant has presented an alternatives narrative, the evidence indicates that the exercise was materially constrained by a fixed Eaton Socon grid-connection assumption, a geographically limited search radius, and land made available through voluntary agreement, rather than by an objective sequential appraisal of land suitability, environmental effects and agricultural quality across the full range of reasonably available options. An assessment limited to land available by agreement does not demonstrate that development on BMV land is necessary; it demonstrates only where agreements could be secured. Evidence before the Examination appears to indicate that extensive non-BMV land and rooftop/commercial-estate capacity exist within viable grid-connection distance, as set out in Sections 4 and 10 of the Written Representation.

In the absence of a transparent and evidence-led comparative alternatives assessment capable of demonstrating that lower-conflict options were not reasonably available, the proposal raises a serious question as to whether the application demonstrates compliance with EN-1, EN-3, the EIA Regulations and the NPPF provisions for safeguarding BMV agricultural land. The loss of this nationally significant agricultural resource is therefore both substantial and potentially avoidable, and carries substantial weight in the planning balance.

This issue recurs throughout the planning balance because it affects not only land-use policy compliance but also the assessment of environmental effects, proportionality and the justification for compulsory acquisition powers under the Planning Act 2008.

The scheme is not merely environmentally harmful; it is poorly aligned with the sequential siting principles in national policy, proceeding on the basis of a BMV-intensive land assembly without demonstrating that the same scheme, or a materially less harmful configuration, could not reasonably have been delivered on lower-quality land, including land assembled through compulsory acquisition or through alternative grid strategies. The planning balance is therefore fundamentally negative on the evidence presently available.

Principal deficiencies identified by SEPE

SEPE identifies nine critical deficiencies that, cumulatively, render the environmental information incomplete or deficient and the proposal policy-non-compliant:

1. **Unsustainable site selection** – Concentration of development on BMV land through an alternatives assessment materially constrained by voluntary land availability, fixed grid assumptions and a limited search geography, rather than a true sequential appraisal of lower-impact alternatives, contrary to EN-1 and EN-3.

2. **Defective consultation** – Host-authority representations confirm incomplete technical material, inconsistent engagement, and failure to demonstrate how consultation influenced design, contrary to Moseley principles.

3. **Incomplete environmental baseline** – Omission of full ALC mapping, erosion/infiltration modelling, hydrological assessment and contamination testing, contrary to EN-1 and the evidential standards in Blewett.

4. **Unverified lifecycle carbon case** – No robust accounting of embodied carbon, module provenance, degradation or end-of-life recycling; lifecycle claims are not independently verifiable.

5. **Insufficient funding and deliverability evidence** – The Funding Statement (Doc 4.2) relies on narrative assertions without binding commitments or decommissioning security, undermining compulsory acquisition justification under APFP Reg. 5(2)(h).

6. **BESS safety and pollution risk** – A 100 MW lithium-ion facility is proposed without a completed safety case, including any site-specific Quantified Risk Assessment or adequate off-site plume consequence analysis. The Applicant relies on a limited, assumption-led 1 km study area that excludes nearby settlements, while critical safety evidence is deferred to post-consent stages, contrary to EN-1 and *Frack Free Balcombe*.

7. **Unverified landscape, noise and amenity assessments** – Methodological gaps in the LVIA, absence of cumulative ZTVs, lack of leaf-off testing, missing BESS noise modelling and incomplete receptor mapping.

8. **Weak need and proportionality case** – Reliance on generic NPS “urgent need” statements without site-specific grid or system-integration evidence, including the absence of clear justification for the operational role, dispatch profile and system value of the proposed BESS (e.g. arbitrage, balancing, capacity or constraint management); independent analysis (Day 2024; Foucart 2025) indicates negligible national contribution and poor carbon efficiency per hectare.

9. **Lack of community safeguards** – Absence of enforceable monitoring, PRoW protection, traffic controls and amenity safeguards despite multi-village impacts.

In these circumstances, claimed benefits cannot be afforded full weight where the underlying evidential base is deficient or uncertain.

