Rosefield Solar Farm (EN010158)

Rosefield Solar Farm - Local Impact Report

Buckinghamshire Council

March 2026

Table of Contents

Tables

Executive Summary

This Executive Summary forms part of Buckinghamshire Council's Local Impact Report, prepared under s.60 of the Planning Act 2008 to assist the Examining Authority in understanding the local impacts of the Proposed Development. The LIR draws upon the Council's technical expertise, local evidence base, and statutory responsibilities as host authority. It provides an objective assessment of the impacts arising from the scheme across relevant topic areas and evaluates the extent to which the proposal accords with the requirements of NPS EN-1, EN-3 and EN-5, alongside applicable local planning policy. While the Council recognises the substantial national need for renewable and low-carbon energy infrastructure, it must equally identify where adverse impacts have not been effectively avoided, minimised or mitigated in accordance with the mitigation hierarchy. This Executive Summary therefore highlights the most significant areas of concern: particularly ecology, landscape impacts and cumulative effects. This LIR sets out the Council's overarching position that, in this case, the policy threshold for refusal is met.

Buckinghamshire Council acknowledges the national need for renewable energy and the policy support afforded to solar and storage infrastructure as Critical National Priority ("CNP") infrastructure under NPS EN-1. Substantial weight is therefore given to the delivery of clean energy and grid-supporting infrastructure. However, the NPS framework is explicit that this presumption only applies where applicants have demonstrated adherence to the mitigation hierarchy, compliance with detailed policy safeguards, and robust assessment of cumulative impacts. Based on the evidence before it, the Council considers that these requirements have not been met.

The Proposed Development is located within an environmentally sensitive and interconnected ecological landscape comprising SSSIs, ancient woodland complexes, species-rich hedgerow networks and nationally important populations of Bechstein's bat. Significant concerns raised by the Council and Natural England remain unresolved.

The scheme introduces infrastructure into areas that function as essential commuting and foraging corridors for Bechstein's bat and other priority species. Parcels 1, 1a and 2 lie within the Core Sustenance Zone of the Finemere Wood maternity colony. The Applicant's own assessment cannot rule out potentially significant adverse effects on Bechstein's bat at the national level, nor demonstrate that effects are avoidable. Survey data is incomplete, buffers to ancient woodland and hedgerows are insufficient, and sections of the layout, in particular in fields B6-B9, B10-B11 and D28-D29 are directly at odds with Natural England's and the Council's recommendations for panel removal.

These impacts engage the specific protections in EN-1 section 5.4, including para 5.4.42, which requires avoidance of significant harm; para 5.4.43, which requires significant weight to be given to residual harm where it cannot be avoided; and para 5.4.55, which establishes that harm to a protected species should only be permitted in cases of overriding public interest and subject to strict legal tests, which have not been met. The Council considers the residual ecological risks to be both significant and unacceptable.

The Proposed Development sits within one of the most infrastructure intensive localities in Buckinghamshire, alongside HS2, East West Rail, the National Grid East Claydon Substation (existing and proposed), multiple consented and proposed BESS facilities, and a cluster of large-scale solar schemes. The landscape and ecological network are experiencing escalating fragmentation and industrialisation. The Applicant's cumulative assessment, however, substantially underestimates the scale and nature of these effects.

For ecology, the cumulative pressure on the Bernwood woodland complex including on foraging corridors, habitat connectivity and dark skies poses tangible risks to the long-term viability of species of national importance. For landscape and heritage, the Proposed Development materially contributes to a progressive shift from a rural to an infrastructure-dominated character. For communities, the combined scale of development introduces unprecedented sensory, visual and experiential change.

These cumulative impacts directly engage EN-1 paragraph 4.3.19, which requires cumulative effects to be fully assessed, and EN-3 (Solar) paragraphs 2.10.25–2.10.27, which stress the need to address cumulative impacts where solar schemes are located near to other generating or grid infrastructure. The Council considers the cumulative harm to be both exceptional in scale and one of the key factors which is determinative of the question of consent.

The Council has significant concerns that the Applicant has not demonstrated compliance with the mitigation hierarchy required under EN-1 paragraphs 4.2.10–4.2.14, nor shown that residual impacts are genuinely unavoidable as required by paragraph 4.2.11. This includes that alternative locations within the Order Limits for the BESS and solar infrastructure—particularly in less ecologically sensitive and more visually contained parcels have not been proportionately assessed. This is one of the factors which undermines the Applicant's reliance on the CNP presumption, which applies only where these tests are met.

While the Council recognises that the Proposed Development would contribute to national renewable energy objectives and that these benefits attract substantial weight, the NPS framework requires these benefits to be weighed against adverse impacts. In this case, the severity of ecological harm, the inadequacy of mitigation, and the exceptional cumulative context mean that the adverse impacts of the Proposed Development outweigh its benefits.

Taken together, the Council concludes that the policy threshold for refusal is met, and that development consent should not be granted based on the evidence currently before the Examination.

1. Introduction

1.1 Overview

1.1.1 This Local Impact Report ("LIR") is intended to provide the Examining Authority ("ExA") with Buckinghamshire Council's ("the Council's") position concerning the site, surrounding area, relevant local issues and planning policies, along with how the proposal positively and adversely impacts that context. The review of impacts highlights the key issues arising from the Proposed Development, the relative importance of these impacts, and the extent to which the draft Development Consent Order ("DCO") and associated documents adequately addresses those impacts.

1.1.2 Rosefield Energyfarm Limited ("the Applicant") is a joint venture between EDF Renewables UK and Ireland and PS Renewables. The Applicant is seeking to obtain development consent for the construction, operation (including maintenance), and decommissioning of Rosefield Solar Farm, located in Buckinghamshire (the "Proposed Development", as described further below).

1.2 Purpose and Structure of LIR

1.2.1 A Local Impact Report is a report in writing giving details of the likely impact of a proposed development on an authority's area (or any part of that area), as provided for in s.60 of the Planning Act 2008 ("PA 2008"). The Planning Inspectorate's Advice Note on Local Impact Reports explains that local authorities' LIRs should cover any topics they consider relevant to the impact of a proposed development on their area. Local authorities should set out clearly their terms of reference for any LIR. LIRs should be used by local authorities as the means by which their existing body of local knowledge and evidence on local issues can be fully and robustly reported to the ExA. An LIR should consist of a statement of positive, neutral, and negative local impacts, but it need not contain a balancing exercise between positives and negatives; nor does it need to take the form of a formal committee report.

1.2.2 One of this LIR's important purposes is to identify the policies in the development plan so far as they are relevant to the Proposed Development, and the extent to which the Development accords with these policies. It does this under topic-based headings (addressing topics in the Overarching National Policy Statement (NPS) for Energy (EN-1), Renewable Energy Infrastructures (EN-3), and Electricity Networks Infrastructure (EN-5)), reflecting the likely nature of impacts. The key issues for the local authorities and the local community are then identified, followed by commentary on the extent to which the Applicant addresses these issues by reference to the application documentation, including the DCO articles, requirements, and obligations, as relevant.

1.2.3 The LIR has sought not to duplicate material covered in the Statements of Common Ground ("SoCG"), so it redirects the reader to that as necessary.

1.2.4 This LIR considers the various topic areas addressed in the Environmental Statement ("ES") upon which the Council proposes to comment at this stage. As they are particularly important issues,

more space is used here to address ecology, landscape and visual amenity, heritage, and cumulative effects. However, that a topic is not addressed in detail here does not mean that the Council does not consider it important, or that the Council will not make representations about that topic in the future.

1.2.5 The following topics are addressed below:

- Site Selection
- Ecology and arboriculture
- Landscape and visual impact
- Cultural heritage and archaeology
- Population and human health
- Highways and transport
- Noise and vibration
- Soil
- Land and groundwater
- Flood Risk and drainage
- Air quality
- Socio-economics
- Materials and waste
- Climate Change
- Cumulative effects

1.2.6 Examination Library references are used throughout to assist readers when referring to the Applicant's submission document.

1.3 Scope of Proposals

1.3.1 The Proposed Development comprises a new large-scale solar photovoltaic ("PV") farm with an associated Battery Energy Storage System ("BESS"), located within Buckinghamshire and situated in proximity to the settlements of Steeple Claydon, East Claydon, Middle Claydon, Botolph Claydon and Calvert Green (the "Site"). The Site lies entirely within the administrative boundary of Buckinghamshire Council, which is the host authority for the Development.

1.3.2 The scheme benefits from a grid connection agreement with the National Energy Systems Operator. While originally enabling the export and import of up to 500 megawatts ("MW") of electricity via the East Claydon Substation, the Applicant has requested that the agreement be modified to reduce this figure to 335MW (**[APP-137]**, para 1.4.1). When further information is available about this modification, the Council invites the Applicant to update its Grid Connection Statement. This connection forms a key component of the operational function of the Proposed Development, supporting both the generation and storage of renewable energy at a nationally significant scale.

1.3.3 Under s.15(2) PA 2008, the Proposed Development meets the statutory thresholds to be considered a Nationally Significant Infrastructure Project ("NSIP"). It is a generating station located within England, does not generate electricity from wind, is not offshore, and would have a total generating capacity exceeding the 50 MW threshold (those being the applicable thresholds at the time the application was accepted). As such, development consent must be sought through the DCO process, with the Council acting as a host authority and statutory consultee.

2. Proposed Development

2.1 Overview

2.1.1 The Proposed Development is located within a predominantly rural part of Buckinghamshire characterised by extensive arable farmland, pasture, woodland blocks, and a dispersed settlement pattern. The Site lies close to the villages of Steeple Claydon, East Claydon, Middle Claydon, Botolph Claydon and Calvert Green, which form the principal nearby settlements surrounding the Order Limits. The wider landscape comprises undulating lowland farmland defined by hedgerows, mature field trees, ditches, and farm access tracks, with isolated farmsteads and individual rural properties distributed between the settlements. The existing National Grid East Claydon Substation sits immediately north of Parcel 3 and forms a prominent infrastructure feature within this rural setting.

2.1.2 The Site extends across approximately 675 hectares of agricultural land divided into four land parcels: Parcels 1, 1a, 2 and 3. Each reflect a varied but predominantly agricultural landscape context. Parcel 1 lies adjacent to Shrubs Wood, Decoypond Wood and Sheephouse Wood, three ancient or semi-natural woodland blocks forming strong landscape edges. Parcel 1a is bordered by Romer Wood and Greatsea Wood, with Muxwell Brook forming part of the northern boundary. Parcel 2 is located on a low ridge bordered by Finemere Wood and Runt's Wood, while Parcel 3 occupies flatter land to the north-east near Claydon Brook. These areas collectively contain a mosaic of arable fields, rough grassland, woodland margins, and hedgerow networks, resulting in a landscape with ecological and visual sensitivity.

2.1.3 Several nationally designated nature conservation sites are located in close proximity to the Site. Sheephouse Wood SSSI lies adjacent to Parcels 1 and 1a, and Finemere Wood SSSI borders the southern boundary of Parcel 2. Grendon and Doddershall Woods SSSI is located approximately 1.36 km southwest of Parcel 1a. In addition, the area forms part of a wider ecological network associated with the proposed Bernwood landscape-scale ecological designation, which encompasses ancient woodland complexes supporting nationally important bat and invertebrate assemblages.

2.1.4 The surrounding area includes a network of Public Rights of Way ("PRoW") that cross or pass close to the Site, including sections of the North Buckinghamshire Way, the Midshires Way, and the Bernwood Jubilee Way, all of which are valued recreational routes within the rural landscape. These PRoWs contribute significantly to public access and connectivity between the Claydon villages. The varying topography of Parcels 1, 1a and 2 allows outward views across open farmland, woodland edges, and ridgelines, including notable views from the Bernwood Jubilee Way towards Quainton Hill, a key local landscape feature.

2.1.5 While no major urban areas lie within the immediate vicinity of the Site, the settlements of Botolph Claydon and East Claydon lie directly adjacent to the northern boundary of Parcel 2, resulting in a close interface between the Proposed Development and established residential communities. The rural road network serving the area comprises narrow lanes and minor roads, including Calvert Road, Claydon Road and East Claydon Road, which provide access between the Claydon villages and form part of the landscape character of the area.

2.1.6 The existing National Grid infrastructure within and adjacent to Parcel 3, including pylons, overhead lines and the East Claydon Substation, introduces industrial elements into the landscape. National Grid is proposing future works to replace the existing substation to the west of its current location, although the final design and extent of works remain unconfirmed. Despite this infrastructure presence, the wider area retains a predominantly rural character with strong agricultural, ecological and landscape value.

2.2 Need for the Scheme

2.2.1 There is a national need to accelerate the deployment of renewable and low-carbon electricity generation to meet the UK's legally binding Net Zero target and the Government's mission for a fully decarbonised power system by 2035. The Applicant's Planning Statement **[APP-037]** explains that solar generation is identified within the 2023 Energy NPSs (NPS EN-1, EN-3 and EN-5) as Critical National Priority ("CNP") infrastructure, with substantial weight afforded to its delivery because of its essential role in decarbonisation, energy security, and affordability.

2.2.2 Government strategies, including the Clean Power 2030 Action Plan (which seeks 45-47GW of solar by 2030), and wider energy security policies, reinforce the need for rapid deployment of large-scale solar schemes to reduce reliance on fossil fuels and strengthen resilience and sovereignty in the national electricity system.

2.2.3 Additionally, co-locating solar with BESS directly supports national energy security by providing flexible, dispatchable, low carbon power, in line with NPS policy recognising the key role of storage in balancing supply and demand. As a scheme exceeding 50MW, the Proposed Development falls within the definition of nationally significant low carbon infrastructure and (if consented) would make a meaningful and urgently required contribution to national clean energy generation.

2.3 Planning History

2.3.1 The site's planning history is noted in the Planning Statement Appendix 3 **[APP-037]**. Key recent applications of note are provided in the table below:

Table 2-1 - Planning History

Application Reference	Site Address	Description of Development	Decision and Issue Date
25/01297/AP	Land North Of East Claydon Substation, East Claydon Road, East Claydon, Buckinghamshire	Construction of a greener grid park comprising energy storage and grid balancing equipment, and associated infrastructure, including access, drainage, landscaping, and other incidental works.	Decision outstanding

Application Reference	Site Address	Description of Development	Decision and Issue Date
23/03875/APP Appeals casework portal reference: APP/J0405/W/25/3360815	Land Located Off Hogshaw Road, Granborough, MK18 3NL	Development of a BESS, connected directly to the National Grid with associated infrastructure, including access, drainage, and landscaping (amended plans received).	Refused on 20/12/2024 Allowed on Appeal on 11/09/2025
24/00063/ALB	Pond Farmhouse, Calvert Road, Steeple Claydon, Buckinghamshire, MK18 2HD	Listed building application for re-tiling and associated repairs to existing roof structure, re-building of the upper section of the southern gable, rebuild bowing masonry over the lounge/snug window, crack repairs and repointing in lime mortar, underpinning of the buttress, upgrade and repair all gutters and downpipes and installation of French drains.	Approved 28/03/2024
23/01438/SO	Land Located Off Hogshaw Road, Granborough, MK18 3NL	EIA screening opinion with regard to the proposed development of a BESS.	Screen Opinion issued (EIA Required) 08/06/2023
22/01321/HS2	Decoypond Wood, Land East Of Calvert, South of Werner Terrace	In accordance with paragraphs 2 and 3 of Schedule 17 to the High-Speed Rail (London - West Midlands) Act 2017, the nominated undertaker hereby requests approval of PLANS AND SPECIFICATIONS comprising of the construction of a ditch crossing, erection of fencing and four maintenance gates.	Approved 17/06/2022
21/00041/HS2SR	4YH Overhead Line Route Quainton	Development authorised by High-Speed Rail (London - West Midlands) Act 2017. Site restoration following re-	Approved 18/03/2021

Application Reference	Site Address	Description of Development	Decision and Issue Date
		routing of overhead power lines.	
20/02703/APP	Knowle Hill Farm Calvert Road Middle Claydon Buckinghamshire MK18 2EZ	Erection of cattle shed.	Approved 11/11/2020
16/03115/ACL	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Application for a Lawful Development Certificate for a proposed underground 132kV line and ancillary development and underground 33kV and 11kV lines.	Approved 22/12/2016
14/03617/APP	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Construction of a new substation, including installation of electrical apparatus, switchgear building, extension of internal access road, boundary treatments, landscaping, and the erection of a building to house telecommunications apparatus within the existing National Grid Substation at East Claydon.	Approved 13/03/2015

3. Legislative Context

3.1 Introduction

3.1.1 This section of the LIR outlines the legislative and planning policy context of the Proposed Development.

3.1.2 The legislative basis for the proposed development is set out in the PA 2008, which defines the process under which consent for an NSIP is determined, along with secondary legislation made under that Act.

3.1.3 In accordance with s.104(2) PA 2008, the Secretary of State is required to have regard to any relevant NPS and any LIR, amongst other matters, when deciding whether or not to grant development consent.

3.2 Energy National Policy Statement (NPS)

3.2.1 The relevant NPSs to this NSIP are as follows:

- Overarching NPS for Energy 2023 (EN-1);
- NPS for Renewable Energy Infrastructure 2023 (EN-3); and,
- NPS for Electricity Networks Infrastructure 2023 (EN-5).

3.2.2 It should be noted that the Proposed Development is being assessed against the 2023 versions of the abovementioned NPSs. The 2025 versions of NPS 1, 3 and 5 were designated on 6 January 2026; however, transitional provisions in those NPSs indicate that the relevant policy statements for s.104 PA 2008 remain the 2023 versions for the Proposed Development. While the 2025 NPSs can be important and relevant considerations for the Secretary of State to take into account, the 2023 versions have been the focus of this LIR.

Overarching NPS for Energy (EN-1)

3.2.3 NPS EN-1 sets out the overarching principles and assessment framework that apply to all energy NSIPs. It establishes the Government's strategic need for new energy infrastructure, the policy tests relevant to decision making, and the general approach to balancing benefits and adverse impacts.

3.2.4 The policy requires the decision maker to consider the benefits of proposed energy infrastructure, including contribution to national need, security of supply, and wider economic and environmental outcomes, alongside any potential adverse environmental, social, or cumulative effects. It also emphasises the application of measures to avoid, reduce, mitigate, or compensate for significant residual impacts, following the mitigation hierarchy.

3.2.5 NPS EN-1 also sets out expectations regarding the treatment of cumulative effects, environmental targets, long term obligations relating to the natural environment, and the manner in which good design principles should be embedded into energy infrastructure developments.

3.2.6 The statement also guides safeguarding natural resources, enabling monitoring of mitigation and compensation, and ensuring appropriate regard is given to relevant statutory environmental frameworks and legally binding national targets.

3.2.7 Section 4.1 of NPS EN-1 establishes that, as a starting point, there will be a presumption in favour of granting consent to applications for energy NSIPs. That presumption shall apply unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused (para 4.1.3). Section 4.2 then goes on to set out the "critical national priority for low carbon infrastructure". The CNP presumption set out at para 4.2.15 onwards will apply where the Secretary of State is satisfied that an applicant's assessment demonstrates the requirements in para 4.2.10-4.2.13 are met. At a high level of generality, and setting aside "non-HRA and non-MCZ residual impacts", where the CNP presumption applies "in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis" of residual impacts (para 4.2.15).

NPS for Renewable Energy Infrastructure (EN-3)

3.2.8 NPS EN-3 provides technology specific assessment principles for renewable energy NSIPs, including solar photovoltaic generation in section 2.10. It reinforces that renewable electricity generation is a critical component of the UK's transition to a low carbon energy system and forms part of the nationally identified need for additional infrastructure.

3.2.9 The policy outlines requirements relating to site selection, design, layout, and operational considerations for renewable energy schemes, including solar developments. It identifies key environmental and technical topics that must be assessed and guides how applicants and decision makers should approach these issues.

3.2.10 The policy highlights a set of impact topics particularly relevant to solar photovoltaic development, including:

- biodiversity, ecological networks, and water management;
- landscape, visual and residential amenity;
- glint and glare effects;
- cultural heritage; and,
- construction related impacts such as traffic, transport, and noise.

3.2.11 NPS EN-3 also reinforces the need for applicants to demonstrate how significant adverse impacts have been avoided or minimised, and where residual impacts remain, to set out the necessary mitigation or compensation measures.

