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Further Representation on Environmental Evidence and NPPF 2026
Planning application NK/2025/0167 Kettering Energy Park Burton Wold

Dear Mr Gentry,

CPRE Northamptonshire maintains its objection to planning application NK/2025/0167. This further representation updates, and should be read alongside, CPRE's representations of 14 May 2025 and 16 July 2026. It addresses material environmental and consultee evidence published since those representations and the revised National Planning Policy Framework published on 17 August 2026.

The later material has not resolved CPRE's concerns. It shows that the Council still lacks a single, current and auditable environmental baseline for the whole hybrid development. The applicant's arboricultural survey, Biodiversity Metric, ecological plans, Natural Capital Assessment, landscape proposals, public access arrangements and mitigation for land functionally linked to the Upper Nene Valley Gravel Pits Special Protection Area have not been reconciled. Separate responses from the Environment Agency and Northamptonshire Fire and Rescue Service also confirm that the BESS design, emergency response arrangements and management of contaminated firewater remain unresolved.

These are matters that may affect whether the development is acceptable in principle and whether its likely significant environmental effects have been properly assessed. They cannot safely be postponed until reserved matters or left to conditions after the outline parameters and infrastructure corridors have been approved.

1 Revised national policy applies to this decision

Annex A of the August 2026 NPPF states that its policies are material considerations which must be taken into account in decision-making from the day of publication. The revised Framework therefore applies to the Council's determination of this application even though the application was submitted in 2025.

Policy N2 requires development proposals to consider habitats, landscape character and the natural beauty of the countryside; strengthen ecological networks; conserve and enhance established trees and hedgerows where possible; use green infrastructure to secure benefits including biodiversity, water quality and pollution management; and minimise adverse effects on biodiversity. N2 paragraph 2 provides that development should be refused if significant biodiversity harm cannot be avoided, adequately mitigated or, as a last resort, compensated.

Policy N6 is also directly engaged. It states that a proposal affecting a habitats site should be refused unless an appropriate assessment has concluded that it will not adversely affect the integrity of the site, individually or in combination, or one of the policy's specified alternative routes applies. N6 paragraph 2 states that development entailing the loss or deterioration of irreplaceable habitat, including ancient woodland and ancient or veteran trees, should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Policy DM3 does not require the Council to determine an application while essential advice or evidence remains outstanding. Its expectation that decisions should not normally be delayed beyond consultees' deadlines expressly allows delay where there is insufficient information to decide the application, where proceeding without advice would create public safety risks, or where further advice may enable approval rather than refusal. All three considerations are relevant to the matters identified below.

2 The whole site arboricultural impact remains unknown

SEED Arboriculture's July 2026 survey records 110 individual trees, 39 tree groups, one woodland and 63 hedgerows within the surveyed area. It identifies mature English oak and ash along field boundaries, established hedgerows and a dense belt of planting along the eastern highway boundary. This is an extensive and interconnected network, not a small number of isolated landscape features.

The associated Arboricultural Impact Assessment does not, however, assess the whole hybrid application. It states that the impact assessment relates to the detailed element. Trees affected by the much larger outline element are not included in its removal table and are masked from the Arboricultural Impact and Protection Plans. The Council therefore has no current plan or schedule showing the combined loss, partial loss and indirect effects arising from both elements of the scheme.

Within the detailed element alone, the applicant identifies the removal of 17 individual trees, seven tree groups and parts of three further groups. These include four complete Category B features and partial loss of three other Category B groups. They are features assessed as being of moderate quality, rather than only dead or negligible vegetation.

Place Services had already warned about incremental tree loss through multiple reserved matters applications, pressure upon retained trees from buildings and infrastructure, the late identification of constraints, and arboricultural matters being deferred to conditions without sufficient clarity. The applicant's proposed approach is the very approach against which the Council's own adviser warned. An outline permission would establish development parameters before the full losses and conflicts have been identified.