Developer competence and procedural reliability

The systematic nature of the deficiencies spanning alternatives, consultation, funding, environmental baseline, BESS safety and Draft DCO obligations, indicates not isolated omissions but a consistent failure to meet NSIP evidential standards. Under EN-1 and the EIA Regulations, an applicant is expected to provide environmental information that is sufficiently complete, transparent, accurate and verifiable to enable the Examining Authority to reach a robust and informed conclusion. On the evidence currently before the Examination, that threshold does not yet appear to be satisfied.

Key NSIP-grade components remain unresolved, including the absence of a Health Impact Assessment or Public Sector Equality Duty compliance statement, missing dark-sky controls, no aviation glint assessment, incomplete electromagnetic fields and tonal-noise evidence for grid infrastructure, unsecured Biodiversity Net Gain delivery, undefined permitting pathways and the absence of agreed protective provisions. These omissions further undermine confidence in deliverability and regulatory compliance.

Legal and procedural implications

As explained in Appendix B, deficiencies of this scale engage established public-law principles confirming that:

- an incomplete ES may not provide a sufficient basis for informed determination (*Blewett*);
- consultation and alternatives assessment must be meaningful and evidence-led (*Moseley*; *Lebus*);
- decision-makers cannot rely on vague or deferred mitigation (*ClientEarth*; *Holborn Studios*); and
- hazardous infrastructure requires robust, quantified risk assessment (*Frack Free Balcombe*).

The East Park Energy application fails to meet these requirements.

Conclusion and requested action

Given the extent of the evidential gaps and inconsistencies across the Environmental Statement, Consultation Report, Funding Statement and Draft Development Consent Order, the environmental information currently before the Examination does not appear sufficient to support a fully informed and policy-compliant recommendation

under the EIA Regulations and the National Policy Statements. On the present evidence, there remains material uncertainty as to the likely significant effects of the Proposed Development and the effectiveness, deliverability and enforceability of the mitigation relied upon.

More fundamentally, the proposal combines substantial and effectively irreversible land-use harm with benefits whose scale, nature, certainty, system value and long-term durability have not been robustly demonstrated. While national policy establishes a strong need for renewable energy infrastructure, it does not remove the requirement to show that development is fully in line with specific policy objectives, appropriately sited, that reasonable alternatives have been addressed, and that impacts have been assessed on an adequate evidential basis. Where those conditions are not satisfied, the planning balance cannot be resolved decisively in favour of consent.

SEPE therefore invites the Examining Authority to:

- **Issue a Request for Further Information**, requiring the Applicant to provide the outstanding environmental, safety, funding and alternatives evidence necessary to enable a robust assessment before the Examination concludes, in circumstances where the current evidential position is materially deficient and does not enable a robust and reasoned conclusion to be reached; or

- **Recommend refusal**, in the absence of a robust, policy-compliant alternatives assessment demonstrating that the proposed BMV-intensive scheme is necessary, least harmful and no more than reasonably required (including assessment of lower quality land and alternative configurations irrespective of voluntary land availability or initial grid assumptions), together with a complete and accurate environmental baseline, a completed and evidence-based BESS safety assessment (including QRA and off-site consequence analysis), and clearly defined and enforceable DCO-level safeguards. In these circumstances, the claimed benefits of the scheme are materially undermined, attract limited weight, and are insufficient to outweigh the identified and unassessed harms.

SEPE supports renewable energy development that is lawfully, transparently and sustainably sited. Deployment, however, should not rely on the long-term industrialisation of high-quality agricultural land where the evidential basis for site selection, impact assessment and mitigation is incomplete, inaccurate or uncertain, and where the resulting environmental, safety and amenity harms have not been properly avoided, minimised or secured through enforceable controls.

The Examining Authority is respectfully invited to give these procedural and evidential deficiencies substantial weight when assessing whether the proposal satisfies the requirements of EN-1, EN-3 and the EIA Regulations, and whether a positive recommendation can be made with the requisite degree of confidence.