NPS for Electricity Networks Infrastructure (EN-5)

3.2.12 NPS EN-5 provides the policy framework for electricity networks infrastructure, including transmission and distribution systems and associated infrastructure such as substations, cable routes, and connection infrastructure required to support generation assets.

3.2.13 This NPS is relevant to the Proposed Development in respect of its grid connection components. EN-5 sets out the relevant assessment principles for such infrastructure, including design, siting, environmental impact considerations, and the need to balance technical requirements with minimising adverse landscape, biodiversity, heritage, and amenity impacts.

3.2.14 However, NPS-EN-5 does not focus on solar developments. The infrastructure covered by this NPS primarily relates to transmission systems and associated infrastructure. As such, NPS EN-5 plays a limited role in this LIR.

National Planning Policy Framework (NPPF)

3.2.15 The NPPF is a material consideration for determining planning applications under the Town and Country Planning Act 1990 ("TCPA 1990"). The NPPF was revised in response to the "Proposed reforms to NPPF and other changes to the Planning system" consultation on 12 December 2024 and sets out the Government's planning policies for England and how these are expected to be applied. This version of the NPPF was amended on 7 February 2025 to correct cross-references from footnotes 7 and 8 and amend the end of the first sentence of paragraph 155 to make its intent clear.

3.2.16 Paragraph 5 of the NPPF states that it does not contain specific policies for NSIPs and that applications for NSIPs are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant NPS for major infrastructure, as well as any other matters that are relevant (which may include the NPPF). NPS EN-1 explains that the Secretary of State should consider the guidance in NPPF (para 4.1.18), albeit that where there is a conflict between the NPSs and any policy, the NPSs will prevail (para 4.1.16). The NPPF states that the planning system should support the transition to net zero by 2050 and support renewable and low carbon energy and associated infrastructure (para 161). It goes on to state (para 168(a)) that when determining planning applications for renewable and low carbon energy development, local planning authorities should give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future.

Draft NPPF

3.2.17 The Government published a draft NPPF for consultation on 16 December 2025, accompanied by wider proposed changes to the planning system. The consultation, open until 10 March 2026, proposes one of the most significant restructurings of the Framework to date, including a clearer separation between plan-making policies and national decision-making policies, and a shift toward a more directive, policy-led structure. As with previous consultations, the proposed changes carry no policy weight until formally adopted; however, the Government has indicated that a revised NPPF is expected to be finalised and brought into effect during 2026, meaning

the updated Framework may be in place at the time the question of consent for the Proposed Development is determined.

3.2.18 The draft NPPF is significantly reorganised. There is no single solar farm policy, instead several policy shifts could profoundly change how solar and other renewable low-carbon energy schemes will be assessed. The consultation proposes strengthened and clarified national policies that favour renewable energy development, including solar PV. The consultation indicates the Government wants greater certainty that renewable and low-carbon projects will be approved and delivered, to meet energy-security and net-zero challenges.

3.2.19 From 31 December 2025, under the Infrastructure Planning (Onshore Wind and Solar Generation) Order 2025, the threshold for NSIP solar increased to 100 MW. Schemes in the window 50MW-99.9MW (which were not already accepted for Examination) ceased to be NSIPs, and NPPF policies became the primary material consideration. The December 2025 draft also introduces binding National Development Management Policies ("NDMP(s)"), which will override conflicting local plan policies. Solar farm decisions will be increasingly shaped by national policy, not varying local interpretations, subject to the draft consultation's progression.

3.2.20 The draft version of the NPPF will be under consultation during the Examination. As with the 2023 and 2025 versions of the NPSs, the focus of this LIR has been on the existing policy position. For that reason, only limited reference has been made to the draft in the LIR. However, when the updated version becomes available the Council may comment further on relevant changes

National Planning Policy Guidance

3.2.21 The National Planning Policy Guidance ("NPPG") on renewable and low carbon energy outlines guidance on the specific considerations that relate to large scale ground mounted solar PV farms. Para 4.1.11 of NPS EN-1 directs that the Secretary of State should consider the guidance in NPPG. NPPG states that one consideration, amongst others, should be whether land is being used effectively, recommending that large-scale solar farms are focused on previously developed and non-agricultural land.

3.3 Local Planning Policy Context

3.3.1 When determining an application for development consent, s.104(2)(d) PA 2008 requires the Secretary of State to have regard to any other matters that they consider both important and relevant, which may include local planning policy. The local planning policies, therefore, represent a significant material consideration, particularly where they are consistent with the relevant NPSs.

3.3.2 These local policies provide a clear framework for how the Council, as the Local Planning Authority ("LPA"), expects new development to come forward within its area. This framework should be weighed in the overall planning balance for the Proposed Development.

3.3.3 The adopted development plan for the Council and the Site currently comprise:

- Vale of Aylesbury Local Plan ("VALP") 2013-2033

- Buckinghamshire Minerals and Waste Local Plan ("MWLP") 2016-2036

3.3.4 There are no "made" neighbourhood plans within the site area covered by the Proposed Development.

3.3.5 The following supplementary planning documents ("SPDs") and evidence documents are also relevant to the proposals:

- Biodiversity Net Gain SPD 2022
- Conservation Areas SPD 2011
- Vale of Aylesbury Design SPD 2023
- VALP Sustainability Appraisal Report Addendum
- Aylesbury Vale Strategic Flood Assessment Level 1

3.3.6 Reference is made to the key local planning policies and documents below and throughout this LIR.

Vale of Aylesbury Local Plan (2013-2033)

3.3.7 The VALP is the Local Plan for the area. It sets the ambition and direction for Aylesbury Vale as a whole. Its overall vision is to secure the economic, social, and environmental wellbeing of the people and businesses in the area.

3.3.8 The vision for Aylesbury Vale is also based on the characteristics of the area and the key issues and challenges it faces. The vision is informed by the evidence base for the VALP, sustainability considerations, the views of the community, and encompasses the approaches set out in the former NPPF in 2012.

3.3.9 Relevant VALP Policies:

- S1 - Sustainable Development for Aylesbury Vale
- S5 - Infrastructure
- S8 - Monitoring and review
- T1 - Delivering the sustainable transport vision
- T2 - Supporting and protecting transport schemes
- T4 - Capacity of the transport network
- T7 - Footpaths and Cycle Routes
- BE1 - Heritage Asset

- BE2 - Design of new development
- BE3 - Protection of the amenity of residents
- NE1 - Biodiversity and geodiversity
- NE2 - River and stream corridors
- NE4 - Landscape character and locally important landscape
- NE5 - Pollution, air quality, and contaminated land
- NE7 - Best and most versatile agricultural land
- NE8 - Trees, hedgerows, and woodlands
- C3 - Renewable energy
- C4 - Protection of public rights of way
- I1 - Green infrastructure
- I2 - Sports and recreation
- I4 - Flooding
- I5 - Water resources and wastewater infrastructure

Buckinghamshire Minerals and Waste Local Plan 2016-2036

3.3.10 The MWLP outline the land use planning strategy for mineral and waste development within the Council's area. It sets out policies for considering planning applications related to minerals and waste development in Buckinghamshire.

3.3.11 Relevant MWLP Policies include:

- Policy 4: Allocated Sites for Sand and Gravel Provision
- Policy 16: Managing Impacts on Amenity and Natural Resources
- Policy 26: Safeguarding Minerals Development and Waste Development
- Policy 27: Minimising Land Use Conflict.

Emerging Local Planning Policy

3.3.12 The new Buckinghamshire Local Plan is currently at the Regulation 18 stage, with a sites engagement exercise running from February to March 2026. Regulation 19 (pre-submission

consultation) is expected no later than 23 July 2026 with the aim to submit the plan for examination by 31 December 2026.

3.3.13 The new Buckinghamshire Local Plan will guide development up to 2045, and will supersede the VALP, along with the Chiltern, South Bucks, and Wycombe Local Plans once made.

3.4 Other Legislation

The Planning and Infrastructure Act 2025

3.4.1 The Planning and Infrastructure Act 2025 is central to the Government's plan to get Britain building again, aiming to stimulate economic growth and expedite the construction of key clean energy projects. Specifically, for projects like the Proposed Development, the Act seeks to accelerate planning decisions, introduce less burdensome consultation requirements during the pre-application stage, and change the approach to challenges to granted DCOs. As the Proposed Development is currently the subject of the Examination, the changes in the Act will be of more limited effect for this scheme than for other NSIPs coming forward in the future.

Environment Act 2021

3.4.2 The Environment Act 2021 establishes targets for enhancing the natural environment, with Schedule 15, detailing the role of BNG in NSIPs. It is now expected that the mandatory requirement for BNG for NSIPs will be introduced in May 2026, requiring a minimum of 10% improvement in biodiversity value over pre-development levels. The Council understands that, in any event, the Applicant proposes to provide BNG in excess of that 10% minimum (**[APP-037]**, para 9.7.4).

Climate Change Act 2008

3.4.3 The Climate Change Act 2008 ("CCA 2008") established a long-term legally binding framework for the UK to reduce greenhouse gas ("GHG") emissions by at least 80% by 2050, compared to 1990 levels, and to adapt to climate change impacts. By subsequent legislation in 2019, the reduction was increased to 100% (often referred to as "Net Zero"). The Act provides an evidence-based mechanism for driving decarbonisation cross all sectors of the economy while requiring Government to plan for and response to the impacts of a changing climate. The PA 2008 requires that, when making an NPS, the Secretary of State must have regard to the desirability of mitigating and adapting to climate change (ss.5 and 10 CCA 2008). This is reflected in the climate change aspect of the relevant NPSs.

3.5 The Principle of Development

3.5.1 The NPSs state that large scale ground-mounted solar farms have a critical role to play in achieving the Government's aims and establishes a "critical national priority'" (CNP) for low-carbon infrastructure, including large-scale solar farms. The applicable policy principles in respect of CNP infrastructure are referenced in paragraph 3.2.7 of this LIR. As is explained in para 4.2.1 of NPS EN-1, the "Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions".

3.5.2 NPS EN-3 reaffirms that the Government sees PV generation as “a key part of the Government's strategy for low-cost decarbonisation of the energy sector” (para 2.10.9). Paragraph 2.10.10 goes on to state that “[s]olar also has an important role in delivering the Government's goals for greater energy independence. The British Energy Security Strategy states that Government expects a five-fold increase in combined ground and rooftop solar deployment by 2035 (up to 70GW). It sets out that Government is supportive of solar that is "co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use”.

3.5.3 Collectively, the policy framework supports solar development within the overarching energy framework.

3.5.4 The Council’s adopted local planning policies allow for making use of renewable energy to achieve reduction in carbon emissions. They support renewable and low carbon energy provision where the negative impacts are addressed satisfactorily.

3.5.5 Policy C3 “Renewable Energy” requires renewable and low carbon energy schemes to demonstrate that they will not result in significant or cumulative harm to landscape character, biodiversity, heritage assets, or residential amenity, and that any effects can be suitably mitigated.

3.5.6 Proposals should follow the plan’s overarching energy hierarchy, prioritising reduced energy use, efficient supply, and integration of renewable technologies. Major development must provide energy statements and consider decentralised energy networks. Battery storage are considered acceptable, where it enables greater deployment of renewable and low carbon energy, provided schemes avoid harmful effects including on landscape, heritage, or cumulative impacts.

3.5.7 To comply with the policies set out, it must be demonstrated that there are no significant adverse environmental impacts that cannot be appropriately avoided and/or mitigated. The topic sections of this LIR therefore consider the potential impacts of the Proposed Development in other respects, and the ExA will need to balance these positive impacts against any negative impacts set out in this LIR.

4. Local Impacts

4.1 Introduction

4.1.1 Chapter 4 considers the local impacts of the Proposed Development. Each section identifies the relevant policies within development plans and other local policies, the key issues raised by the Proposed Development, the extent to which the Applicant addresses them and thus the degree to which the Council considers the proposal to comply with the NPS and local policy.

4.1.2 Where applicable, additional mitigation or amendments to the scheme deemed necessary to reduce its local impacts are suggested.

- Site Selection
- Ecology and Arboricultural Matters
- Landscape and Visual Impact
- Cultural Heritage and Archaeology
- Population and Human Health
- Highway and Transport
- Noise and Vibration
- Soil
- Land and Groundwater
- Flood risk and drainage
- Air Quality
- Socio-economic Impact
- Materials and Waste
- Climate Change
- Cumulative Effects

4.2 Site Selection

Summary of the local impacts

4.2.1 The Council considers that the Applicant's assessment of alternatives is not proportionate to the scale, sensitivity or potential impacts of the Proposed Development. The site selection process is framed principally around the availability of a single willing landowner adjacent to the National Grid East Claydon Substation, rather than a transparent, constraints-led evaluation of the wider 10km search area. The process also failed to properly account for the topography locally, mischaracterising it and thereby placing elements of the Proposed Development in particularly harmful locations. The Applicant also failed to consider the relationship of the BESS with other consented and proposed development in the area and thereby missed the opportunity to avoid and minimise harms by consolidating this type of development in one location.

Key Policies/compliance

Table 4-1 - Policies relevant to Site Selection

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 4.3.9, 4.3.15, 4.3.16, 4.3.17, 4.3.23, 4.3.24
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs 2.10.18, 2.10.19, 2.10.25, 2.10.26

Policy Detail

Overarching NPS for Energy (EN-1)

4.2.2 Paragraph 4.3.9 states "as in any planning case, the relevance or otherwise to the decision making process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and habitats sites, the NPS does not change requirements in relation to compulsory acquisition and habitats sites".

4.2.3 Of the requirement for alternatives, para 4.3.15 explains that "[a]pplicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility".

4.2.4 Paragraph 4.3.16 outlines that "in some circumstances, the NPSs may impose a policy requirement to consider alternatives". However, para 4.3.17 explains that "[w]here there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements".

4.2.5 Paragraph 4.3.22 then explains "[g]iven the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:

- The consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and

- only alternatives that can meet the objectives of the proposed development need to be considered".

4.2.6 Paragraph 4.3.23 also explains that the "Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development".

4.2.7 As to alternatives outside of a site's boundaries, para 4.3.24 explains: "[t]he Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals".

4.2.8 Regarding the study of alternatives, para 4.3.25 explains "[a]lternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision". Any alternative would require to meet the requisite NPS test, so the Secretary of State may treat as unlikely to be important and relevant to the decision any hypothetical scheme which would not meet the policy tests (para 4.3.26).

4.2.9 Paragraph 4.3.27, outlines that "alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision".

4.2.10 In a similar vein, para 4.3.28 provides that "[a]lternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision".

4.2.11 Finally, in respect of the proposal of alternatives, paragraph 4.3.29 states: "[i}t is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after

an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect the applicant to have assessed it".

NPS for Renewable Energy Infrastructure (EN-3)

4.2.12 Paragraphs 2.10.18 and 2.10.19 focus on the Applicant's assessment, including factors influencing site selection and design, including irradiance and site topography.

4.2.13 A relevant consideration is proximity to grid infrastructure. Paragraph 2.10.25 explains that "[t]o maximise existing grid infrastructure, minimise disruption to existing local community infrastructure or biodiversity and reduce overall costs, applicants may choose a site based on nearby available grid export capacity". However, para 2.10.26 then explains that "where this is the case, applicants should consider the cumulative impacts of situating a solar farm in proximity to other energy generating stations and infrastructure".

Commentary

General

4.2.14 The Council considers that the Applicant's assessment of alternatives is not proportionate to the scale, sensitivity or potential impacts of the Proposed Development. The site selection process is framed principally around the availability of a single willing landowner adjacent to the National Grid East Claydon Substation, rather than a transparent, constraints-led evaluation of the wider 10km search area. The analysis in Appendix 1 to the Planning Statement is **[APP-037]** is very limited and does not indicate an approach which properly engaged with (among other things) the avoidance of effects as part of the mitigation hierarchy.

4.2.15 The Applicant has provided no compelling evidence that other landholdings within the search area were identified, approached, assessed, or discounted on the basis of environmental, landscape or planning considerations. In the absence of such information, the justification presented is narrow and unduly predetermined by land control rather than by an objective appraisal of environmental suitability. As a result, the Council considers limited weight can be placed on the Applicant's alternatives assessment. The Council also considers this points to the failure to avoid and mitigate certain effects as identified throughout the remainder of the LIR.

4.2.16 On the information available, it cannot be concluded that the Applicant has undertaken a proportionate or robust appraisal of alternative land parcels, nor that land outside the control of the preferred landowner has been reasonably or objectively considered.

Topography

4.2.17 The Applicant's description of the site as "relatively flat with a gently undulating topography" is not supported by the local evidence **([APP-037**], para 5.2.1). The landform is gently to moderately undulating, with clear variations in elevation across multiple parcels, and thus the Council does not accept as part of the description the words "relatively flat". These changes materially increase visual exposure, particularly from elevated viewpoints, PRoWs and heritage assets.

4.2.18 A key example is the Bernwood Jubilee Way, including the section forming part of the "Claydons & Claydon Wood Walk". Approaches to and from Botolph Claydon provide elevated, expansive and often panoramic views across the Aylesbury Vale and the Oxford Plain. These views are sensitive due to the sweeping, open rural character and the high levels of tranquillity experienced along the route.

4.2.19 A BESS compound in this location would appear particularly incongruous. Unlike solar arrays, which sit low in the landscape and can be partially absorbed by landform, a BESS introduces substantial industrial massing, hard surfacing, transformers and associated infrastructure. This would be further intensified by the requirement for tall, close-boarded acoustic fencing; an industrialised feature wholly out of keeping with rural boundary typologies in the local area. Such fencing would appear stark in mid- and long-distance views.

4.2.20 The BESS would also give rise to operational noise, including transformer hum, cooling equipment and intermittent night-time activity. These factors would erode the tranquillity that characterises this valued walking route, diminishing the recreational and experiential qualities for walkers, cyclists and local residents. This is addressed further in the LIR below.

4.2.21 The Applicant has provided no comparative assessment demonstrating that flatter, more visually contained or less sensitive land—either inside or outside the 10 km search area—was unavailable or unsuitable. This omission weakens the justification for selecting a site that is in part visually prominent and highly sensitive.

Other developments

4.2.22 Buckinghamshire Council notes that:

- a BESS proposal to the north of the substation remains pending consideration; and
- a BESS to the south-east of the substation has been granted consent (ref: 23/03875/APP).

4.2.23 These existing and consented schemes demonstrate that BESS development can be appropriately clustered in this landscape. They present a clear opportunity for consolidation of infrastructure in an area already influenced by energy-related uses. However, the Applicant has provided no meaningful evidence of engagement with neighbouring scheme promoters, nor any exploration of shared or alternative layouts that could reduce landscape or heritage harm.

4.2.24 Part of the consented BESS site includes land previously removed from the current proposal. It is therefore reasonable for the Council to expect the Applicant to assess whether this land could host some or all of the BESS components in a more contained, less harmful location.

4.2.25 Buckinghamshire Council's Relevant Representation identified that the currently proposed BESS location (fields D8 and D9) are highly sensitive and set out the Council's preference that the BESS be relocated adjacent to or behind the existing National Grid substation, where landscape containment and mitigation potential are stronger (see para 19). The Council further notes that such relocation would reduce setting harm to heritage assets (see para 85). The Council's overall position (see para 176) identifies this relocation as a key change necessary for the Proposed

Development to be acceptable in principle. This is a matter which is dealt with in more detail at throughout the LIR.

4.2.26 The Applicant's own BESS Location Review (provided to the Council by letter) discounts Fields E10 and E11 on the basis of broad, unquantified constraints (pylon clearances, areas of higher flood risk, and potential visual/noise effects to Sion Hill Farm). However: no flood modelling, no pylon offset analysis, and no residential visual or noise assessments are provided to demonstrate that these constraints are determinative.

4.2.27 Moreover, these types of constraints also arise elsewhere within the Order Limits—including in parcels selected for the BESS—yet are only used to dismiss fields E10 and E11. No design refinement, layout testing or mitigation exploration has been undertaken to assess whether these constraints could be resolved, mitigated or minimised.

4.2.28 In the absence of a full and proportionate appraisal, E10 and E11 remain credible and potentially preferable alternatives which reduce the adverse effects of the Proposed Development. Both are more visually contained within Parcel 3, present opportunities to reduce cumulative landscape and heritage impacts, and would move the BESS further from the most sensitive residential receptors.