A whole-site Arboricultural Impact Assessment is therefore required before determination. It must assess direct removal, partial removal, root protection areas, changes in levels, utilities, drainage, lighting, estate roads, access works and foreseeable pressure upon retained features. A collection of later plot-specific

assessments would not provide the cumulative assessment needed at the point when the principle and parameters of development are fixed.

3 The claimed Biodiversity Net Gain is not auditable

A Biodiversity Metric is only reliable if the pre-development baseline is complete, current and spatially traceable. The July arboricultural survey uses identifiers for every tree, group, woodland and hedgerow, but the applicant has not supplied a cross-reference showing how those features correspond with the ecological baseline plans, the metric, the hedgerow spreadsheet, the proposed removals and the habitat creation proposals.

The latest metric evidence raises further questions which require a documented reconciliation. The metric contains 21 existing linear-habitat entries, whereas the arboricultural survey identifies 63 hedgerows. Aggregation within a metric can be legitimate, so CPRE does not suggest that there must be 63 separate metric rows. The material omission is an auditable map and schedule showing which surveyed hedgerows were combined into each metric parcel, their length, type, condition, distinctiveness and proposed fate. The metric records the loss of 5.617 kilometres of existing hedgerow or tree-line habitat, approximately 60.6 per cent of the recorded baseline length, while relying on 9.995 kilometres of future creation. One creation entry alone records 4.958 kilometres and produces 41.664 linear biodiversity units, but it is not spatially traceable on the published plans. The metric also contains no individual-tree baseline while claiming 4.596 habitat units from newly created trees. These entries need to be mapped and reconciled with the July tree and hedgerow inventory.

There is also an unresolved area discrepancy. The metric assesses approximately 175.6742 hectares against an application site stated to extend to approximately 200.93 hectares. The applicant must identify what land accounts for the difference of about 25.26 hectares and explain whether it is legitimately excluded from the metric. Without that explanation, the Council cannot know that all on-site habitat has been captured. These are material questions because incomplete recording, inappropriate aggregation or under-assessment of the existing condition reduces the baseline and can inflate the apparent gain. The applicant has not demonstrated that its statutory metric rests on a complete and current pre-development baseline. The Council should therefore place no positive weight on the claimed 17.17 per cent habitat gain or 61.89 per cent hedgerow gain unless and until the metric and plans have been corrected or independently verified.

4 Priority habitats and irreplaceable habitats must be resolved

Place Services identified Priority Deciduous Woodland and Priority Orchard within the site. It also advised that the priority habitats, long-standing hedgerows and historic field boundaries increase the possibility that ancient or veteran trees may be present. Absence from the Ancient Tree Inventory does not establish their absence.

The July 2026 survey is a preliminary ground-level visual assessment and is not an ecological assessment. No published document demonstrates how the Priority Orchard, Priority Deciduous Woodland, potential veteran features or their habitat value have been treated in the ecological baseline, Biodiversity Metric, Natural Capital Assessment or development parameters.

That uncertainty is now more consequential under NPPF Policy N6. CPRE does not assert that ancient or veteran trees have been proved to exist. The point is that the applicant has not established whether a potentially decisive policy constraint is present. The necessary survey and assessment must be completed

before outline parameters are fixed, so that important trees and habitats can be avoided rather than investigated after permission has been granted.

5 The Natural Capital Assessment does not verify environmental gain

The Natural Capital Assessment uses a habitat basemap to model services including carbon storage and sequestration, local climate and noise regulation, pollination, water-flow regulation, accessible nature and timber production. Existing trees, hedgerows and woodland contribute directly to those services. The assessment cannot independently verify the baseline if it uses the same unreconciled habitat information as the Biodiversity Metric.

The assessment's results are also materially more cautious than the impression of environmental gain conveyed elsewhere. It models six services declining and five increasing, and records overall no net change. Its model indicates an approximate 89 per cent loss of food-production capacity and an approximate 18 per cent reduction in water-flow regulation. A possible overall gain is inferred only by adding assumptions concerning benefits from advanced agriculture and sustainable drainage which the model itself does not quantify.