4.2.29 The Council therefore concludes that the applicant has not robustly justified the rejection of E10 and E11, nor demonstrated that (considering the obligation to follow the mitigation hierarchy) the currently proposed BESS location represents the least harmful option within the Order Limits.

4.2.30 This issue of the location of the BESS is also addressed in section 5.2 below which concerns the Council's position on modifications to the layout of the Proposed Development.

4.2.31 Site Selection Local impacts: **Negative**

4.3 Ecology and Arboricultural Matters

Summary of the Local Impacts

4.3.1 The Council has significant concerns regarding the ecological and arboricultural effects of the Proposed Development. The site lies within an area of high ecological sensitivity, including proximity to Sites of Special Scientific Interest ("SSSI(s)"), ancient woodland, and the Core Sustenance Zone ("CSZ") for Bechstein's bats. Survey adequacy, reliance on outdated datasets, potential fragmentation of ecological networks, extensive hedgerow and habitat loss, and insufficient arboricultural baseline evidence are key matters requiring resolution. The Council considers that, at this stage, the Proposed Development has the potential to cause long term significant harm to biodiversity, including species and habitats of national importance. For those reasons the Council currently considers the policy tests and not met, and that this consideration weighs against the Proposed Development and indicates against the grant of development consent.

Summary of Mitigation/Improvements

4.3.2 The Council has previously raised concerns regarding the impact of the Proposed Development on bats and in particular the rare Bechstein's' bat due to a reduction in foraging resource, loss of landscape connectivity and disturbance to roosts; the impact on landscape connectivity within an ecologically sensitive landscape and the impact on ground nesting birds. Discussions have proceeded with the Applicant and a number of issues have been resolved. However, the Council remains of the view that further ecological surveys are required to inform decision making, and further mitigation is required, including the removal of infrastructure and compounds from fields B6, B7, B8, B10, B11, D29 and D28 and the widening of the woodland and hedgerow buffers. The Council remains of the view that buffers to ancient woodland should be at least 50m from the woodland edge, other woodlands should have at least a 25m buffer and hedgerows should have a 10m buffer from the edge of the current hedge.

Key policies/Compliance

Table 4-2 - Policies relevant to Ecology and Arboriculture

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs: 4.2.10, 4.2.11, 4.2.12, 4.2.14, 4.2.15, 4.2.16, 4.2.17, 4.6.13, 5.4.7, 5.4.8, 5.4.12, 5.4.13, 5.4.15, 5.4.17, 5.4.19, 5.4.21, 5.4.22, 5.4.26, 5.4.32, 5.4.35, 5.4.36, 5.4.41, 5.4.42, 5.4.43, 5.4.48, 5.4.49, 5.4.50, 5.4.52, 5.4.53, 5.4.54, 5.4.55
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs: 2.5.1, 2.5.2, 2.10.25, 2.10.75, 2.10.76, 2.10.77, 2.10.78, 2.10.79, 2.10.76, 2.10.83, 2.10.89, 2.10.90, 2.10.154, 2.10.155
NPPF (December 2024)	Chapter 15: Conserving and enhancing the natural environment Paragraphs: 187, 192, 193, 195

Document	Relevant sections/paragraphs
NPPG	Biodiversity Net Gain Natural Environment
Vale of Aylesbury Local Plan (VALP)	NE1: Biodiversity and Geodiversity NE2: River and Stream Corridors NE8: Trees, Hedgerows and Woodlands

Policy Detail

Overarching NPS for Energy (EN-1)

4.3.3 Paragraph 4.2.10 states "[a]pplicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements".

4.3.4 Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate Statutory Nature Conservation Bodies or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated (para 4.2.11).

4.3.5 Paragraph 4.2.12 outlines that "[a]pplicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered".

4.3.6 Para 4.2.14 then provides that "[t]he Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The Secretary of State must be satisfied that an applicant's assessment demonstrates that the requirements set out [in para 4.2.10-4.2.13] have been met. Where the Secretary of State is satisfied that they have been met, the CNP presumptions set out below apply".

4.3.7 Para 4.2.15 sets out that: "[w]here residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk".

4.3.8 Paragraph 4.2.16 goes on to provide that "[a]s a result, the Secretary of State will take as the starting point for decision making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances".

4.3.9 Paragraph 4.2.17 states that the "Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:

- …where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs."

4.3.10 Biodiversity is addressed in Section 4.6 of NPS EN-1. Paragraph 4.6.13 references wider environmental gains and benefits to communities such as reductions in GHG emissions, reduced flood risk, improvements to air or water quality, climate adaption, landscape enhancement, increased access to natural greenspace, or enhancement expansion or provision of trees and woodland.

4.3.11 Paragraph 5.4.7 recognises that many SSSIs are also designated as sites of international importance and are protected accordingly, whilst those that are not sites of international importance should still be given a high degree of protection. Paragraph 5.4.8 makes clear that "development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.

4.3.12 Paragraph 5.4.12 outlines that "[s]ites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution".

4.3.13 Paragraph 5.4.13 states that "[n]ational planning policy expects plans to identify and map Local Wildlife Sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks".

4.3.14 In respect of ancient woodland, para 5.4.15 explains that "[a]ncient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the government's policy for ancient and native trees and woodlands in England sets out the government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active management. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh scrub, and lowland fen".

4.3.15 As to protected habitats and species, para 5.4.16 outlines that "[m]any individual species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action".

4.3.16 Paragraph 5.4.17 specifies that "[w]here the development is subject to EIA, the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats".

4.3.17 Under Paragraph 5.4.19, applicants are required to demonstrate how their projects have sought to conserve and enhance biodiversity. Additionally, Paragraph 5.4.21 emphasises that the design process should incorporate opportunities for nature-inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains. The scope of potential gains will be dependent on the type, scale, and location of each project.

4.3.18 Paragraph 5.4.22 outlines the design of energy NSIP proposals will need to consider the movement of mobile/migratory species. Meanwhile para 5.4.26 addresses the information required for derogation where there is likely to be an adverse impact on the integrity of a habitat site.

4.3.19 Paragraph 5.4.32 outlines applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees and other irreplaceable habitats in the construction and operational phase.

4.3.20 Furthermore, para 5.4.35 states applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of proposed development. The paragraph outlines several considerations that applicants need to take into account.

4.3.21 An aspect of that mitigation is the direction in para 5.4.36 that "[a]pplicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages".

4.3.22 In terms of the Secretary of State's decision making, para 5.4.41 states that the "benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated".

4.3.23 Paragraph 5.4.42 outlines that "[a]s a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of

reasonable alternatives. Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought".

4.3.24 Para 5.4.43 of NPS EN-1 goes on to explain that, if "significant harm to biodiversity resulting from a development cannot be avoided... adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm".

4.3.25 Paragraph 5.4.48 states "[i]n taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment".

4.3.26 The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (a habitat site), a protected marine site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects (paragraph 5.4.49).

4.3.27 In terms of the Secretary of State decision making on SSSIs, para 5.4.50 states "the Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest".

4.3.28 In terms of local and regional sites, "[t]he Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent" (paragraph 5.4.52).

4.3.29 Paragraph 5.4.53 states "[t]he Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists".

4.3.30 As to protected species and habitats, para 5.4.54 provides that "[t]he Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate".

4.3.31 Paragraph 5.4.55 then goes on to state that "[t]he Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which they consider may result from a proposed development".

NPS for Renewable Energy Infrastructure (EN-3)

4.3.32 Paragraphs 2.5.1 and 2.5.2 of NPS EN-3 refer back to Section 4.7 of NPS EN-1 and emphasise that proposals for renewable energy infrastructure should "demonstrate good design with respect to landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage".

4.3.33 NPS EN-3 refers back to the generic consideration of various environmental issues in NPS EN-1. Para 2.10.75 highlights section 4.3 (Environmental Principles), section 4.6 (Environmental and Biodiversity Net Gain), section 5.4 (Biodiversity and Geological Conservation) and section 5.8 (Flood Risk) of EN-1 (paragraph 2.10.75).

4.3.34 Paragraph 2.10.76 states "[t]he applicant's ecological assessments should identify any ecological risk from developing on the proposed site". Paragraph 2.10.77 goes on to state that "[i]ssues that need assessment may include habitats, ground nesting birds, wintering and migratory birds, bats, dormice, reptiles, great crested newts, water voles and badgers".

4.3.35 In terms of design, para 2.10.78 states "[t]he applicant should use an advising ecologist during the design process to ensure that adverse impacts are avoided, minimised or mitigated in line with the mitigation hierarchy, and biodiversity enhancements are maximised". Para 2.10.79 then explains that "[t]he assessment may be informed by a 'desk study' of existing ecological records, an evaluation of the likely impacts of the solar farm upon ecological features, and should specify mitigation to avoid or minimise these impacts, and any further surveys required".

4.3.36 Para 2.10.83 provides that "[a]pplicants should consider how site boundaries are managed. If any hedges/scrub are to be removed, further surveys may be necessary to account for impacts. Buffer strips between perimeter fencing and hedges may be proposed, and the construction and design of any fencing should account for enabling mammal, reptile and other fauna access into the site if required to do so in the ecological report".

4.3.37 Paragraph 2.10.89 details that "[s]olar farms have the potential to increase the biodiversity value of a site, especially if the land was previously intensively managed. In some instances, this can result in significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains which is encouraged". Paragraph 2.10.90 continues to state that "[f]or projects in England, applicants should consider enhancement, management, and monitoring of biodiversity in line with the ambition set out in the Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere".

4.3.38 Para 2.10.154 sets out that "[w]ater management is a critical component of site design for ground mount solar plants. Where previous management of the site has involved intensive agricultural practice, solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, natural wetland habitat, and water quality management (paragraph 2.10.154).

4.3.39 In the impacts section addressing biodiversity, ecology, geological conservation and water management para 2.10.155 notes that "[t]he Secretary of State must consider the worst-case effects in its consideration of the application and consent".

NPPF (December 2024)

4.3.40 Section 15 of the NPPF (Conserving and enhancing the natural environment) contains the overarching national policy framework for biodiversity. It requires planning decisions to protect and enhance ecological networks, safeguard habitats, and encourage biodiversity improvements.

4.3.41 Paragraph 187, states that planning decisions should contribute to and enhance the natural and local environment. In the context of plans, para 192 notes that opportunities to incorporate biodiversity improvements are encouraged, particularly where this can secure measurable net gains for biodiversity.

4.3.42 Important in NPPF is para 193 which sets out the principles applicable to certain types of designation and development:

> *"(a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
>
> *(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location posed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
>
> *(c) Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;"*

4.3.43 Paragraph 195 outlines the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

NPPG

4.3.44 The NPPG on Biodiversity Net Gain confirms that ecological considerations must be integrated into site selection, layout, and design from the outset, requiring developments to demonstrate how impacts on habitats, trees, and ecological networks have been avoided, minimised and, if necessary, compensated for through measurable gains (paras 001–002). It establishes the statutory requirement for at least a 10% net gain in biodiversity value (which is yet to come into force for NSIPs), secured by an approved Biodiversity Gain Plan before commencement, and places strong emphasis on the Biodiversity Gain hierarchy, particularly in relation to medium, high, and very high distinctiveness habitats, which often include woodland, hedgerows and veteran/ancient trees. The NPPG also highlights long term ecological stewardship, requiring significant onsite enhancements (including woodland planting, hedgerow restoration and habitat management around retained trees) to be legally secured and maintained for a

minimum of 30 years, reinforcing the importance of safeguarding arboricultural features and ecological functionality across the lifetime of the development.

4.3.45 The NPPG on Environmental Impact Assessment confirms that ecology and arboricultural impacts must be assessed where a project is likely to give rise to significant environmental effects, with Schedule 2 developments requiring screening where sensitive receptors such as protected habitats, ancient woodland, designated ecological sites or important landscape trees may be affected (para 017). Environmental Statements must assess the likely significant effects on biodiversity, including impacts on habitats, species, trees, and ecological connectivity, and must reflect only those environmental factors that are likely to be significantly affected, ensuring proportionate assessment (para 035). The guidance also stresses that effects on sensitive or designated ecological areas increase the likelihood of EIA being required and that cumulative ecological effects with other existing or approved developments must always be considered.

VALP (2013-2033)

4.3.46 Policy NE1 (Biodiversity and Geodiversity) of the VALP makes clear that SSSIs will be protected and that the mitigation hierarchy should be applied to, firstly, avoid effects. The Policy goes on to make clear that proposals, individually or cumulatively, that would lead to an adverse impact on "internationally or nationally important Protected Site or species, such as Site of Special Scientific Interest (SSSIs) or irreplaceable habitats such as ancient woodland or ancient trees, will be refused unless" exceptional circumstances can demonstrate otherwise. Such exceptional circumstances can include evidence that the benefits of the development significantly and demonstrably outweigh its impacts on features or that the loss can be mitigated and compensated for. Policy NE1 also provides for BNG and related enhancements.

4.3.47 VALP Policy NE2 states that developments shall provide or retain a minimum 10m ecological buffer zone to watercourses unless existing physical constraints prevent. A long-term landscape and ecological management plan are required for this buffer.

4.3.48 VALP Policy NE8 on "Trees Hedgerow and Woodland" states "Buffers should allow the maximum space proportionate to the development and would generally be expected to be a minimum of 50m between the ancient woodland and any built development or grey infrastructure". This is further increased where pathways are present. Policy NE8 of the VALP makes clear that permission will be refused for development proposals that would lead to an individual or cumulative significant adverse impact on ancient woodland or ancient trees unless there are exceptional circumstances that clearly outweigh such impacts.

Commentary - Ecology

4.3.49 The Proposed Development is advanced within an area of high ecological value, due to the numerous ancient woodlands which form a connected woody landscape interspersed with species rich hedgerows, grassland, and watercourses. The area has been identified locally as the Bernwood Biodiversity Opportunity Area, with both the Local Nature Recovery Strategy and the local Biodiversity Action Plan setting out opportunities for nature's recovery here. This natural area supports many species of wildlife, which rely on the woodlands and the connectivity between them and associated habitats and has already been heavily impacted by other recent

infrastructure schemes. The Proposed Development will significantly change the natural landscape within this important area for wildlife. The Council have identified significant adverse impacts on:

- Nationally important population of Bechstein's bat due to:
    - Reduction of foraging resource
    - Reduction of landscape connectivity
    - Disturbance to roosts
- Ecological connectivity within an important area for biodiversity
- Ground Nesting Birds

4.3.50 It is acknowledged that the Applicant has informed that the Planning Inspectorate that further information on data analysis will be provided before Deadline 1. This is welcomed; however, pertinently, the Applicant has confirmed there will be no change in the scheme design following concerns raised by the Council and Natural England. Both organisations have concerns over the locations of solar panels and associated infrastructure/works in fields between Sheephouse Wood SSSI and Shrubs Wood.

4.3.51 The Council has previously raised concerns of the proposed impacts on Bechstein's bat through installation of solar panels/ancillary works in fields B6, B7, B8, B10, B11, D28 and D29 due to the evidenced importance of this area for foraging and commuting for the Finemere Wood maternity colony. Natural England also raised concerns over the proposed use of fields B6 to B10. It is understood that B6 to B10 are cattle grazed pasture, which the Council has been unaware of until now, and which is likely to be why activity in these fields is relatively high.

4.3.52 In addition, the Council consider that the relatively high occurrence of PRF-M trees in this area between Sheephouse Wood and Shrubs Wood increases the value of this area for Bechstein's bat.

4.3.53 It is noted that in Natural England's response to the ExA's questions on relevant representations **[AS-038**], that they maintain their recommendation that panels should be removed from B6, B7 and B8 on the basis that this would avoid loss of valuable habitat for Bechstein's bat. The Council fully support this advice. The Council also maintains its recommendation that there should be no infrastructure in B10 and B11 due to its proximity to Shrubs Wood and potential deleterious effects on roosting and commuting behaviours. Thus, the Council again invites the Applicant to remove solar panels/ancillary works from B6, B7, B8, B10, and B11 in line with the mitigation hierarchy.

4.3.54 The Council remains concerned over the impacts of solar panels in fields D29 and D28 between Finemere SSSI and Runts Wood due to the importance of habitat between the two woodlands and recommended panels be removed in these fields. It is noted that the Berks, Bucks and Oxford Wildlife Trust ("BBOWT") also recommended the removal of solar panels from D28 and

D29. Thus the Council again invites the Applicant to remove solar panels/ancillary works from D28 and D29, in line with the mitigation hierarchy.

Significance of Local Impact on Bernwood Bechstein's Bat population

4.3.55 The Biodiversity Chapter of the Environmental Statement **[APP-050]** assesses the value of the local Bechstein's bat population to be of national importance. One of the three maternity colonies that make up the local population is centred on Finemere Wood SSSI located immediately adjacent to Order Limits. Scientific studies (Natural England Report NECR558) show that Parcels 1, 1a and 2 are wholly within the CSZ for Bechstein's bat. The home range of Bechstein's bat encompasses much of Parcel 1 (including land between Sheephouse Wood SSSI and Shrubs Wood), all of Parcel 1a and the southernmost parts of Parcel 2.

4.3.56 The Biodiversity Chapter identifies residual effects of the Proposed Development on Bechstein's Bat (roosting, foraging, and commuting) as potentially adverse, long-term, permanent (for the duration of operation) and potentially significant at the district level. However, it concludes that "this potentially significant effect would not amount to, nor equate to, 'significant harm' as the predicted impacts will be of a scale that will not impact the overall favourable conservation status of the species" (**[APP-050]**, para 7.10.133).

4.3.57 The Applicant has been unable to conclude whether effects are likely to be significant or not, as requested to do so by the ExA, due to the uncertainty of impacts of solar farms on bats. It is therefore concluded impacts are potentially significant, and this has been deemed a precautionary approach to the assessment by the applicant. The Council remain concerned that impacts on Bechstein's bat would be significant.

4.3.58 The Council considers that, using the precautionary principle, there would be a significant impact on the Bechstein's population at the national level.

4.3.59 The Environmental Statement has made a distinction between impacts on the Bechstein's bat population at a district (or county) level and at a national (or species) level.

4.3.60 Favourable conservation status ("FCS") is defined in NE's Report on the Favourable Conservation Status of Bechstein's bat (Natural England Report RP2970) as the situation when the species can be regarded as thriving in England and expected to continue to thrive sustainably in the future. Bechstein's bat nationally is not in FCS.

4.3.61 The Council disagree with the conclusion that the predicted impacts will not be of a scale that will impact the FCS of the species. The Bernwood population of Bechstein's bat is estimated to comprise 1.4% of the UK population. It is one of the largest known populations in the UK. If the Bernwood population of Bechstein's bat was to go extinct, this would lead to further reduction in the FCS of the species and therefore would be considered significant harm by NE's definition. Risk of extinction is discussed below for context on this statement.

4.3.62 Furthermore, and pertinently, just because it may be considered that potential significant effects at the district level would not equate to significant harm at the species level, should not detract from the significance of the local impact. At the county level, there is only one other

known breeding population of Bechstein's bat. The extinction of the Bernwood population at the county level would therefore be significant.

4.3.63 Bechstein's bat is a woodland specialist with a limited tendency to disperse, making populations vulnerable to genetic isolation leading to inbreeding and a higher risk of extinction. The population in Bernwood is geographically and genetically isolated and shows higher levels of inbreeding and lower genetic diversity compared to other UK populations. Therefore, there is a risk of this population becoming extinct through increased pressures. This is categorically reported in the NE Report NECR558.

4.3.64 The reality is that there are many factors that contribute to the difficulty in assessing impacts of the scheme on Bechstein's bat, including:

- That most of the potential impacts on bats during both construction and operational phases are indirect, making it difficult to analyse quantitively or qualitatively the impacts. Indirect impacts include, for example, loss of roost sites due to disturbance factors (noise, vibration, lighting), impacts on commuting and foraging habitat through changes in habitat at a landscape scale. In addition to this, the effects of indirect impacts of the scheme are unlikely to be known for years, if ever, especially without specially designed scientific research.

- That potential effects of indirect impacts on the population will not only be as a result of the Proposed Development but cumulatively through habitat loss and changes in the landscape as result of other major infrastructure in the locality, such as HS2, Greatmoor EfW, and Calvert Landfill.

- The lack of research into the effects of solar farms on bat behaviour. Scientific studies to date do however provide an indication that solar farms may reduce bat activity, particularly for Myotis species (including Bechstein's bat) and barbastelle, which is also present on site. These studies are referenced in the Biodiversity chapter.

- The assessment of impacts and scheme design relies heavily on the Natural England report NECR558 that uses survey data from 2012 and 2013 to identify important roosts, map core foraging areas, and commuting routes, and understand the likely population size. Given the time that has elapsed and changes in landscape since 2012, there could be significant changes in the use of the landscape by bats, which surveys undertaken by the applicant will not have identified as they have not carried out radiotracking surveys. It is acknowledged that this population is one of the most studied in the UK, and that additional survey work would add to what is already known. The Council's view is that it may show new areas of important roosting/commuting habitat as a result of recent landscape scale changes. The Council agrees that the conclusion over the importance and vulnerability of the roost would remain as concluded.

- Lack of survey effort to determine presence of roosts within trees and impacts of potential disturbance to significant roosts, such as maternity roosts, in key areas, such as between Sheephouse Wood and Shrubs Wood. It is acknowledged that roost resource as a whole has been considered, however, as pointed out by Natural England, "causing a bat to change roosts represents a disturbance effect and should they need to change

roosts with dependent young, or switch multiple times as a result of construction activities occurring over a prolonged period and throughout their home range this could have deleterious effects" (see Natural England's Relevant Representation).

- Assumptions that design commitments will be effective in allowing continued use of the landscape by Bechstein's bats, such as through buffers to woodlands, hedgerows, and trees.

Fragmentation of Established Coherent Ecological Networks in an Important Location for Biodiversity

4.3.65 The proposed designation of Bernwood SSSI highlights the geographic scale of importance of the local area for woodlands, bats, and black hairstreak butterfly. The area supports a nationally important assemblage of bats, a nationally important population of Bechstein's bat, and nationally important colonies of black hairstreak butterfly. The Bernwood area, including land within Order Limits, is also important for breeding birds, wintering birds, and invertebrates at the county level.

4.3.66 Direct impacts of the construction of the Proposed Development will necessarily involve removal of sections of important hedgerows and mature trees. A total of 2,060 m of hedgerow is calculated to be lost over 82 locations to enable internal access corridors and/or underground cabling. Of this up to 1,310m is anticipated to be permanent, although the Council consider that the loss of any well-established hedgerows as permanent loss as decades would be needed to provide the equivalent resource.

4.3.67 The Council and Natural England have raised concerns over the proposed buffers to existing hedgerows and woodland in that they are not sufficiently wide to adequately to protect bat roosting, foraging and or commuting habitat, or other species that rely on the hedgerow network, such as black hairstreak and breeding birds. The Applicant has confirmed that the buffers will be measured from the centreline of the feature which is not normal practice; buffers are normally planned from the edge of a feature. The Council is concerned that this will substantially reduce the effectiveness of the buffer along features that are already wide. It is understood that Natural England has requested plans that clearly show the size of the buffers along hedgerows and woodland edges, and that the Applicant is providing this information before Deadline 1. The Council will review this information when it becomes available. However, the Council consider that a sensible, reasonable, and proportionate approach to those wooded corridors that are particularly important to bats is that they are increased to further reduce potential impacts, thereby adopting a precautionary approach.

4.3.68 The Proposed Development will also result in changes in habitats that will change the existing use of the landscape by various wildlife, including those of national importance. For example, removal of hedgerows that are assumed to support black and brown hairstreak butterflies, and changes in bat foraging behaviour. Although valued no higher than local or county importance, the Site also supports a range of species of principal importance for conservation, including ground nesting bird species, non-nesting birds, wintering birds, great crested newt, and otter. Although not assessed as significant, adverse impacts are identified at the construction and decommissioning stages for all these receptors except for great crested newt and otter, for which a negative or positive residual impact is not stated. Compensatory planting is

acknowledged, but this will take years to establish and offset in a meaningful way, that is, to provide habitat that has been lost in the interim, by which time effects may be irreversible.

Impact on Ground Nesting Birds

4.3.69 The north of the county is of particular value to ground nesting birds which rely on large open fields with adequate foraging. Ground nesting birds nest in the open, away from trees and hedgerows, where predators cannot sneak up on them.

4.3.70 Significant numbers of ground nesting birds have been identified on the Site. Locations of the compensation site for these species will be required and accompanied with an assessment of the current use of that land by existing ground nesting species. This to ensure that any uplift in that area's capacity to harbour further ground nesting species can be accommodated. Only areas where permanent solar array infrastructure is located has been assessed. Temporary impacts, such as cabling routes, have not been assessed. If habitat creation is proposed on those areas where no surveys have been carried out the Applicant will need to demonstrate that the area has the capacity to accommodate an uplift for the species identified.

4.3.71 Insufficient evidence has been presented to be assured that ground nesting birds are not being negatively impacted by the Proposed Development. The temporary works, such as cabling routes, have not been assessed for ground nesting birds.

4.3.72 Further assessment of the numbers of ground nesting birds that will be displaced are required alongside a mitigation plan which provides replacement habitat at a 2:1 ratio.

4.3.73 Due to the significance of the breeding birds identified on the Site and the measures proposed to maintain and enhance habitat for these species, a monitoring programme would be required. Currently, only ground nesting bird monitoring is proposed within the Outline LEMP. Due to the species identified and the impacts set out, a wider farmland bird monitoring programme to inform on the habitat enhancement and creation measures' success would be expected.

4.3.74 Bird boxes are mentioned within the Outline LEMP. Location and specifications will need to be provided. The Applicant is advised to work with the Bucks Owl & Raptor Group (“BORG”) on owl and raptor provision, as there are boxes erected around the Site that the group monitors annually. Barn Owl, Kestrel, and Little Owl boxes are adjacent to the Site, and a Peregrine Falcon platform has been erected at the Energy for Waste site at Greatmoor. All of these are monitored by BORG.

Assessment against National and Local Policy

4.3.75 NPS EN-1 sets out assessment principles in relation to BNG (section 4.6), including the approach to calculating biodiversity net gain.

4.3.76 The Council consider it is important to raise that the calculation for BNG is designed to provide a quantitative method of demonstrating that sufficient compensation has been provided for lost habitats at the end of the mitigation hierarchy, and to indicate where gain is in excess of the baseline (i.e. in excess of compensation). As compensation, it is designed as the last resort and should be considered only after measures to avoid and mitigate impacts have been applied.

4.3.77 In this instance, the positive BNG value is predominantly achieved due to changing large areas of arable land (which has low biodiversity value) into grassland (which has a higher value). However, the metric is too simplistic to consider the landscape scale impacts that solar panels and associated infrastructure will have, and it does not take into account the importance of locality or the presence of protected species.

4.3.78 The Council consider that limited weight should be given to the positive change in biodiversity value as measured by the biodiversity metric, when considered in the context of the overall ecological effect of the Proposed Development.

4.3.79 Section 5.4 sets out the approach to assessing biodiversity impacts, mitigation, and decision-making. It sets out that through strategic plans, such as the Environmental Improvement Plan ("EIP"), "the aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people… Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides" (para 5.4.2).

4.3.80 Goal 1 of the Government's EIP is to: Restored nature, stating "We will create a network of bigger, better and more resilient habitats to help nature thrive."

4.3.81 Local Nature Recovery Strategies (LNRS) are a core strategy in achieving Goal 1 of the EIP. The published LNRS for Buckinghamshire and Milton Keynes includes the following mapped measures within Order Limits:

- M122: Take action to restore populations of blackthorn butterflies and moths (See Species Shortlist Table and the Species Niches Table for further information).
- M120: Take action to restore populations of the Duke of Burgundy butterfly (See Species Shortlist Table and the Species Niches Table for further information).
- M110: Take action in Target areas for Species Recovery. This includes Bechstein's bat as well as other bat species.
- M1: Buffer and connect ancient woodlands, while preserving and enhancing other Priority Habitats such as chalk grassland, floodplain meadows.

4.3.82 The identified potentially significant adverse effects on Bechstein's bat appears to contravene this goal. Furthermore, the Council consider that the Proposed Development would result in fragmentation of an existing established ecological network, which goes against Government's national policies and strategies for nature recovery.

4.3.83 On decision making, the following paragraphs in EN1 are considered particularly relevant:

4.3.84 Having regard to para 5.4.43 of NPS EN-1, the Applicant makes a case for the identified potential adverse significant effects on Bechstein's not equating to significant harm, however, for the reasons given above the Council consider that the ExA needs to consider the interpretation of the differences the Applicant seeks in "significant effects" and "significant harm". At the local

level, this scheme alone and in combination with other local development could cause serious harm to this species in Buckinghamshire.

4.3.85 Having regard to para 5.4.48 and 5.4.55, the Council consider that substantial weight should be given to the identified potential significant impacts on the local Bechstein's bat population which is of national importance. Although significant harm has not been identified for other features of national importance, such as bat assemblage, black and brown hairstreak, adjacent woodland of national importance and hedgerows network connectivity, it is considered that the impacts on these features should not be looked at in isolation but in terms of the local ecological network and should weigh against the Proposed Development as well.

4.3.86 Having regard to para 4.2.11 and 4.2.14 of NPS EN-1, the Council consider that the failure to avoid and mitigate the effects on the local Bechstein's bat population mean that the appropriate conclusion is that the Proposed Development does not (without the changes suggested by the Council) attract the CNP infrastructure presumption. The effect on the local ecological network is also applicable to that issue. As a result, the presumptions in para 4.2.15-4.2.17 do not apply and/or the ExA and Secretary of State should conclude that the starting point that CNP infrastructure meet the requisite tests should be departed from against the Proposed Development.

4.3.87 In terms of local planning policy, the VALP NE1 part h states "development proposals will be expected to promote site permeability for wildlife and avoid the fragmentation of wildlife corridors, incorporating features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value on site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors including water courses should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity".

4.3.88 Furthermore, VALP Policy NE8 on Trees Hedgerow and Woodland is quoted above. The proposed 30m buffer to ancient woodland contravenes that local policy which mandates 50m buffers (to which see further below under arboriculture).

4.3.89 It is therefore considered that the development would contravene the VALP NE1 part h and NE8 on woodland and trees.

4.3.90 In conclusion, in the context of the uncertainty around solar PV effects, the Council consider that there is a high risk that the Proposed Development, in this location, will result in significant effects for biodiversity at not only the local scale but potentially nationally. That weighs against the Proposed Development in the way detailed above.

Opportunity for Positive Outcome through Research Project

4.3.91 Although the Council does not support the Proposed Development, it recognises that there is an opportunity through this development for research into the impacts of solar farms on biodiversity. If designed appropriately and published nationally, this is something that would be viewed as a positive outcome of the development that would provide valuable scientific information to inform future solar farms in the UK as well as at the county level.

4.3.92 The Applicant has confirmed that monitoring will be undertaken, however, the Council does not consider that the survey work suggested to date is sufficiently detailed for the most positive outcomes. A sufficiently planned and detailed research project for this development in this location has potential to significantly and positively impact biodiversity outcomes for future solar development. The monitoring schedule needs to include monitoring changes to temporary flight lines of bats using a similar methodology to HS2.

Commentary - Arboriculture

Introduction and Scope

4.3.93 This section sets out the Council's assessment of the likely impacts of the Proposed Development on trees, hedgerows, and woodland within and adjacent to the Order Limits.

4.3.94 The Council notes that arboricultural matters are addressed within the ecology chapter of the submitted Environmental Statement rather than as a standalone topic. Given the scale of the Proposed Development, its proposed 40-year operational lifespan, and the presence of ancient woodland, veteran and mature trees, and an extensive hedgerow network, the Council considers that arboricultural effects warrant distinct consideration. Trees and woodland provide a range of environmental services beyond biodiversity alone, including contributions to landscape character, cultural and historic value, soil stability, water regulation, and climate resilience.

Arboricultural Baseline

4.3.95 The Site lies within a landscape characterised by a strong hedgerow network; mature hedgerow trees and areas of woodland associated with the wider Bernwood landscape. These features form a coherent landscape structure and provide important visual, historic, and ecological continuity across the area.

4.3.96 Within the Order Limits, forty-eight hedgerows are classified as "important" under the Hedgerows Regulations 1997 and are considered to be of County importance. The loss or degradation of such hedgerows would represent not only a reduction in tree cover, but also a weakening of the historic landscape framework and connectivity across the Site.

4.3.97 Within and adjacent to the Order Limits, the Arboricultural Impact Assessment ("AIA") identifies sixty-four veteran and ancient trees and one veteran tree group. In addition, there are numerous mature trees, particularly hedgerow standards and woodland edge trees, with the potential to develop veteran characteristics over time. Veteran and ancient trees are irreplaceable arboricultural assets, with very long recovery timescales if damaged or lost, and are particularly sensitive to changes in soil conditions, hydrology, and disturbance within their rooting environments.

4.3.98 Woodland parcels and woodland edges within and adjacent to the Site, including ancient woodland, are similarly sensitive to both direct disturbance and indirect edge effects. Woodland edge conditions play a critical role in maintaining woodland structure, resilience, and microclimate, and are particularly vulnerable to incremental impacts arising from construction activity, changes in drainage, and long-term operational pressures.

4.3.99 Taken together, the combination of important hedgerows, veteran and ancient trees, mature trees with future veteran potential, and sensitive woodland and woodland edge environments indicates a baseline of high arboricultural sensitivity. This sensitivity means that even limited direct loss or incremental indirect disturbance has the potential to give rise to disproportionate and long-term impacts on the character, function, and resilience of arboricultural assets across the Site.

Survey Methodology

4.3.100 The Council has reviewed the submitted the AIA and associated arboricultural information provided in support of the Proposed Development, including the Applicant's response to the Council's Relevant Representations. In that response, the Applicant confirms that aerial (drone) survey information was used to inform the arboricultural assessment and that this was intended to complement, rather than replace, ground-based survey work.

4.3.101 While the Council acknowledges this clarification, it has not been explicitly confirmed that all arboricultural data used to define constraints, buffers, Root Protection Areas ("RPA(s)"), and layout has been comprehensively verified on site through ground-based survey. This distinction is important. Given the scale of the Site, the Council recognises the practical challenges associated with surveying large areas; however, the accuracy and robustness of the arboricultural baseline is fundamental, as it directly informs buffer provision, stand-off distances and the layout of infrastructure intended to avoid impacts on sensitive arboricultural features.

4.3.102 Aerial survey information can assist in broad mapping and contextual understanding, but it does not provide the level of precision required to reliably define stem positions, ground levels, rooting environments or RPAs where development proposals are located in close proximity to retained trees, hedgerows, woodland edges, and veteran trees. Where baseline information is imprecise or not demonstrably ground-verified, there remains a risk that impacts — particularly indirect impacts within RPAs — are underestimated or not fully identified.

4.3.103 The Council also notes that woodland features have not always been clearly or consistently classified within the assessment, with some woodland areas treated as groups of trees rather than as woodland parcels. This has implications for the assessment of woodland edge effects, buffer provision and the identification of indirect impacts arising from construction activity and long-term operation.

4.3.104 For these reasons, the Council considers that, notwithstanding the Applicant's clarification regarding survey approach, the current arboricultural assessment does not yet provide a sufficiently robust or precise baseline to fully understand the scale, nature, and significance of arboricultural impacts across all phases of the development. This includes impacts associated with construction, access and highway works, and long-term operational pressures on retained trees, hedgerows, and woodland edges.

4.3.105 Given that buffer distances, access routes and infrastructure layout are informed by the arboricultural baseline, the accuracy of that baseline is fundamental to ensuring that impacts are correctly identified and that avoidance and mitigation measures are effective from the outset.

Likely Arboricultural Impacts

4.3.106 The Proposed Development would introduce extensive permanent and temporary works across the Order Limits, with potential implications for trees, hedgerows, woodland edges, and veteran trees. These works include the installation of solar arrays, inverter stations, fencing, internal access tracks, underground cabling routes, construction compounds and associated temporary construction areas, together with on-site and off-site access and highway works required to facilitate construction traffic.

4.3.107 Based on the arboricultural baseline described above, and taking into account the identified limitations in survey methodology and baseline certainty, the Council considers that the Proposed Development has the potential to give rise to direct, indirect and long-term arboricultural impacts affecting trees, hedgerows, woodland edges, and veteran trees within and adjacent to the Order Limits. These impacts may arise during construction, persist during operation, and potentially occur again at decommissioning.

4.3.108 Direct arboricultural impacts include the removal of hedgerows, hedgerow trees, and individual trees to facilitate internal access routes, cabling corridors, infrastructure, and associated works. While the Applicant has identified and quantified certain losses, the Council considers that the significance of these impacts is not limited to the number of features removed. The removal and fragmentation of established and mature landscape features have the potential to weaken landscape structure, coherence, and connectivity across the Site, particularly where hedgerows classified as “important” under the Hedgerows Regulations 1997 are affected. In addition, the long timescales required for replacement planting to achieve equivalent landscape, arboricultural and ecological function are a material consideration.

4.3.109 The Council further notes that the full extent of arboricultural impact is not always clearly defined, particularly where elements of the Proposed Development are described at an outline level or where temporary construction activities are proposed within buffer zones or in close proximity to retained trees and hedgerows. Encroachment into buffers relied upon for tree protection, including through road widening, drainage works or temporary construction activity, represents a direct impact on retained arboricultural features and introduces uncertainty as to the scale and significance of both permanent and temporary effects.

4.3.110 Over the proposed 40-year operational period, future tree growth and natural crown expansion have the potential to conflict with infrastructure and operational requirements. Where these interactions are not fully anticipated at the design stage, there is a material risk of incremental tree management intervention over time, including pruning or removal, resulting in a gradual erosion of arboricultural value across the Site, even in the absence of direct tree felling.

4.3.111 Limited information has been provided on the arboricultural implications of decommissioning. The removal of infrastructure at the end of the operational period has the potential to involve excavation and access within buffer areas and close to retained trees and hedgerows. In the absence of clarity on decommissioning methodology, it is uncertain how impacts on RPAs and sensitive arboricultural features would be avoided.

Veteran Trees

4.3.112 The AIA identifies sixty-four veteran and ancient trees and one veteran tree group within or adjacent to the Order Limits and concludes that no veteran trees are proposed to be removed. The Council acknowledges this position.

4.3.113 However, the absence of direct felling does not in itself demonstrate that veteran and ancient trees would be unaffected. A number of identified veteran and ancient trees, together with their RPAs, are located in proximity to proposed works, including access routes, cabling corridors and associated highway and junction works. As a result, there remains potential for indirect impacts during construction, including soil compaction, root disturbance, and changes to local hydrology, particularly where works occur close to or within defined buffers.

4.3.114 Beyond the construction phase, a substantial proportion of retained trees are located within hedgerows or along woodland edges in close proximity to operational infrastructure. Several of these trees are either veteran or have the potential to develop veteran characteristics over time. Where such trees are not clearly identified, appropriately buffered, and positively managed from the outset, there is a risk that routine operational and maintenance activities associated with the solar farm — including vegetation clearance, pruning for access, safety or shading purposes — will lead to progressive canopy reduction, root disturbance, or decline.

4.3.115 Over time, such incremental intervention would undermine the current arboricultural value of veteran trees and place future veteran potential at risk, resulting in a gradual erosion of the veteran tree resource across the Site.

4.3.116 In addition, the Council considers that the assessment does not sufficiently integrate the long-term growth characteristics of retained trees over the proposed 40-year operational period. Future crown expansion, rooting requirements and the potential transition of trees into veteran status are not fully reflected in the layout design or impact assessment. As a result, there is limited confidence that incremental impacts arising from ongoing operational management and maintenance activities have been adequately identified, assessed, or mitigated from the outset.

Black Poplars and Orchard

4.3.117 The Council notes comments raised in relation to a group of trees with potential to be native black poplar (Populus nigra subsp. betulifolia) located within the hedgerow between fields D12 and D13. While the Applicant considers this group to be unaffected by the Proposed Development, the Council notes that a cable corridor is proposed to the south of the protective fencing in this location.