The revised masterplan already contains less woodland and scrub than the earlier version, with corresponding reductions in several ecosystem-service scores. Any omitted or undervalued existing trees, woodland or hedgerows would further alter the baseline comparison. The Council should require the Natural Capital basemap and calculations to be verified against the July 2026 arboricultural survey and the corrected ecological and BNG plans. Until then, the Natural Capital Assessment does not provide a sound basis for attributing positive weight to the scheme.

6 SPA mitigation conflicts with access and landscape proposals

NNC Ecology advised on 19 January 2026 that land within the application site is functionally linked to the Upper Nene Valley Gravel Pits SPA for Golden Plover and Lapwing, that significant adverse effects would arise, and that the proposed compensation was inadequate. Natural England's response of 22 July 2026 did not remove the need for assessment. It advised that, without mitigation, the development could significantly affect the SPA and described measures required for the Lapwing territory.

Those measures include removing scrub and tree cover to maintain open vistas and excluding public access and pathways from the mitigation area. The latest access material does not demonstrably secure those requirements. Bridleway GF17 adjoins the northern mitigation parcel on two sides, and the applicant's latest plan shows a permissive route across it. The same parcel is also labelled as a Biodiversity Net Gain receptor site.

The Local Highway Authority's response of 21 August 2026 confirms that the access strategy remains unsettled. It says that the north-south route from Point A should remain a public footpath rather than become a bridleway and does not support placing the permissive route immediately beside the A510. It also confirms that Public Footpath UA6 and Bridleways GF17 and GF18 pass through or beside the application site. The British Horse Society has raised a holding objection and unresolved questions about the continuity and quality of equestrian provision.

These matters cannot be assessed separately. A parcel managed as open, low-disturbance habitat for SPA-linked birds may not be able to accommodate public routes, trees or scrub relied upon for recreation, landscape mitigation or BNG. Nor should habitat removed to meet the SPA mitigation requirements

continue to be counted as a lasting biodiversity or landscape benefit. The applicant must provide one plan showing the final access routes, habitat management, vegetation removal and creation, buffers, disturbance controls and long-term management obligations.

No completed Regulation 63 appropriate assessment using the current plans and mitigation arrangements has been published on the planning register. Under the Conservation of Habitats and Species Regulations 2017 and NPPF Policy N6, the Council must complete that assessment and ascertain that the proposal will not adversely affect the integrity of the SPA before permission can lawfully be granted. Natural England should be reconsulted on the actual current public access proposals and the final management of the mitigation parcel.

7 BESS firewater and environmental risks remain unresolved

The Environment Agency's response of 27 August 2026 is important new evidence. Having reviewed the June 2026 Environmental Statement Addendum and Outline Fire Strategy, it concluded that those documents do not satisfactorily address its concerns about containment and management of contaminated firewater and runoff from BESS fires. It therefore maintains the objection made in its response of 10 June 2025.

This concerns the environmental consequences of a credible major accident. The relevant questions include where contaminated firewater would flow, how it would be isolated and retained, what capacity would be available during a prolonged incident, and how pollution of soils, groundwater, surface-water systems and downstream ecological receptors would be prevented. The Council should not approve outline BESS infrastructure while the statutory environmental regulator maintains that those effects have not been satisfactorily addressed.

Northamptonshire Fire and Rescue Service's reconsultation response reinforces that conclusion. It says the outline material provides no relevant detail on battery type or chemistry, storage, placement, fire precautions, monitoring or management that would allow meaningful comment on the BESS element. It identifies unresolved matters including water supplies, firewater containment and settlement ponds, suppression and detection systems, container spacing, thermal events, explosion control, monitoring, sensitive receptors and the emergency response plan. It also notes that industry practice may involve allowing a BESS container to burn out while protecting surrounding assets.

NFRS asked to be consulted again when the design information is known and suggested conditions. However, a condition cannot substitute for information needed to assess likely significant effects or to decide whether the location and parameters are acceptable. The BESS layout, drainage and containment strategy, access arrangements and emergency response assumptions must be defined to the extent necessary for the Environment Agency, NFRS and the Council to assess the environmental and safety effects before the outline permission is determined.

8 Wold Road works have not been environmentally assessed

NFRS advised that smoke from a major incident including from the proposed BESS could compromise the principal A510 entrance and that an alternative route may be required. It considered Wold Road currently unsuitable for its vehicles and identified road width, vegetation clearance, carrying capacity and the bridge over the A6 as matters requiring review.

The applicant's response of 26 August 2026 states that Wold Road varies from approximately 2.5 metres to 3.6 metres in width, with a restricted width of 3.2 metres over the A6 bridge. It relies on swept-path

drawings for a 12-metre aerial platform or turntable ladder, acknowledges trees and overhead cables along the route, and says the carriageway could be widened into the highway verge if required.

Demonstrating that one vehicle can be tracked along the existing road is not the same as demonstrating that the route is operationally suitable in an emergency. NFRS's published guidance seeks at least 3.7 metres between kerbs for fire appliance access, together with specified load, height, turning and hard-standing provision. Substantial parts of Wold Road, and in particular the A6 bridge, are narrower than that dimension with tight radius turns on the approach.

The applicant has now acknowledged a foreseeable need to widen into the verge, but no plan shows the likely extent of works or the resulting loss or damage to trees, hedgerows, roots, verges, drainage features and habitat connectivity. Nor has the effect upon the lane's rural character or its use by walkers, cyclists and horse riders been assessed. If Wold Road forms part of the safety case for the development, the physical works needed to make it functional must form part of the environmental assessment. No costs, funding, or S106 agreement has been detailed for such works. They cannot remain an unidentified future highway exercise.

9 Other evidence reinforces the baseline concern

Northamptonshire Badger Group has reported multiple setts within and immediately beside the site and disputes the earlier conclusion that there was no evidence of badger activity. That evidence adds to the need to treat hedgerows, tree belts, field margins and woodland edges as a connected habitat and movement network rather than as separate features in separate reports.

Cranford Parish Council has also drawn attention to the applicant's own Environmental Statement description of the proposal as changing open arable fields to a predominantly logistics park character, with warehouse-style industrial and logistics buildings adding to intrusion into the rural landscape. That acknowledged scale and character make a reliable assessment of vegetation loss, landscape mitigation, lighting, access and long-term habitat performance especially important.

There are similar unresolved parameters outside the immediate scope of this representation. National Highways was still seeking clarification in August 2026 about how traffic from the 130,000 square metre Advanced Agriculture zone had been calculated and whether Zone 6 was included in the employment assumptions. This is relevant here because the scale and use of the development influence traffic, energy and water demand as well as environmental effects. It further illustrates why the Council should not treat undefined land uses and infrastructure as details without consequence. CPRE's separate transport and Policy 26 objections remain in full.

10 Information required before determination

CPRE Northamptonshire asks the Council not to determine the application until the following information has been submitted, published and subject to appropriate consultation.

1 Whole site arboricultural assessment: A current Arboricultural Impact Assessment covering both the detailed and outline elements, including all direct, partial and indirect impacts from buildings, roads, utilities, drainage, lighting, changes in level and access works.

2 Complete loss plans and schedules: Unmasked plans and schedules identifying every tree, group, woodland and hedgerow to be retained, removed or partially removed, together with root protection areas and realistic protection measures.

3 Spatial environmental reconciliation: A cross-reference linking the July 2026 arboricultural identifiers to the ecological baseline, Biodiversity Metric, hedgerow data, Natural Capital basemap, landscape proposals, SPA mitigation and public access plans.

4 Verified Biodiversity Metric: A corrected or independently verified metric which maps every parcel and linear entry; explains the approximately 25.26-hectare area difference and the 4.958-kilometre creation entry; accounts for existing and proposed individual trees; and demonstrates how the 63 surveyed hedgerows translate into the metric.