4.3.118 Given the acknowledged uncertainty in survey methodology and the flexibility inherent in the outline layout, the proximity of underground infrastructure introduces uncertainty as to whether impacts on these trees and their rooting environments can be fully avoided in practice. Further clarity on species identification, buffer provision, protection measures, and long-term management is therefore considered necessary to ensure that potential impacts are adequately addressed.

4.3.119 The Council has also considered the orchard located within field SA23, to the south of Muxwell Farm and east of Home Wood and agrees with the Applicant's conclusion that this orchard does not appear to be affected by the Proposed Development.

Impacts Associated with Access and Highway Works

4.3.120 The Proposed Development includes access and highway works required to facilitate construction traffic. The Council has identified elements of these works, including road widening in specific locations, which have the potential to encroach into the RPAs of retained trees, including veteran and ancient trees. Review of the AIA alongside the Outline Construction Traffic Management Plan ("OCTMP") indicates that the arboricultural implications of some highway works are not fully or consistently reflected within the AIA.

4.3.121 The OCTMP includes measures such as localised road widening, construction of temporary passing places and widening of junctions to accommodate construction traffic. These works typically require excavation within highway verges, formation of widened carriageways and tapers, and temporary or permanent changes to verge profiles. Where roadside trees, hedgerows or veteran trees are present, such works have the potential to encroach into Root Protection Areas and affect below-ground environments.

4.3.122 In a number of locations, highway-related works are not clearly shown within the AIA plans, nor is their potential impact on RPAs and adjacent arboricultural features explicitly assessed. As a result, there is uncertainty as to whether the scale and significance of impacts on roadside trees, hedgerows and veteran features have been fully identified. By way of example:

4.3.123 Figure SK002 shows hedgerow removal adjacent to fields D7 and D8 but does not clearly assess impacts on adjacent trees, including Oak T545 (Category B), which appears likely to be adversely affected.

4.3.124 Figure SK003, between fields D44 and D45, shows encroachment within the stated protection buffer of Oak T532, a veteran tree. Where development is shown within an identified buffer, the effectiveness and purpose of that buffer is unclear, reinforcing the need for accurate confirmation of tree locations, dimensions, and Root Protection Areas on site.

4.3.125 Figures SK005 and SK006 show access crossings at junctions, but impacts are illustrated only on one side of the junctions, with hedgerow removal shown but not associated impacts on adjacent trees.

4.3.126 Figures SK007 to SK011 refer to temporary highway measures, including new passing places, widened tapers, use of cellular confinement systems and vegetation trimming. While these measures are intended to reduce impacts, they confirm that works will take place close to trees and hedgerows, with potential for soil compaction, root disturbance and additional vegetation loss that is not fully assessed within the AIA.

4.3.127 Where access and highway works are not fully integrated into the arboricultural assessment from the outset, there is a risk that impacts on roadside trees, hedgerows and associated veteran features are overlooked or only addressed at a stage where effective avoidance is no longer possible.

Drainage Impacts on Trees and Woodland Buffers

4.3.128 The Council has reviewed the Outline Drainage Strategy and notes that a number of proposed attenuation features are shown in close proximity to, and in some cases within, areas identified as buffers to woodland.

4.3.129 In particular, attenuation features are indicated to the west of field B3 and immediately north of Decoypond Wood; to the south-west of field B7 and north of Sheephouse Wood; and to the south of field B18 within the buffer to the same woodland. While the Council acknowledges that the drainage strategy is indicative at this stage, the siting of attenuation features within woodland buffer areas raises concern.

4.3.130 Attenuation features typically involve ground excavation, changes to ground levels and potential alteration of local hydrology. The introduction of such engineered features within areas intended to function as woodland buffers conflicts with the purpose of those buffers as undisturbed transition zones, free from excavation and construction activity. In the absence of clarity as to what activities would be permitted within buffer areas, there remains uncertainty as to whether woodland edge conditions can be adequately protected.

4.3.131 The Council considers that the proposed location of attenuation features within woodland buffers risks the erosion of buffer integrity over time and further illustrates the limitations of relying on generic buffer distances. This reinforces the need for buffers of sufficient width and function, consistent with VALP Policy NE8, and for early clarity on what forms of development and engineering are acceptable within buffer areas from the outset of the scheme.

Indirect Impacts

4.3.132 A substantial proportion of retained trees, hedgerows and woodland edges would be located in proximity to construction activities over a prolonged period. Indirect impacts may arise from soil compaction, disturbance of rooting environments, changes to soil structure, and alterations to local hydrology, particularly where works occur within or close to Root Protection Areas.

4.3.133 Given the uncertainties identified in the arboricultural baseline and survey methodology, the Council considers that there is a risk that such indirect impacts may be underestimated. This is of particular concern in relation to veteran and ancient trees, woodland edges and hedgerows containing mature boundary trees, where even limited disturbance can lead to long-term decline.

4.3.134 Indirect construction impacts may also arise from repeated vehicle movements, temporary storage of materials, and the presence of construction plant in proximity to retained arboricultural features. Where such activities are not clearly defined, spatially constrained and controlled from the outset, there remains uncertainty as to whether sensitive rooting environments can be adequately protected throughout the construction phase.

Decommissioning Impacts

4.3.135 Limited information has been provided on the arboricultural implications of decommissioning. The removal of solar infrastructure, access tracks, cabling, and associated foundations at the

end of the operational period has the potential to involve excavation, vehicle access, and ground disturbance within buffer areas and in close proximity to retained trees, hedgerows, and woodland edges.

4.3.136 In the absence of clarity on decommissioning methodology, it is uncertain how impacts on RPAs would be avoided or managed, particularly where infrastructure is located close to sensitive arboricultural features. Decommissioning activities have the potential to give rise to both direct and indirect impacts, including root damage, soil compaction, and changes to local soil structure, which may undermine the long-term condition of retained trees and hedgerows.

4.3.137 Given the proposed 40-year operational lifespan of the Proposed Development, the Council considers that the lack of information on decommissioning represents a gap in the assessment of arboricultural impacts, and that uncertainty remains as to whether adverse effects on retained arboricultural features can be avoided at the end of the scheme's life.

Mitigation, Management and Securing of Outcomes

4.3.138 The Application proposes a range of measures intended to avoid or reduce impacts on trees, hedgerows, woodland edges, and veteran trees, including the provision of buffer zones, outline arboricultural protection measures and reliance on post-consent management documentation. The Council acknowledges that mitigation is proposed in principle; however, there remains uncertainty as to whether these measures are sufficiently defined, proportionate and robustly secured to ensure effective protection of arboricultural assets over the lifetime of the development.

4.3.139 VALP Policy NE8 (Trees, Hedgerows and Woodland) places strong emphasis on the protection of important trees, hedgerows, and woodland, including the provision of buffers that allow sufficient space for long-term protection, growth, and management. In this context, the buffer strategy presented within the Arboricultural Impact Assessment is, in several respects, generic in nature and not demonstrably tailored to the value, sensitivity or long-term requirements of the features it is intended to protect.

4.3.140 The AIA proposes 30 m buffers to ancient woodland, 10 m buffers to hedgerows, and standard stand-off distances to veteran and mature trees. VALP Policy NE8 indicates that buffers to ancient woodland would generally be expected to be a minimum of 50 m between ancient woodland and built development or grey infrastructure. The proposed 30 m buffers therefore fall short of local policy expectations, particularly given the scale of the scheme, its 40-year operational lifespan, and the proximity of access tracks and other infrastructure to woodland edges.

4.3.141 In addition, the AIA refers to a "minimum 10 m offset from the fence line to existing hedgerows", which is ambiguous as to whether this distance applies to each side of the hedgerow or as a total width. VALP Policy NE8 is clear that a minimum of 10m should be provided on each side of retained hedgerows within the development boundary. The absence of clarity on buffer definition and measurement, together with the lack of modelling of future crown spread of existing hedgerow standards and proposed hedgerow trees, raises concern that, as trees mature, conflicts with infrastructure may generate pressure for pruning or removal.

4.3.142 Moreover, the proposed hedgerow buffers do not adequately reflect the presence of mature boundary trees within many hedgerows, nor do they account for future crown spread and rooting requirements over the lifetime of the development. Without sufficient allowance for growth and long-term management, these buffers risk creating ongoing pressure for intervention, leading to a decline in hedgerow structure and function, contrary to the objectives of VALP Policy NE8. In addition, while the AIA identifies sixty-four veteran and ancient trees and a veteran tree group, there is no consistent application of enhanced buffers specific to veteran or potentially veteran trees, despite their sensitivity and long-term value.

4.3.143 The Council further notes that review of the Outline Drainage Strategy suggests that, in some instances, buffer distances are illustrated with the existing tree line located centrally within the stated buffer. The Council considers that buffers should be measured from the outer edge of tree stems and rooting environments, not from a notional centreline, in order to function as effective stand-off zones free from excavation, construction activity and long-term operational pressure.

4.3.144 Taken together, the Council considers that the buffer strategy proposed within the AIA does not yet demonstrate that buffers are proportionate, feature-specific, and capable of safeguarding trees, hedgerows, and woodland over the long term. As a result, the proposed mitigation cannot currently be relied upon to demonstrate compliance with VALP Policy NE8.

4.3.145 The effectiveness of the proposed mitigation will rely on long-term management secured through the Landscape and Ecological Management Plan ("LEMP"), based on the Outline LEMP. Clarity is required as to how arboricultural objectives will be reflected within the LEMP, including the management of woodland edge conditions, hedgerows and retained trees, and how conflicts arising from tree growth over time will be avoided. In the absence of this clarity, there remains uncertainty as to whether arboricultural mitigation will be delivered and maintained effectively over the lifetime of the scheme.

Outline Arboricultural Method Statement

4.3.146 As set out above, a number of the potential arboricultural impacts associated with the Proposed Development arise not only from the presence of infrastructure, but from the manner in which works would be undertaken in proximity to trees, hedgerows, and woodland. The Council notes that the Design Approach Document indicates that buffers from sensitive receptors have informed the scheme design and that certain construction matters would be addressed through post-consent documentation, including the Outline Construction Environmental Management Plan ("Outline CEMP"). The Council recognises that some detailed construction controls can appropriately be managed ultimately through the full CEMP.

4.3.147 However, the Council considers that a number of matters relevant to arboricultural protection are fundamental to the assessment of the impacts of the works themselves, rather than solely to construction management. In particular, the approach to access routes, cabling, drainage features, highway works, temporary construction compounds and decommissioning activities directly influences whether impacts on trees, hedgerows and woodland can be avoided and whether proposed buffers can function as intended.

4.3.148 In this context, reliance on later-stage approval of a CEMP alone does not provide sufficient certainty to inform the assessment of arboricultural effects. The Council therefore considers that an Outline Arboricultural Method Statement ("AMS") is required to establish, at this stage, the principles by which works would be undertaken in arboriculturally sensitive locations.

4.3.149 An Outline AMS would be expected to set out, at a proportionate level, how impacts on trees, hedgerows and woodland would be avoided or minimised. This would include, for example, identifying circumstances where trenchless or other low-impact construction techniques would be required in order to avoid harm to RPAs, hedgerows, or woodland edge conditions, as well as defining activities that would be permitted and not permitted within buffer areas. It would also provide clarity on the approach to access routes, temporary construction compounds and works associated with decommissioning, insofar as these are relevant to understanding arboricultural impacts.

4.3.150 While an Outline AMS would not be expected to resolve all construction details in advance of consent, it is considered necessary to demonstrate that the proposed mitigation strategy is capable of being delivered in practice and that arboricultural impacts have been adequately assessed at this stage. In the absence of this clarity, uncertainty remains as to whether impacts on trees, hedgerows and woodland can be effectively avoided or mitigated over the lifetime of the development.

Cumulative Arboricultural Effects

4.3.151 The Council considers that the cumulative effect of direct arboricultural losses, indirect construction impacts and long-term operational pressures has the potential to result in a gradual erosion of arboricultural value across the Site. Even where individual impacts may appear limited in isolation, their combined and incremental effect over the lifetime of the development may be significant, particularly when considered alongside other large-scale infrastructure projects within the wider area.

4.3.152 Decoypond Wood provides a clear example of how cumulative pressures may arise. The Council recognises that the Proposed Development is promoted independently of other schemes; however, the interaction between multiple developments and associated mitigation measures is a relevant consideration in understanding cumulative effects on sensitive arboricultural receptors.

4.3.153 It is noted that the HS2 scheme includes mitigation and compensation planting associated with impacts on ancient woodland in the Calvert area, including approximately 3.9 hectares of compensation planting linked to Decoypond Wood. Available information (HS2 Phase One: Calvert – Ref: C222-ATK-CV-DPP-020-000009-FPD) indicates that this mitigation includes planting along the eastern boundary of Decoypond Wood, forming a linear strip intended to provide buffering and compensation for the effects of HS2 construction and operation.

4.3.154 The Proposed Development overlaps with the HS2 Act Limits at the western edge. HS2 directly impacts several ancient woodlands, including Decoypond Wood and as compensation for the loss of ancient woodland HS2 identified areas to plant within their Environmental Statement and Ancient Woodland Compensation Strategy. HS2 identified the area to the north and east of Decoypond Wood for woodland planting. The planting is shown within mapbooks that

accompany the HS2 Environmental Statement and also the HS2 Phase One Ancient Woodland Strategy. The HS2 Environmental Statement also identified that woodland planting was required in this area to help provide key commuting routes for bats, facilitating the use of the green bridges which have been designed by HS2 to enable bats to cross the new route. The Rosefield order limits overlap with the HS2 Act Limits. Panels have been proposed in areas that are to be or have been planted as woodland by HS2, reducing the buffer that was secured adjacent to Decoypond Wood ancient woodland and also reducing the commuting route for bats provided within this key area. As a result, the proposed panel layout has the potential to adversely affect both ancient woodland integrity and the functionality of the ecological network carefully planned as part of the HS2 project.

4.3.155 In particular, the Council considers that a buffer intended to safeguard the integrity and edge conditions of ancient woodland should not also be required to compensate for impacts arising from a separate, large-scale infrastructure project. The effectiveness of ancient woodland buffers relies on their ability to function as relatively undisturbed transition zones. Where the same land is expected to perform multiple mitigation roles, there is a risk that cumulative pressures undermine buffer function, resilience, and long-term effectiveness.

4.3.156 In addition, the Proposed Development includes the diversion of existing PRoWs, including Footpaths SCL/13/1 and SCL/13/2, in the vicinity of Decoypond Wood, to the south of the parcel, as set out in the Outline Rights of Way and Access Strategy. While modest in length, these diversions introduce additional activity and movement along a sensitive woodland edge that is already subject to cumulative pressures arising from HS2 works and the Proposed Development itself.

4.3.157 Taken together, these factors demonstrate how cumulative arboricultural impacts may arise through the interaction of separate schemes, mitigation measures, and changes in land use, even where individual developments propose buffering and mitigation in isolation. The Council considers that this reinforces the need for ancient woodland buffers that are generous in scale, robust in function and capable of accommodating cumulative pressures, without being compromised by overlapping mitigation demands or additional land-use pressures, in order to safeguard the long-term integrity and resilience of woodland assets.

Residual Arboricultural Effects

4.3.158 Taking into account the proposed mitigation, together with the uncertainties identified in relation to survey accuracy, buffer adequacy, access, and highway works, long-term management and cumulative pressures, the Council considers that residual adverse effects on trees, hedgerows and woodland cannot be ruled out.

4.3.159 In particular, there remains uncertainty as to whether the proposed buffers and management measures are sufficient to safeguard ancient woodland edge conditions, veteran and future veteran trees, and important hedgerows over the lifetime of the development. While mitigation is proposed in principle, the reliance on generic buffer distances, outline measures and post-consent detail means that the effectiveness of mitigation has not yet been fully demonstrated.

4.3.160 As a result, there is a risk that incremental and cumulative impacts may arise during construction, operation, and decommissioning, leading to a gradual erosion of arboricultural value that would be difficult to reverse.

Relationship to the NPS and NPPF

4.3.161 In considering the arboricultural impacts identified above, the Council has had regard to the relevant NPSs and NPPF. The Council does not dispute the relevance of BS 5837:2012 as a recognised methodological framework for assessing tree impacts. However, compliance with national policy is not determined by methodology alone.

4.3.162 NPS EN-1 at para 5.4.53 stresses that development consent should not be granted where a development would result in the "loss or deterioration of any irreplaceable habitats" such as ancient woodland and ancient and veteran trees unless there are "wholly exceptional reasons". As was explained in the context of ecology effects above, in circumstances where proper compliance with the mitigation hierarchy is not shown (per para 4.2.11 and 4.2.14) the CNP presumption is not engaged (para 4.2.14) and/or there should be a departure from the starting points set out in para 4.2.15-4.2.17. Similarly, the NPPF requires decision-makers to consider whether significant harm to trees, hedgerows and woodland has been demonstrably avoided, and whether any residual impacts are adequately mitigated and secured over the lifetime of the development. In this context, the assessment must provide sufficient certainty that arboricultural impacts have been identified, avoided where possible, and effectively mitigated in the long term.

4.3.163 In this case, the uncertainties identified in relation to survey accuracy, buffer adequacy, protection of veteran and future veteran trees, impacts arising from access and highway works, and the long-term management of retained arboricultural features mean that it has not yet been demonstrated that arboricultural impacts have been avoided or mitigated to a degree consistent with national policy expectations. This position is reinforced where proposed mitigation does not fully align with development plan policy, including VALP Policy NE8. That all weighs against and indicates against the grant of consent.

4.3.164 The Council recognises that certain detailed construction and management matters would be addressed through post-consent documentation. However, reliance on later-stage approval alone does not provide sufficient assurance that arboricultural mitigation will be delivered as intended. For mitigation to be effective, the principles underpinning buffer provision, protection of RPAs and management of works near trees must be clearly defined and secured from the outset of the scheme.

4.3.165 Ecology and Arboriculture Local impacts**: Negative**

4.4 Landscape and Visual Impact

Summary of the Local Impact

4.4.1 The Council have concerns regarding the predicted impacts that would be experienced both on the landscape character and on visual receptors. The nature of the Proposed Development would have an industrialising effect on the rural landscape. A key characteristic of the local landscape is of an undulating landform with a number of villages (Botolph Claydon being a key focal point) being located on higher ground. This raised elevation would make the impacts from the Proposed Development particularly acute and be a significantly adverse effect.

4.4.2 The impact will be particularly pronounced within the Aylesbury Vale Area of Attractive Landscape. The southern part of the Proposed Development — most notably fields D28 and D29 — lie within this designated area, which exists to protect and enhance the visual and ecological quality of these distinctive parts of the Vale of Aylesbury. The BESS is also positioned close to this landscape designation and is likely to be visible from nearby viewpoints.

4.4.3 Within an area recognised and protected for its rural character, the introduction of large-scale solar infrastructure would create a significant industrialising effect. This forms a key basis for the Council's view that fields B28 and B29 are unsuitable locations for solar panels, and that the BESS should be relocated to a more appropriate site.

4.4.4 The Council is concerned that PRoWs — highly sensitive receptors in terms of landscape and visual amenity — would be particularly affected by the Proposed Development. In certain areas, users of these routes would also experience additional sensory effects, including noise generated by the BESS. The Council is not satisfied that these impacts have been fully or accurately assessed and considers that the resulting effects fail to protect and enhance public rights of way, as required by NPPF paragraph 105.

Mitigation/Improvements

4.4.5 The Council also has significant concerns regarding the generic mitigation measures proposed by the Applicant, which are too limited in scale to meaningfully reduce the identified harms. There is clear potential to soften the visual and landscape effects of the Proposed Development through more substantial interventions, such as additional hedgerow planting and the use of strategically positioned tree belts that take advantage of the site's natural undulating topography.

4.4.6 The Council also notes that certain elements of the Proposed Development, and mitigation for other effects, would actively worsen landscape and visual impacts. The installation of a 3.5–5 m high timber noise attenuation fence would heighten landscape and visual intrusion, appearing incongruous within a rural setting and forming a visually prominent feature that would alter the area's character (**[APP 056]**, para. 13.9.17). This runs contrary to both national and local policy requirements, including VALP Policy NE4. Comparable concerns arise where solar panels must be elevated to avoid flood prone areas within the site, further increasing their visual impact.

4.4.7 The proposed location of the BESS in fields D8 and D9 places it in close proximity to several PRoWs including the Bernwood Jubilee Way which is a designated Long-Distance Path as well as the village of Botolph Claydon. Two other footpaths, ECL/7/2 which is located approximately 48 metres from the proposed BESS at its closest point and footpath ECL/6/1 which is located approximately 523 metres away at its closest point. Both of these footpaths would have visibility of the BESS and the surrounding solar panels, the proposed mitigation whilst trying to reduce the perceived visual impacts would introduce elements that would be out of character. The Bernwood Jubilee Way (ECL/8/1) although being further away from the BESS location runs in part at a higher elevation and would therefore have views into the BESS site. The proposed mitigation measures would have a reduced effect from this elevated vantage point.

4.4.8 It is proposed that the BESS be relocated to other fields within the Proposed Development: fields D18 and D19 which are located in close proximity to the south were a potential alternative. This would have the benefit of positioning the BESS further away from the setting of Botolph Claydon; visual impacts on the associated PRoWs would still be present albeit at a reduce level as a consequence of the undulating landform. Another alternative location would be fields E10 and E11; these are situated further to the north and would place the BESS in a closer proximity to the existing substation. This would have the benefit of grouping a proposed major infrastructure element together with an established feature (and at least one further consented BESS). As the landform rises away from this location it aids in reducing predicted visual impacts on the local PRoW network in this locality and it would also place further away from sensitive settlements. The Council's position on fields E10 and E11 is also expanded upon elsewhere in this LIR.

Key policies/Compliance

Table 4-3 - Policies relevant to Landscape and Visual

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 4.6.13, 4.7.6, 4.7.11, 4.7.12, 5.10.1, 5.10.4, 5.10.5, 5.10.6, 5.10.12, 5.10.13, 5.10.14, 5.10.16, 5.10.17, 5.10.19, 5.10.20, 5.10.21, 5.10.22, 5.10.24, 5.10.26, 5.10.27, 5.10.35, 5.10.36, 5.10.37, 5.10.38
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs 2.10.43, 2.10.93, 2.10.94, 2.10.95, 2.10.96, 2.10.97, 2.10.98, 2.10.99, 2.10.100, 2.10.101, 2.10.131, 2.10.132, 2.10.133, and 2.10.157.
NPPF (December 2024) NPPG	Paragraphs: 20(d), 105, 166b, 187(a) Biodiversity Net Gain Natural Environment
Vale of Aylesbury Local Plan (VALP)	NE3 The Chilterns AONB and Setting NE4 Landscape Character and Locally Important Landscape C3 Renewable Energy

Document	Relevant sections/paragraphs
	NE5 Pollution, Air Quality and Contaminated Land
	NE8 Trees, Hedgerows and Woodlands
	C4 Protection of Public Rights of Way
	I1 Green Infrastructure

Policy Detail

Overarching NPS for Energy (EN-1)

4.4.9 From a landscape perspective, para 4.6.13 of NPS EN-1 recognises that a project's delivery of BNG can also result in other gains such as the enhancement of the landscape.

4.4.10 Paragraph 4.7.6 of NPS EN-1 recognises that applicants may have very limited choice in the physical appearance of energy infrastructure. However, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. That paragraph goes on to note that "[f]urthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process".

4.4.11 In terms of the Secretary of State decision making, para 4.7.11 provides that "the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible".

4.4.12 Paragraph 4.7.12 states that "[i]n considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process".

4.4.13 Paragraph 5.10.1 establishes the context within which a project is proposed is important since "landscape and visual effects of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development".

4.4.14 Paragraph 5.10.4 states "[l]andscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement".

4.4.15 Paragraph 5.10.5 recognises that "[v]irtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation".

4.4.16 As to design, para 5.10.6 explains that "[p]rojects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate".

4.4.17 With regard for the Proposed Development's context, para 5.10.12 recognises that local landscapes may be highly valued locally. However, should a local development document contain policies relating to landscape or waterscape character assessments, the paragraph confirms that such "locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development."

4.4.18 Further, "[a]ll proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites" (paragraph 5.10.13). As a result, para 5.10.14 explains that "[t]he Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project".

4.4.19 Under para 5.10.16 applicants are to "carry out a landscape and visual impact assessment and report it in the ES, including the cumulative effects". Para 5.10.17 goes on to explain that "[t]he landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales". It should include the effects on landscape components and characters during both construction and operation (para 5.10.20).

4.4.20 Paragraph 5.10.19 explains that "[t]he applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised and incorporated into the design, delivery and operation of the scheme".

4.4.21 Para 5.10.21 outlines that "[t]he assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation".

4.4.22 Moving beyond only the presence of the scheme, para 5.10.22 explains that "[t]he assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised".

4.4.23 Paragraph 5.10.24 states that "[a]pplicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality".

4.4.24 In terms of mitigation, paragraph 5.10.26 outlines that "reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function".

4.4.25 In decision making, it is recognised that the scale of energy projects mean that they tend to be visible across very wide areas (para 5.10.35). For this reason, the Secretary of State is to judge whether any adverse impact on landscape would be "so damaging that it is not offset by the benefits (including need) of the project".

4.4.26 On the time-limited nature of schemes, para 5.10.36 directs that "[i]n reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable".

4.4.27 Paragraph 5.10.37 outlines "[t]he Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation".

4.4.28 Paragraph 5.10.38 states "[t]he Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts".

NPS for Renewable Energy Infrastructure (EN-3)

4.4.29 Paragraph 2.10.43 of NPS EN-3 makes clear that applicants are "[e]ncouraged where possible to minimise the visual impacts of the development for those using existing public rights of way, considering the impacts this may have on any other visual amenities in the surrounding landscape".

4.4.30 Paragraph 2.10.93 states generic landscape and visual impacts are covered in Section 5.10 of EN-1. Furthermore, paragraph. 2.10.94 states that the approach to assessing the cumulative landscape and visual impact of large-scale solar farms is likely to be the same as assessing other onshore energy infrastructure. However, it notes that "[s]olar farms are likely to be in low-lying areas of good exposure and, as such, may have a wider zone of visual influence than other types of onshore energy infrastructure". Nonetheless, in paragraph 2.10.95 it is stated that "[h]owever, whilst it may be the case that the development covers a significant surface area, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography, the area of a zone of visual influence could be appropriately minimised".

4.4.31 EN-3 in paragraph 2.10.96 states that the "[l]andscape and visual impacts should be considered carefully pre-application. Potential impacts on the statutory purposes of nationally designated landscapes should form a part of the pre-application process".

4.4.32 In addition, paragraph 2.10.97 states that "[a]pplicants should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints".

4.4.33 In paragraph 2.10.98, it is noted that applicants "should follow the criteria for good design set out in Section 4.7 of EN-1 when developing projects and will be expected to direct considerable effort towards minimising the landscape and visual impact of solar PV arrays, especially within nationally designated landscapes".

4.4.34 Paragraph 2.10.99 states that "[w]hilst there is an acknowledged need to ensure solar PV installations are adequately secured, required security measures, such as fencing, should consider the need to minimise the impact on the landscape and visual impact".

4.4.35 It is noted in para 2.10.100 that "[t]he applicant should consider as part of the design, layout, construction, and future maintenance plans how to protect and retain, wherever possible, the growth of vegetation on site boundaries, as well as the growth of existing hedges, established vegetation, including mature trees within boundaries. Applicants should also consider opportunities for individual trees within the boundaries to grow on to maturity".

4.4.36 In paragraph 2.10.101, it is noted that "[t]he impact of the proposed development on established trees and hedges should be informed by a tree survey and arboricultural/hedge assessment as appropriate". It is noted that this is both relevant landscape, visual and residential amenity (as it falls within that section within NPS EN-3), it is also pertinent to arboriculture above.

4.4.37 In para 2.10.131 it is explained that "[a]pplicants should consider the potential to mitigate landscape and visual impacts through, for example, screening with native hedges, trees and woodlands".

4.4.38 Paragraph 2.10.132 states that "[a]pplicants should aim to minimise the use and height of security fencing. Where possible, applicants should utilise existing features, such as hedges or landscaping, to assist in site security or screen security fencing".

4.4.39 Paragraph 2.10.133 notes that "[a]pplicants should minimise the use of security lighting. Any lighting should utilise a passive infra-red (PIR) technology and should be designed and installed in a manner which minimises impact".

4.4.40 In respect of decision-making, para 2.10.157 states "[t]he Secretary of State will consider the landscape and visual impact of any proposed solar PV farm, taking account of any sensitive visual receptors, and the effect of the development on landscape character, together with the possible cumulative effect with any existing or proposed development. Nationally designated landscapes (National Parks, The Broads and Areas of Outstanding Beauty) are afforded extra

protection due their statutory purpose. Development in these areas needs to satisfy policy as set out in EN-1 Section 5.10".

NPPF (December 2024)

4.4.41 Paragraph 20(d) of the NPPF notes that conservation and enhancement of natural, built, and historic environment, including landscapes and green infrastructure, and planning measures to address climate change, education, and adoption as a strategic policy inclusion for local authorities.

4.4.42 Paragraph 105 outlines planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

4.4.43 Paragraph 135 of the NPPF establishes that, among other things, planning decisions should ensure that developments are visually attractive as a result of appropriate and effective landscaping and layout, as well as being sympathetic to the surrounding landscape setting.

4.4.44 Paragraph 166 states that "[i]n determining planning applications, local planning authorities should expect new development to: …b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption".

4.4.45 Paragraph 187 makes clear that planning decisions should contribute to and enhance the natural and local environment by, among other things, "protecting and enhancing valued landscapes... (in a manner commensurate with their statutory status or identified quality in the development plan)".

VALP (2013-2033)

4.4.46 The VALP paragraph 8.42 states "[t]he key to the council's approach towards the design of new development is a focus on local distinctiveness. This refers to the unique quality of buildings, landscape and topography in a locality that defines its character. Within Aylesbury Vale, there is a wide variety of landscape character types … locally important pattern of fields, hedgerows, and streams …". Furthermore, Policy BE2 states "[a]ll new development proposals shall respect and complement the following criteria: … b. The local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials; c. The natural qualities and features of the area".

4.4.47 While VALP does not have a landscape policy specific to solar, its general environmental and landscape principles still apply. Key considerations noted in the VALP include protecting landscape character and avoiding unacceptable visual intrusion, particularly in open countryside. Plus, ensuring development is sympathetic to AONBs, local landscape areas, or distinctive local character where relevant. Landscape character assessment requirements are reinforced through the wider VALP design chapters (e.g., design and built environment policies).

4.4.48 Policy NE4 (Landscape character and locally important landscape) of the VALP notes that development must recognise the individual character and distinctiveness of particular landscape character areas set out in the Landscape Character Assessment ("LCA"), their

sensitivity to change and contribution to a sense of place. The Policy goes on to clarify that the first stage of mitigation is avoidance and that, where harm on landscape character is expected, "specific on-site mitigation will be required to minimise that harm and, as a last resort, compensation may be required". The VALP's Policies Map identifies that the southern part of Parcel 2 lies within the Quainton-Wing Hills Area of Attractive Landscape ("AAL"). Paragraph 9.25 of the VALP confirms that "of the locally designated landscape, the areas of attractive landscape (AALs) are of the greatest significance, followed by the local landscape areas (LLAs)."

4.4.49 Policy NE8 (Trees, Hedgerows and Woodlands) seeks to retain and properly buffer trees, hedgerows, and woodland edges central to landscape character and visual containment. It also aligns with BS 5837 and requires sensitive treatment of landscape features.

4.4.50 Policy I1 (Green Infrastructure) requires development to deliver multi-functional GI networks that contribute positively to landscape setting, connectivity, recreation, ecology, and visual amenity

4.4.51 Policy C3 (Renewable Energy) supports renewable energy in principle but requires that landscape and visual impacts, especially cumulative impacts, are adequately assessed and addressed.

4.4.52 Policy I4 (Flooding) requires floodplain land, watercourses and wetland features to be treated as opportunities for landscape-led green infrastructure and SuDS, shaping site layout and long term landscape character. This Policy makes clear that in the management of flood risk, applicants must undertake climate change modelling to provide climate change resilient development.

Commentary

4.4.53 The landscape surrounding the Proposed Development is defined by a coherent, recognisably rural character shaped by its undulating landform, intact hedgerow structure, historic field patterns, and a network of small settlements positioned on rising ground. These features together create a landscape of high perceptual value, where long-established agricultural uses, intervisibility between ridges and valleys, and the prominence of traditional vernacular buildings contribute to a strong sense of place. Across the affected Landscape Character Areas including the Claydon Bowl, Twyford Vale, Hogshaw Claylands and Quainton Hill, the rural qualities are reinforced by characteristic elements such as mature hedgerow trees, sections of unimproved grassland, intact ridge and furrow, meandering streams, and a dense network of well-used Public Rights of Way which provide both physical and visual access through the countryside.

4.4.54 Across the site and its wider setting, the landscape is distinguished by undulating clay vales, ridgetop villages, historic agricultural patterns, and an extensive network of Public Rights of Way, all of which contribute to a strong sense of place and a recognisable rural identity. The integrity, coherence and legibility of these landscapes are consistently highlighted within the Aylesbury Vale Landscape Character Assessment ("AVLCA"), which provides clear guidance on their sensitivities, management requirements, and limits to change.

4.4.55 The affected landscape is formed of a patchwork of low hills, shallow valleys, enclosed pastures and open arable fields sitting within the wider clay vale. In character areas such as Twyford Vale

(LCA 5.4), Hogshaw Claylands (LCA 5.7) and the Claydon Bowl (LCA 7.3), undulating landform, well-established hedgerows, and traditional enclosure patterns form the backbone of local character. These landscapes retain a transitional quality, where small fields close to watercourses give way to more extensive arable units on valley slopes, creating a varied and visually rich rural setting.

4.4.56 A defining characteristic of the area is the relationship between landform and settlement pattern. Villages such as Steeple Claydon, East Claydon, Botolph Claydon, Quainton, Granborough and Twyford occupy ridgelines or elevated edges, providing extensive outward views across open valley landscapes. This pattern underpins a strong sense of visual hierarchy and structural coherence: elevated settlements read as focal points, while the surrounding farmland provides an essential open foreground that reinforces their prominence.

4.4.57 The proposed development site lies within the receiving landscape of these settlements and is visible within the context of their outward-facing rural settings. Introduction of large-scale solar infrastructure characterised by rigid geometry, reflective surfaces and engineered components would interrupt the open agricultural foregrounds that currently reinforce the distinctiveness of ridge-top settlements. This effect is particularly acute in areas such as the Claydon Bowl, where the combination of bowl-shaped landform and settlement on higher ground creates a naturally amphitheatrical visual relationship; the presence of solar infrastructure within this setting risks significantly diminishing the quality and coherence of these characteristic spatial relationships.

4.4.58 The Council does not consider the landscape impacts of the scheme to be justified on their own terms. The Applicant must fully address these concerns alongside the adequacy of the proposed mitigation by referring explicitly to the Landscape Character Assessment (LCA) and the report Defining the Special Qualities of Local Landscape Designations in the Aylesbury Vale District (2016).

Landscape character

4.4.59 The Proposed Development will be introducing elements (solar arrays, BESS and associated infrastructure) that are uncharacteristic within the Aylesbury Vale District landscape, these elements will adversely change the existing landscape character. The key landscape impacts will be created by the introduction of large areas of solar panels within a rural landscape, that are at a disproportionate scale covering large swathes of rural fields. These will fundamentally become an uncharacteristic element despite the mitigation measures outlined by the applicant.

4.4.60 It is acknowledged that mitigation measures have been undertaken to reduce likely impacts however within the Landscape and Visual Impact Assessment (LVIA) [**APP-053**], the scale and nature of the Proposed Development have been classified as significant adverse impacts on the following Local Character Areas (LCA), LCA 5.7: Hogshaw Claylands has been classified with a medium/low sensitivity and will experience a moderate magnitude of effect during the construction and decommissioning phase which would result in a moderate adverse (significant) residual effect with additional mitigation; at year 1 of operation it will experience a substantial/moderate magnitude of effect which would result in a moderate adverse (significant) residual effect with additional mitigation and at year 10 of operation it will experience a substantial/moderate magnitude of effect which would result in a moderate

adverse (significant) residual effect with additional mitigation. LCA 7.3: Claydon Bowl has been classified with a medium sensitivity and will experience a moderate magnitude of effect during the construction and decommissioning phase which would result in a moderate adverse (significant) residual effect with additional mitigation; at year 1 of operation it will experience a substantial/moderate magnitude of effect which would result in a moderate adverse (significant) residual effect with additional mitigation and at year 10 of operation it will experience a substantial/moderate magnitude of effect which would result in a moderate adverse (significant) residual effect with additional mitigation. LCA 9.1 Finemere Hill has been classified with a medium sensitivity and will experience a substantial/moderate magnitude of effect during the construction and decommissioning phase which would result in a major/moderate adverse (significant) residual effect with additional mitigation; at year 1 of operation it will experience a substantial/moderate magnitude of effect which would result in a major/moderate adverse (significant) residual effect with additional mitigation and at year 10 of operation it will experience a substantial/moderate magnitude of effect which would result in a major/moderate adverse (significant) residual effect with additional mitigation. Buckinghamshire Council are in agreement with findings for the level of impacts on the above LCA's.

4.4.61 The Landscape and Visual Impact Assessment (LVIA) describes the scheme and sets out the proposed mitigation measures, it has been produced in accordance with the Guidelines for Landscape and Visual Impact Assessment third edition produced by the Landscape Institute. Whilst the methodology used is acceptable for this type of development, Buckinghamshire Council have concerns with regards to the classification of magnitude of effects for all receptors within the LVIA. Where either low or medium sensitive receptors receive a moderate/slight magnitude of effect rating this does not then result in a significant (adverse) residual level effect impact. This is as a result of the 'professional judgement' justification outlined in paragraph 10.6.24 of the LVIA, which states, *Moderate effects lie somewhere in the middle of the range of effects identified. Within the meaning of this term in the assessment, there is a spectrum of effects ranging from those tending towards a major/moderate effect (significant) to those tending towards a moderate/minor effect (not significant). 'Moderate' effects may therefore be either significant or not significant depending on where they fall on this spectrum. Where 'moderate' effects are predicted, professional judgement is applied to determine whether the effect is significant or not ensuring that the potential for significant effects to arise has been thoroughly considered and justification is provided for the judgement reached as appropriate*. Buckinghamshire Council would Buckinghamshire Council would look to have the landscape and visual receptor assessment revisited to re-score the magnitude of effects where a receptor receives a moderate/minor score for significance of effect, where it is felt that the current professional judgement has a tendency to result in lower magnitude of effects ratings. Buckinghamshire Council would expect that any receptor whether low, medium or high sensitivity which receives either a moderate/minor or moderate magnitude of effect would therefore then be assessed as at least a moderate adverse and significant residual effect (with additional mitigation). This would be a more accurate and clearer approach of addressing the perceived effects and subsequent impacts on the receptors and rely more heavily on the methodology rather than professional judgement.

4.4.62 Based on the findings within the LVIA, the introduction into the landscape of the proposed elements will cause significant adverse impacts on: LCA 5.7: Hogshaw Claylands, LCA 7.3:

Claydon Bowl and LCA 9.1 Finemere Hill that despite additional mitigation would be non-reversible during the life span of the Proposed Development, this impact would be experienced within a landscape that is already under considerable pressure from other developments that are either currently being constructed or in operational use resulting in cumulative impacts. These include: HS2 (which passes close to Parcel 1); East West Rail (which is particularly visible from Parcel 1); National Grid East Claydon Substation (which is located adjacent to Parcel 3). Paragraph 10.5.13 has stated that '*there has been considerable recent activity associated with the construction of HS2 and East West Rail, particularly with regard to the scale of earthworks required to create the cutting for the former. The heavy traffic associated with these construction activities has reduced the tranquillity of the local roads and lanes and associated countryside in their vicinity'.* The nature of the wider existing landscape character does not possess the capacity to absorb the predicted permanent effects from the introduction of the solar arrays, BESS site and associated access routes as the main components of the proposed development in addition to the existing infrastructure that is already in place or under construction (listed above). The overarching landscape fabric receptor identified within the LVIA has a high/medium sensitivity with a slight magnitude of effect experienced during construction and year 1 of operation resulting in a moderate adverse (not significant) residual effect, for year 10 of operation it is calculated that the magnitude of effect is moderate/slight and a moderate beneficial residual effect would be experienced. Buckinghamshire Council believe that given the high/medium sensitivity of the landscape receptor the introduction of the proposed development would not result in a moderate beneficial residual effect at year 10 of operation.