5 Priority and irreplaceable habitat assessment: Survey and assessment sufficient to identify the Priority Orchard, Priority Deciduous Woodland and any ancient or veteran trees before development parameters and infrastructure corridors are fixed.

6 Verified Natural Capital assessment: An updated habitat basemap and calculations reconciled with the current arboricultural and ecological baseline, clearly separating quantified outcomes from assumptions about advanced agriculture and drainage.

7 Final SPA mitigation and access plan: One plan and management framework showing the final functionally linked land boundary, habitat specification, vegetation removal and creation, buffers, access routes, disturbance controls, monitoring and enforceable long-term management.

8 Regulation 63 appropriate assessment: Completion and publication of the Council's appropriate assessment using the current proposal and final mitigation arrangements, including in-combination effects, followed by reconsultation with Natural England where necessary.

9 BESS and firewater assessment: Sufficient design, drainage, containment, monitoring and emergency-response information for the Environment Agency, NFRS and the Council to assess the likely effects of a major incident and determine whether the Environment Agency's objection can be overcome.

10 Wold Road impact assessment: A defined emergency-access design and an arboricultural, ecological, drainage, landscape and recreational assessment of all works necessary to make the route operational for the required fire appliances. Plus costs and funding mechanism for such engineering works; works which might necessitate the closure of the A6.

11 Conclusion

The new information has strengthened CPRE's objection. The applicant's own July survey reveals an extensive network of trees, groups, woodland and hedgerows, while its impact assessment excludes and masks the outline losses. The Biodiversity Metric and Natural Capital evidence cannot be traced back to that current survey, and the proposed SPA mitigation cannot yet be reconciled with the current access and landscape proposals.

The later statutory and technical responses expose further gaps. The Environment Agency maintains its objection because the contaminated firewater issue remains unsatisfactorily addressed. NFRS cannot make meaningful comment on central aspects of the BESS proposal because the design and management information has not been supplied. The applicant now acknowledges that Wold Road may need widening into a tree-lined highway verge, but the effects of those works have not been assessed.

The Council cannot safely place positive weight on claimed biodiversity or Natural Capital gains, complete a lawful habitats assessment, or conclude that the environmental effects of the whole development are acceptable on the information presently published. CPRE Northamptonshire therefore asks that the application is not determined until the information listed above has been provided and properly consulted upon.

Yours sincerely,

Anthony Lynes

Lead Planner

CPRE Northamptonshire

Documents considered in this representation

- National Planning Policy Framework, 17 August 2026, including Policies DM3, N2 and N6 and Annex A.
- SEED Arboriculture Ltd, Arboricultural Impact Assessment 2194-AIA-V1-B, 6 July 2026, and associated Tree Constraints and Arboricultural Impact and Protection Plans.
- Place Services, Arboricultural Response, 22 April 2026.
- Applicant's latest Statutory Biodiversity Metric, ecological baseline and Biodiversity Net Gain plans.
- Natural Capital Solutions Ltd, Natural Capital Assessment, June 2026.
- North Northamptonshire Council Ecology advice, 19 January 2026.
- Natural England consultation response, 22 July 2026.
- North Northants Council Local Highway Authority response, 21 August 2026.
- British Horse Society consultation response and holding objection.
- Environment Agency response AN-2025-136563/03, 27 August 2026.
- Northamptonshire Fire and Rescue Service response to the July 2026 reconsultation and Fire and Rescue Pre-application Information Advice and Guidance for Developers, version 3.2, 2 February 2024.
- Applicant, Fire Service Consultation Response Note, 26 August 2026.
- National Highways responses, 24 July and August 2026.
- Northamptonshire Badger Group consultation response.
- Cranford Parish Council objection and Woodford Parish Council additional response, August 2026.
- CPRE Northamptonshire representations of 14 May 2025 and 16 July 2026.