4.4.63 The LVIA has assessed the cumulative impacts on landscape character as not being significant as a consequence of: Landscape containment, Local topography and Woodland blocks, it is the opinion of Buckinghamshire Council that the introduction of this Proposed Development would result in significant adverse impacts on the landscape character as it would introduce large built elements that are out of character within the rural landscape and that the local landform, woodland blocks and topography does not offer substantial features to mitigate the predicted adverse effects even when additional mitigation has been incorporated.

Visual receptors

4.4.64 Within the Study Area the submitted LVIA has identified a total of 43 viewpoint receptors (in consultation with Buckinghamshire Council) these cover the following visual receptor types: Residents (within settlements and at isolated farmsteads/dwellings), Users of PRoW's, Users of the local road network, Railway users and Visitors to tourist attractions/heritage assets. This number of viewpoint receptors is adequate to assess visual impacts of a development of this type, size and scale. The LVIA identifies that these receptors would all experience either major/moderate effects resulting in significant adverse impacts being experienced (at year 10 notwithstanding additional mitigation) by 10 of these visual receptor types. Of these, one is a residential receptor, seven are representative of users of the PRoW network and two are representative of visitors to tourist attractions, these would all experience significant adverse impacts despite the introduction of additional mitigation because of the introduction of the Proposed Development. Buckinghamshire Council agree with these identified significant adverse effects.

4.4.65 Within the LVIA a further 15 visual receptor types will experience moderate/minor adverse effects (at year 10 with additional mitigation) but it concludes that these would not result in

significant adverse effects, of these, 11 are residential receptors and 4 are representative of users of PRoW's. As outlined within the methodology and in particular paragraph 10.6.24 which states: *Moderate effects lie somewhere in the middle of the range of effects identified. Within the meaning of this term in the assessment, there is a spectrum of effects ranging from those tending towards a major/moderate effect (significant) to those tending towards a moderate/minor effect (not significant). 'Moderate' effects may therefore be either significant or not significant depending on where they fall on this spectrum. Where 'moderate' effects are predicted, professional judgement is applied to determine whether the effect is significant or not ensuring that the potential for significant effects to arise has been thoroughly considered and justification is provided for the judgement reached as appropriate.* Given the size and scale of the Proposed Development, Buckinghamshire Council do not agree with the degree of professional judgement that has been used in compiling the magnitude of the impacts and therefore the subsequent significance of effects that have been identified. The council therefore does not agree with the conclusions set out in the LVIA that there would not be significant adverse visual impacts on visual receptors . It is therefore recommended that all receptors which have a moderate magnitude of effect would receive at least a moderate adverse and significant residual effect (with additional mitigation).

4.4.66 The proposed siting of the BESS within fields D8 and D9 would place it in close proximity to two Public Rights of Way (PRoWs), the Bernwood Jubilee Way ECL/8/1 (viewpoint reference: 11) — a designated long-distance route and footpath HOG/7/1 which runs south from Botolph Claydon towards Hogshaw Farm. The receptors on both of these routes would experience significant adverse impacts notwithstanding additional mitigation, which Buckinghamshire Council are in agreement with. Users of two additional footpaths, ECL/7/2 (approximately 48 metres from the BESS at its nearest point) and ECL/6/1 (approximately 523 metres away), would also experience adverse views of the BESS and adjacent solar arrays. Users of these sections of the PRoW network would experience close direct views into fields containing the proposed solar arrays that will be difficult to mitigate effectively as a consequence of the level of visual intrusion and change from the proposed infrastructure would result in a significant adverse impacts to these receptors.

4.4.67 Although the primary mitigation measure (close boarded fencing)has been proposed to lessen the perceived visual impact of the BESS, this intervention would introduce a fencing style that is not characteristic of the local landscape, where typical boundary treatments are hedgerows. The process of mitigating a particular impact has inadvertently created an alternative impact The Bernwood Jubilee Way PRoW reference ECL/8/1 (viewpoint reference: 11) , while situated further from the proposed BESS site, traverses higher ground in places, resulting in elevated viewpoints from which the BESS would remain visible. The findings within the LVIA state that the perceived impacts would be significant which Buckinghamshire Council are in agreement with.

4.4.68 Relocating the BESS to other areas within the Proposed Development is therefore recommended. Fields D18 and D19, situated to the south, present a viable alternative. Positioning the BESS here would increase its distance from the setting of Botolph Claydon and reduce visual impacts on nearby PRoWs particularly The Bernwood Jubilee Way due to the undulating landform, although some visibility would remain. This would have the potential of reducing the magnitude of effect from moderate to moderate/slight and therefore reducing the

impact to not significant. Another option is fields E10 and E11 to the north, which are closer to the existing substation. This location would allow the BESS to be grouped with an established infrastructure feature (and at least one further consented BESS). The rising landform surrounding this area would help limit visual impacts on local PRoWs and would also situate the BESS further away from sensitive settlements. This would also have the potential of reducing the magnitude of effect from moderate to slight and therefore reducing the impact to not significant

4.4.69 The scale and nature of the change introduced by the Proposed Development would be unprecedented as there are no other developments of this nature within the immediate study area and it is therefore regarded as out of character in this rural landscape. Whilst mitigation measures have been incorporated there will still be significant adverse effects on landscape character and visual receptors.

Cumulative effects

4.4.70 The Council considers that the cumulative effects of this Proposed Development, when taken together with other existing and emerging schemes in the area, make this an unusual and exceptional case. Consequently, the Council regards this proposal as departing from the starting point for CNP infrastructure set out in NPS EN-1.

4.4.71 The surroundings of the Proposed Development are already, or are proposed to become, heavily developed. If approved, this Proposed Development would constitute the fourth solar electricity generating station within a 10 km radius, alongside a further three schemes currently at appeal or under consideration. In addition, the area hosts some of the largest infrastructure projects in the country. The site lies close to both HS2 and East West Rail, which are presently under construction, and Grendon Prison has also been consented and is proposed to be built within 1.7 km of the site.

4.4.72 As a result, the Council considers the local landscape to be approaching a tipping point. The area faces a stark and rapid shift from a rural landscape to one dominated by major infrastructure. It is therefore inappropriate for the Proposed Development's impacts to be assessed against a purely rural agricultural baseline without proper regard to the influence of surrounding developments. For residents in nearby villages—such as Botolph Claydon—the combined effect will be a sense of being encircled by solar development and other large scale infrastructure.

4.4.73 The cumulative landscape and visual impacts must be considered both kinetically and sequentially, recognising the scale of change occurring across the district. This requires an appreciation of how multiple projects collectively generate significant adverse effects—something that will be especially noticeable to users of public rights of way and those travelling through the area on foot, by bike, or by car.

4.4.74 In summary, the Council maintains that when viewed alongside neighbouring solar farms, the proposed prison, and other large railway projects, the Proposed Development would create unacceptable cumulative landscape character impacts across the district. The speed and scale of landscape change are unprecedented, and this must weigh significantly against the proposal in the decision-making process.

Impact on PROW

4.4.75 Across the Claydon Bowl (LCA 7.3), Hogshaw Claylands (LCA 5.7), Twyford Vale (LCA 5.4) and surrounding LCAs, PRoWs form a key part of the landscape structure. The AVLCA repeatedly emphasises that these LCAs possess:

- "a good bridleway and footpath network" (Hogshaw Claylands)
- "promoted Rights of Way including the Bernwood Jubilee Way and Cross Bucks Way" (Twyford Vale)
- "numerous PRoWs running between historic settlements along ridge tops" (Claydon Bowl)

4.4.76 These routes provide high-sensitivity receptors, enabling direct engagement with landscape features such as ridge and furrow, moated sites, pollarded willows, historic meadows, and long-distance views across valley floors and up to prominent ridgelines.

4.4.77 The PRoW network therefore forms one of the defining experiential components of landscape character, and any assessment that does not fully examine these receptors understates landscape harm.

4.4.78 The Rosefield ES Figures (10.5a–d) identify more than 70 individual PRoWs and promoted routes within 2km of the Proposed Development, several of which run directly through or immediately adjacent to the Order Limits. These routes provide publicly accessible, open-aspect views across the agricultural landscape and form an integral part of its recreational, visual and perceptual identity.

4.4.79 Parcel 1 contains the highest concentration of PRoWs within close proximity, including:

- CHA/5/7, CHA/11/1, SCL/13/2 and SCL/9/1, which run along the northern and western boundaries of Parcel 1 (Fig. 10.5b).
- CALVERT GREEN CP routes, including CAG/4/1 and CAG/4/3, which pass within approximately 15–60m of proposed array areas, providing clear, open near-field views.
- EDG/6/1, EDG/5/1 and EDG/11/2, located to the south-west, all of which currently experience open views across arable land to Parcel 1.

4.4.80 PRoWs in this part of the site cross gently rising ground that affords long views across the vale. The openness of these views contributes directly to landscape character by reinforcing the scale and pattern of agricultural land use. The introduction of solar arrays, fencing and inverter stations would transform these open views into sequences dominated by engineered and visually repetitive features. Hedgerow planting proposed for mitigation would enclose sections of routes that are currently open, altering their inherent rural character and diminishing their visual connection to the wider landscape.

4.4.81 Parcel 2 is similarly exposed to a number of close-range PRoWs, including:

- HOG/4/1, HOG/2/2 and HOG/1/2, which pass along the western and southern sides of the parcel (Fig. 10.5c).

- ECL/9/1, ECL/10/1 and ECL/11/1, to the east, which run along rising landform offering elevated sightlines across the site.
- QUA/35/1, QUA/39/1 and QUA/36/3, to the north-east, which provide long views towards the parcel from higher ground.

4.4.82 This LCA is defined by shallow valleys, meandering tributaries and intact hedgerow patterns, with the PRoWs providing access through a landscape of moderate enclosure and significant time-depth. The proposed solar arrays would introduce a highly regular, industrial character inconsistent with the irregular, historic field structure and breach the open aspect currently experienced along these routes.

4.4.83 Parcel 3, the most visually prominent parcel within the application, is contained within an elevated context, with numerous PRoWs closely bordering or traversing local high ground:

- GRA/1/1, GRA/2/1, GRA/3/2 and GRA/6/1, which run directly west, north and north-east of Parcel 3 (Fig. 10.5d), providing uninterrupted views across the Proposed Development.
- SCL/6/1, SCL/7/1 and SCL/12/1, to the south-west, which pass through the transition between the lower-lying farmland and elevated settlement edges.
- HOG/3/3 and HOG/3/1, to the south and south-east, where the rolling landform amplifies intervisibility.

4.4.84 The PRoWs in this area are integral to experiencing the transition between the more intimate clay vale landscapes and the open rolling farmland to the north. From these routes, the introduction of extensive solar infrastructure would be clearly visible, altering the rural skyline, reducing openness and creating visual competition with existing settlements and key landscape features.

4.4.85 Several PRoWs are extremely close to residential receptors and would experience direct changes to their immediate landscape context. The RVAA Property Plans (Figures 10.14–10.20) demonstrate that PRoWs lie as close as:

- 15–30m from Calvert Cottages,
- 35–60m from Catherine and Blackmorehill Cottages, and
- 70–90m from Granary Cottage and The Old Dairy.

4.4.86 These routes currently serve to reinforce the rural setting of these properties. The proximity of solar infrastructure would reduce the perceived separation between dwellings and surrounding farmland, diminishing the rural character of these localised landscape units.

4.4.87 The most significant visual harm arises on the approaches to Botolph Claydon along the Bernwood Jubilee Way, where the outward and inward views across the Vale are a defining characteristic of local landscape character. As walkers, riders and road users leave or approach the village across the ridge to the south and south-east, they experience a wide, elevated panorama over an open agricultural landscape with minimal vertical intrusion. This transitional position—moving from the enclosed historic core of Botolph Claydon to the expansive Vale—forms one of the most distinctive and scenically valued sequences in the area. The Proposed

Development would fundamentally alter this experience. Instead of an open, rural foreground leading into long views across intact field systems, the skyline and mid-distance would be dominated by solar panels and the BESS compound, both of which would introduce large-scale, industrialised forms entirely out of keeping with the historic clay-vale landscape. This effect would be immediate, unavoidable and visually defining, eroding the sense of arrival and departure that currently contributes so strongly to local landscape identity.

4.4.88 The Battery Energy Storage System ("BESS") is of particular concern in this context. Due to its height, massing and engineered appearance, the BESS would read as a prominent and incongruous feature from the ridge-top approaches to Botolph Claydon, especially in views where the landform gently drops away to the north and east. From these locations, the BESS would sit perceptibly above the line of existing field boundaries and hedgerows, drawing the eye and interrupting a skyline that is currently rural and undeveloped. The solar arrays, extending across a broad land parcel, would also be highly visible from these transitional points, forming a continuous band of reflective, regimented surfaces where the landscape presently offers open arable fields, hedgerows and distant woodland. Even with proposed mitigation, which would take many years to establish and would itself enclose views and alter field structure, the character of these ridge-top experiences would shift from rural openness to one dominated by energy infrastructure. The resulting change represents one of the most severe landscape character effects of the scheme and is not capable of being mitigated to an acceptable level.

Conclusion on Landscape and Visual

4.4.89 In conclusion it is the view of the Council that the scale and nature of this Proposed Development would have negative impacts on landscape character and visual receptors. This would include the introduction of elements that are out of character with the surrounding landscape and setting of local village settlements. There would also be significant adverse visual impacts primarily on the PRoW network, some of which pass in close proximity to the proposed elements. This would have a detrimental effect on the enjoyment of this resource in what is a characteristically open, undulating, and rural landscape.

4.4.90 It is acknowledged that mitigation measures have been considered; however, as outlined above, these would not sufficiently reduce the anticipated impacts to a level that would make the Proposed Development acceptable. Key elements of the Proposed Development and the associated mitigation are discussed in detail below:

BESS

4.4.91 The location of the BESS within fields D8 and D9 would result in this element becoming a major component within the landscape, this introduction would be at odds to the qualities of the landscape character. It is located within the Hogshaw Claylands Local Character Area, which is characterised as, a gently sloping bowl of low ground in mixed agricultural use. It has a distinct landscape character with a good sense of historic continuity, giving the area a moderate sense of place and resulting in moderate sensitivity. The proposed mitigation would not alleviate the impacts that introduction of this element would have on the landscape character. As the surrounding landform affords views towards and into the proposed BESS site the type and scale of mitigation being proposed which would include the installation of a 3.5–5 m high timber

noise attenuation fence would heighten landscape and visual intrusion, appearing incongruous within a rural setting and forming a visually prominent feature that would alter the area's character would create additional visual impacts that would be particularly experienced by users of the local PRoW network, primarily footpaths ECL/7/2 and ECL/6/1.

PRoW network

4.4.92 There is an extensive network of PRoW's within the study area, the ES has identified more than 70 individual PRoWs and promoted routes within 2km of the Proposed Development, several of which run directly through or immediately adjacent to the Order Limits. These routes provide publicly accessible, open-aspect views across the agricultural landscape and form an integral part of its recreational, visual and perceptual identity. The mitigation approach where the Proposed Development interacts with the PRoW network is not sufficient and does not screen views towards areas of solar arrays. For example, the Bernwood Jubille Way is a long distance route that passes close to the following fields: D3 (south), D4, D11, D12, D13, D14 and D15 all of these fields contain solar arrays that are at a close proximity and will limit visual mitigation resulting in adverse impacts. From this particular PRoW the BESS location would also form a significant adverse impact. For the majority of the PRoW routes through the study area the type of proposed visual mitigation is inadequate to alleviate the predicted impacts. While some measures—such as relocating solar panels further from PRoWs—represent positive adjustments, they would still result in the introduction of new elements that generate adverse visual effects.

Aylesbury Vale

4.4.93 The siting of the Proposed Development within the Aylesbury Vale district is incongruous to the special qualities of the local landscape designations. The Proposed Development will be introducing elements that are uncharacteristic within the landscape, these elements will adversely change the existing landscape character. The key landscape impacts will be created by the introduction of large areas of solar panels within a rural landscape, these will fundamentally become a negative element despite the mitigation measures outlined by the applicant, the scale and nature of the Proposed Development will still be significantly adverse on the landscape character as a receptor. Overall, the mitigation measures proposed will be insufficient resulting in a detrimental impact to the existing character of the Aylesbury Vale district.

Quainton Hill

4.4.94 This is a significant local feature that is situated to the southeast of the Proposed Development that affords extensive views towards the scheme and in particular Parcel 2 from the following PRoW's: North Buckinghamshire way, Midshires Way, Swan's Way and Outer Aylesbury Ring. These routes run along the elevated landform and would experience adverse visual impacts of not only an extensive view of fields of solar arrays but also into the BESS location. The proposed mitigation, including the installation of fencing around the BESS compound, may help to screen certain components but would introduce a fencing style that is uncharacteristic and disproportionate within the wider landscape context. Similarly, the proposed planting—primarily hedgerow features—though generally consistent with local character, would be

implemented in a regimented manner that risks drawing additional attention to the associated built structures rather than effectively integrating them into the landscape.

4.4.95 Landscape and Visual Local Impacts: **Negative**

4.5 Cultural Heritage and Archaeology

Summary of the Local Impact – Cultural heritage

4.5.1 Claydon House (NHLE 1288461) is a grade I listed mid-18th century building situated within a landscape park of contemporaneous date and style (grade II registered park and garden) (NHLE 1000597). It is part of a group of listed buildings set around the house, including Church of All Saints (grade I listed) (NHLE 1214762), stables (grade II listed) (NHLE 1214707), Fernery (grade II listed) (NHLE 1214760) and archway and flanking walls attached to the stables (grade II listed) (NHLE 1214761). The registered park's south, east and west boundaries are contiguous with those of Middle Claydon Conservation Area. The historic parkland extends beyond the registered park boundary, with surviving drives and other parkland elements. The house was the centre of its park and wider estate and satellite farms, such as Blackmoorhill Farmhouse (NHLE 1214848) and Rosehill Farmhouse (NHLE 1214846) and Pond Farmhouse (NHLE 1214849) and the significance of these assets is interrelated.

4.5.2 Potential harm would arise from solar farm infrastructure across agricultural fields to the south of Orchard Way within former estate land associated with Claydon House. The mitigation measures for the setting of Claydon House and Park and Middle Claydon Conservation Area, include removing panels from the slopes of Knowl Hill and reinforcement of the poplar avenue along Three Points Lane, will reduce intrusion in views from Claydon House and Park from the proposals. However, there will be some visibility of arrays in views south-west from the principal elevation and associated terrace of Claydon House, and particularly from the particularly significant first-floor rooms and in views from Knowle Hill towards Claydon House, identified as a historic viewpoint of the house in the setting assessment **[APP-106]**. Whilst not obstructing this latter view, the Scheme would introduce energy infrastructure into this view, characterised by uniform, linear arrays contrasting with the existing agricultural fieldscapes, which have formed the foreground in views of Claydon House and Park since the 18th century.

4.5.3 The proposals would affect the relationships of Claydon House and park with its satellite farms, impacting their and its setting. There would also be impacts resulting from the introduction of the repetitive, geometric forms of the solar arrays and homogenisation of the setting, with resulting harm to landscape legibility across its setting. Together with the cumulative impact of nearby solar and infrastructure projects, the Proposed Development will result in harm to the unique sense of place which contributes to the significance of Claydon House, Claydon Park and Middle Claydon Conservation Area, understanding of their relationship with the surrounding estate, and the contribution of setting to the assets' significance.

4.5.4 The Council consider the impact on Claydon House its park and associated landscape to be less than substantial harm at the middle end of the scale.

Listed Buildings

4.5.5 There would be potential adverse impacts to Pond Farmhouse (NHLE 1214849), Rosehill Farmhouse (grade II listed building, NHLE 1214846) and Blackmoorhill Farmhouse (grade II listed building, NHLE 1214848). They were all satellite farms on was part of Claydon House's agricultural estate, relationships reinforced by their architecture. The proposals would disrupt

these setting relationships, which have been damaged by HS2, East West Rail and other infrastructure projects and would change the character of the estate, a contributory element of their settings.

4.5.6 The Council identify the impact on Pond Farmhouse to be at the upper end of the scale of less than substantial harm, with the mitigation proposed by the Applicant, consisting of screening and the absence of solar array in field B13A (to the east) in place.

4.5.7 The Council identify the harm to Blackmoorhill Farmhouse and Rosehill Farmhouse to be less than substantial at the middle of the scale covered by less than substantial harm.

4.5.8 There would be harm to the setting of the grade II* listed St Mary's Church (NHLE 1289625), which despite existing tree screening is a landmark visible from the east and southeast, where proposed features would intrude in the foreground of these views. This would cause less than substantial harm to the church at the low to middle part of the scale.

4.5.9 There is potential for harm to Botolph House (grade II* listed building, 1212143), within Botolph Claydon Conservation Area, located to the north of the pond on St Mary's Road. Despite the current presence of tree and hedge screening, the contribution of its setting to the east can still be appreciated, the former prominence of the house revealing the importance of views to and from the building. The proposals would compound intrusion in this view resulting from the existing presence of existing pylons, due to the introduction of additional large-scale energy infrastructure of solar arrays and the Main Collector Compound. This would cause less than substantial harm at the low end of the scale.

Botolph Claydon Conservation Area

4.5.10 There is potential for harm to the significance of Botolph Claydon Conservation Area. Views identified within the conservation area appraisal would be affected in addition to other views and by arrays and the BESS on the approaches to the conservation area from the south and south east. The character of the landscape would be increasingly dominated by energy infrastructure, adding to that already in place.

4.5.11 The Council consider the impact on Botolph Claydon Conservation Area to be less than substantial harm at the middle to upper end of the scale.

Historic Landscape

4.5.12 The proposals would harm the character of the historic landscape. Pre-18th century regular and irregular enclosures are the dominant character types, some of which may be of medieval origin, and reflect the historic land use character in place contemporarily with the establishment of Claydon House and Park. Whilst the field pattern will remain discernible, the solar farm would transform the character of the enclosed land from one of historic villages, a country house and park with its agricultural estate of satellite farms into one dominated by energy and transport infrastructure.

Mitigation/Improvements

4.5.13 Mitigation has been embedded into the design process, mainly to minimise impacts on Claydon House and Park, Botolph Claydon and Pond Farmhouse.

4.5.14 Despite the siting of the BESS within fields D8 and D9 to minimise direct intervisibility between it and Botolph Claydon Conservation Area the location would remain harmful to the setting of the conservation area through the impact on its approaches and will be harmful to the setting of Botolph Claydon Conservation Area. There is potential for this impact to be mitigated by re-siting the BESS in a less sensitive location, further from the conservation area.

4.5.15 There is potential for implementation of more effective landscape mitigation measures to soften the impact of the Proposed Development on the setting of heritage assets, through amendments to the proposed landscape screening. For example, the screening that severs Pond Farmhouse from the road to its north could be lessened while in other areas an increase in screening may be appropriate. The Council is open to more detailed discussions on particular elements of screening and siting. Any such interventions should be locally specific.

Key policies/compliance

Table 4-4 - Policies relevant to Cultural Heritage and Archaeology

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.9.1, 5.9.3, 5.9.10, 5.9.11, 5.9.13, 5.9.14, 5.9.15, 5.9.21, 5.9.22, 5.9.23, 5.9.24, 5.9.25, 5.9.26, 5.9.27, 5.9.28, 5.9.32, 5.9.33, 5.9.36
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs 2.10.114, 2.10.115, 2.10.116, 2.10.117, 2.10.118, 2.10.137, 2.10.138, 2.10.160
NPPF (December 2024)	Paragraphs: 212, 215
NPPG	Historic Environment
Vale of Aylesbury Local Plan (VALP)	BE1: Heritage Assets

Policy Detail

Overarching NPS EN-1

4.5.16 Paragraph 5.9.1 recognises that all phases of development have the potential to result in adverse impacts on the historic environment above, at and below ground.

4.5.17 Paragraph 5.9.3 goes on to note that "[h]eritage assets can constitute, for example, but not limited to, buildings, areas, or landscapes. A heritage asset's significance derives from the sum of its interests and, therefore, a heritage asset's significance derives both from its physical presence and its setting".

4.5.18 Paragraph 5.9.10 states that "[a]s part of the ES, the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by its setting". This reflects the assessment required to be undertaken as addressed in para 5.9.9, and that the extent of impact should be understandable from the application and supporting documents (para 5.9.12).

4.5.19 Paragraph 5.9.11 states that "[w]here a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation".

4.5.20 Paragraph 5.9.13 encourages applicants, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment.

4.5.21 Paragraph 5.9.14 also requires applicants to carefully prepare schemes whilst also identifying the nature of any impact(s) (e.g., direct, or indirect, temporary, or permanent). Proposals that preserve elements of setting and make a positive contribution to the asset should be treated favourably (para 5.9.15).

4.5.22 Paragraph 5.9.21 outlines where there is a high probability that a development site may include as yet undiscovered heritage assets, the Secretary of State will consider requirements to ensure appropriate procedures for identification and treatment of such assets.

4.5.23 In decision making, the Secretary of State is to identify and assess the particular significance of any heritage asset that may be affected by the proposed development. In accordance with para 5.9.22, the Secretary of State is to take account of: information submitted with the made application and in examination, historic landscape character records, the relevant HER(s), examination representations, and expert advice.

4.5.24 Para 5.9.23 also highlights that "[t]he Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010".

4.5.25 Paragraph 5.9.24 states "[i]n considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal".

4.5.26 Paragraph 5.9.25 explains "[w]hen considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance".

4.5.27 Paragraph 5.9.26 also explains that "[t]he Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local

distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting)".

4.5.28 With regard for "substantial harm" and "less than substantial harm", para 5.9.27 states that "[w]hen considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance".

4.5.29 As to weight, para 5.9.28 explains that "[t]he Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification".

4.5.30 Paragraph 5.9.32 states that "[w]here the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use". NPS EN-1 continues under para 5.9.33 in stating that when "weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

4.5.31 Finally, para 5.9.36 explains "[w]hen considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval".

NPS for Renewable Energy Infrastructure (EN-3)

4.5.32 Paragraph 2.10.111 refers back to the generic approach to historic environment in NPS EN-1 Section 5.9.

4.5.33 Paragraphs 2.10.114 and 2.10.115 of NPS EN-3 confirm that field evaluations may be required and that these should be proportionate to the sensitivity of, and extent of, proposed ground disturbance.

4.5.34 Paragraph 2.10.116 of NPS EN-3 states that applications should take account of the results of historic environmental assessments in their design.

4.5.35 Paragraph 2.10.117 explains that "[a]pplicants should consider what steps can be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. Paragraph 2.10.118 then goes on to explain the interaction between setting and solar farms.

4.5.36 Paragraph 2.10.137 outlines the ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an important consideration by the Secretary of State when assessing the risk of damage to archaeology.

4.5.37 Where requested by the applicant, the Secretary of State should consider granting consents which allow for the micrositing within a specified tolerance of elements of the permitted infrastructure, so that precise locations can be amended during the construction phase if unforeseen circumstances, such as the discovery of previously unknown archaeology, arise (paragraph 2.10.38).

4.5.38 As to impacts, para 2.10.160 explains that "[s]olar farms are generally consented on the basis that they will be time-limited in operation. The Secretary of State should therefore consider the length of time for which consent is sought when considering the impacts of any indirect effect on the historic environment, such as effects on the setting of designated heritage assets".

NPPF (December 2024)

4.5.39 Local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in Chapter 16 of this Framework.

4.5.40 Paragraph 212 outlines that "[w]hen considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

4.5.41 Paragraph 215 of the NPPF outlines that "[w]here a development would lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal...".

NPPG

4.5.42 The Historic Environment section of NPPG provides specific guidance in the decision-making context on how to approach significance (para 006). It also provides important guidance on the approach to setting (para 013), including the scope of setting whereby it notes "[a]lthough views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each". It also recognises that "local planning authorities may need to consider the implications of cumulative change".

VALP (2013-2033)

4.5.43 The VALP contains specific policies requiring development to respect and conserve:

- Listed buildings
- Conservation areas
- Archaeological assets
- Historic landscapes

4.5.44 Policy BE1 (Heritage Assets) of the VALP requests that applicants conserve heritage assets in a manner appropriate to their significance (including their setting) and seek enhancement if possible. It also outlines the Council's position where development would cause "less than substantial harm". Similarly to national policy, the Policy requires such harm to be weighed against the public benefits of the proposal.

Commentary – Cultural Heritage

4.5.45 The Council has significant concerns about the assessment of impact on the historic environment presented by the Applicant, both in relation to the assessment of the historic environment baseline and the consequent assessment of impact, resulting in under-reporting of harm to the historic environment.

4.5.46 For the Cultural Heritage chapter of the Environmental Statement **[APP-052]** the baseline information and assessment of significance and setting are carried over from the Archaeological Desk-Based Assessment and Setting Assessment ("DBASA") **[APP-106]**. The assets scoped into the Setting Assessment **[APP-106]** were identified through use of the Zone of Theoretical Visibility ("ZTV") and agreed with the Council and Historic England. However, the assessment of these assets is sometimes too high-level and lacking sufficient supporting evidence, with limited consideration of historic and visual and associative relationships, and the way in which the architecture of the buildings relates to their setting. The degree to which different elements of setting contribute is therefore in several instances missed. This provides a partial understanding of the contribution of setting to significance, and calls into question the applicant's analysis of impact from the Scheme that derives from it.

4.5.47 An example of this is the assessment for Botolph House (1212143) which identifies views from the house to make a small contribution to its significance, omitting the polite design of the house and its prominent siting within the village designed to enjoy long views across the Vale of Aylesbury from its principal elevation. Similarly, assessments for listed buildings such as Pond Farmhouse (1214849) and Dry Leys Farmhouse (1319271), do not identify the contribution of views of and from their principal elevations to their significance.

4.5.48 Without taking into account the spatial and historic relationship between heritage assets and their wider associated, usually agricultural landscape, the assets are siloed in their assessment, and an understanding of the overarching development and character of the historic landscape is lost. The omission of a more robust assessment of setting presents a risk that the effects of

the proposals on the settings and overall significance of the heritage assets have been under-assessed, and therefore the assessment has not been undertaken in accordance with the requirements of NPS EN-1 or BE1 of the VALP, which require the significance of the heritage asset and the contribution of its setting to be fully assessed in proportion to the significance of the heritage asset and in sufficient detail to understand the impact.

Claydon House and its wider parkland

4.5.49 The mid 18th century grade I listed classical Claydon House was built for the Verney family who had been associated with the site since the early 17th century. The house originally formed one wing of a substantial mansion, the rest of which was demolished in the late 18th century. The surviving house is an elegant classical building. Its principal (west) elevation overlooks the parkland. It has exceptionally fine rococo interiors, including intricate plasterwork and carving and enjoys strong group value with surrounding historic buildings (see summary above). The associated landscape park, a registered park (NHLE 1000597), forms part of Middle Claydon Conservation Area. The park was established with the 18th century house and was laid out in the more informal, naturalistic style, following the style popularised by Capability Brown and others, to provide a fashionable setting for the new house. There is some formality and pleasure grounds around the house, and a terrace in front of the principal elevation allows views across the park and to the countryside beyond to the north, west and south.

4.5.50 Claydon House was the centre of both a landscape park directly associated with the house, some of which extended beyond the current designation boundary to its south, and the focus of an extensive wider agricultural estate landscape. Buildings of this wider estate included village houses and satellite farms, including Blackmoorhill Farmhouse (1214848) and Rosehill Farmhouse (1214846). Both of these satellite farmhouses are designed to present polite dressed stone elevations towards Claydon House, evidencing the deliberate design of the wider estate landscape to accentuate the significance of Claydon House. Another estate farmhouse, Pond Farmhouse's (1214849) principal elevation also faces the road to the north that provided a route to Claydon House, advertising the wealth of the Verneys. Parts of Claydon House's parkland also survive beyond the registered park boundaries, including rides and a fragmentary avenue of trees to the south of Orchard Way. The historic landscape character within the Order Limits is dominated by the presence of regular and irregular enclosures predating the 18th century. This historic fieldscape was therefore largely in place at the time that Claydon House and Park were established and continues to reflect the land use character largely as it was shaped in the 18th century by the Verneys.

4.5.51 The proposals would place solar arrays across agricultural fields to the south of Orchard Way within former estate land associated with Claydon House. This will include associated infrastructure such as fencing, switch gear and transformers, as well as a satellite collector compound to the south-west. The Applicant's incorporated mitigation for the setting of Claydon House and Park and Middle Claydon Conservation Area, such as removing panels from the slopes of Knowl Hill and reinforcement of the poplar avenue along Three Points Lane, will reduce intrusion in views from Claydon House and Park from the proposals. However, the Council remains concerned about impacts on the setting of Claydon House, Claydon Park, and Middle Claydon Conservation Area and considers the applicant's assessment of the setting of these nationally important assets, and their assessment of impact upon these assets to be poorly

founded. More accurate assessment may help refine mitigation and at the time of writing additional visualisations are proposed from Claydon House's principal upper floor rooms.

4.5.52 There is likely to be some visibility of arrays in views south-west from the principal elevation and associated terrace of Claydon House, and particularly from the first-floor rooms comprising the Paper Room, Chinese Room (the most significant room), and Gothic Room. These were private chambers from where views across the parkland and surrounding estate would have been appreciated by the Verney family and were thus of greatest significance historically. The strong relationship of Claydon House with the surrounding landscape beyond the registered park is evidenced by the formal treatment of the east elevations of Blackmoorhill Farm and Rosefield Farm, and associative relationships with other satellite farms and cottages and the presence of specimen trees on Knowle Hill and rides through woodland to the south of Orchard Way. The solar arrays will be visible in views from Knowle Hill towards Claydon House, identified as a historic viewpoint of the house in the Setting Assessment **[APP-106]**. Whilst not obstructing this view, the Proposed Development would introduce energy infrastructure into this view. This will be characterised by uniform, linear arrays in contrast to the varied historic agricultural fieldscapes, which have formed the foreground in views of Claydon House and Park since the 18th century.

4.5.53 The Scheme will alter the historic landscape character of the wider estate landscape to the south of Orchard Way, diminishing its contribution to the significance of Claydon House, Claydon Park, and Middle Claydon Conservation Area as part of the picturesque and agricultural setting of the designed landscape and country house. The presence of the solar farm will introduce uniform, linear solar panel arrays across post medieval fieldscapes of pre-18th to 20th century date, resulting in the establishment of an infrastructure-dominated landscape. This will diminish understanding of the estate landscape and the historic connection between Claydon House, Claydon Park, and Middle Claydon Conservation Area with surrounding estate farms such as Pond Farmhouse, Blackmoorhill Farmhouse and Rosefield Farmhouse.

4.5.54 The Cultural Heritage chapter of the Environmental Statement **[APP-052]** and the Desk Based Assessment **[APP-106]** identify impacts upon non-registered parts of the parkland associated with Claydon House (MBC20416). The location and extent of this asset is not clear due to a lack of labelling in the Environmental Statement figures, however, appears to be located to the south of Claydon Park and Orchard Way. Extant parkland features located to the south of Orchard Way include rides cut through Home Wood, Greatsea Wood and Runt's Wood extending up to 3km to the south-west of Claydon House, and the remnants of a tree-lined avenue extending to the south-east from Claydon House. The solar array in field D3 south will lie across the former southernmost extents of this avenue as shown on historic Ordnance Survey mapping, with a line of surviving mature trees from the avenue to be preserved within the small existing block of woodland to the north.

4.5.55 As noted above, the Applicant has incorporated measures to reduce visual impacts on Claydon House and Park, however these measures do not address the impact of homogenisation of the setting of Claydon House and Park resulting from the introduction of the repetitive, geometric forms of the solar arrays, and the resulting harm to landscape legibility across its setting. Together with the cumulative impact of nearby solar and infrastructure projects, the Proposed Development will result in harm to the unique sense of place which contributes to the significance of Claydon House, Claydon Park and Middle Claydon Conservation Area,

understanding of their relationship with the surrounding estate, and the contribution of setting to the assets' significance. This is in conflict with the requirements of paragraphs 5.10.15 and 5.9.25 of NPS EN-1, and Policy BE1 of the VALP.

Listed Buildings

4.5.56 Pond Farmhouse, with the woodland to the south-east, is outside the scheme boundary but is surrounded by Parcel 1, with solar arrays close by. The fields to the north, south and immediately west of the farm are identified as mitigation areas, whilst solar arrays are proposed in the surrounding fields, with the exception of field B13A, immediately east of the farm. Whilst the Council agree with the identification of a moderate significance of effect on Pond Farmhouse in the Cultural Heritage chapter of the ES **[APP-052]**, the nature of this impact has not been accurately established in the ES. The Proposed Development will transform the character of its setting from a working and contemporary historic agricultural fieldscape to a solar farm set within these boundaries. This will industrialise the setting of the farmhouse, diminishing its understanding and significance as a post-medieval farmhouse. Whilst impacts on views from the principal elevation have been reduced by siting of mitigation areas to the north of the farmhouse and the addition of a hedgerow along the west of the access track, the solar arrays will be visible from the upper storeys, reinforcing this change in setting character. The mitigation planting will also sever the historic relationship of the principal (north) elevation with the roadway, effectively removing the farmhouse that formed part of the historic Claydon estate from the approach to Claydon House from the west. In combination with the HS2 development which is located c.650m to the west of the listed building and visible in views on approach to the asset from Calvert Way, the Scheme will diminish the agricultural character of Pond Farm's setting even further, and its relationship with Claydon House detracting from its significance and understanding.

4.5.57 Rosehill Farmhouse (grade II listed building, 1214846) and Blackmoorhill Farmhouse (grade II listed building, 1214848) were both constructed for the Claydon Estate c.1770 and were designed to present polite stone-built elevations towards the country house and to feature in views from the mansion and advertise the connection of the wider economic landscape with its owners. Both farmhouses have views of Claydon House and its park to the east and gain significance from their setting within the historic Claydon estate and their group value with Claydon House other estate farms such as Pond Farmhouse (1214849). The Proposed Development will result in the presence of solar arrays in fields to the south of Calvert Way, c. 600m to the south of the assets, with views of the arrays from the farms, only partially screened by hedgerows. The presence of the arrays and associated infrastructure will transform the estate landscape associated with Claydon House, transforming its historic landscape character from a working agricultural landscape of contemporaneous with the farmhouses, Claydon House and Park, to an industrialised infrastructure-dominated landscape, characterised by the presence of linear arrays. This will diminish the contribution of setting to the significance of Rosehill Farmhouse and Blackmoorhill Farmhouse, and the understanding of their place within the Claydon Estate. In combination with the presence of HS2 to the west and East West Rail to the north this will surround the farmhouses on three sides with infrastructure, detracting from their association with the historic agricultural landscape which contextualises them as agricultural buildings of a wider estate, to the detriment of their significance.

4.5.58 St Mary's Church (grade II* listed building, 1289625) dates to the late Medieval period and was heavily 'restored' in the 19th century. It sits within its churchyard with trees fringing its boundaries. The tower, which was built as landmark, would have been visible from across the valley to the east and south east. In the winter it would be visible over elements of the solar farm in views from further east and south east (for example from Viewpoint 27). This would cause less than substantial harm to the church at the low to middle end of the scale.

4.5.59 Botolph House (grade II* listed building, 1212143) is located within Botolph Claydon Conservation Area, located to the north of the pond on St Mary's Road. This is a fine polite house of early 18th century date. Although now set behind a tall hedge, the house is situated prominently within Botolph Claydon both to enable appreciation of its status, and to enjoy long views across the Vale of Aylesbury to the west, as can be appreciated in historic photographs. Despite the current trees and hedges in front of this elevation, the contribution of these elements of setting to the building's significance can still be appreciated. The Proposed Development would compound intrusion in this view resulting from the existing presence of existing pylons, due to the introduction of additional large-scale energy infrastructure comprising solar arrays and the Main Collector Compound. The assessment of impact presented in the setting assessment **[APP-106]** does not identify the contribution to significance of views from the building across the Vale of Aylesbury or assess the impact upon significance resulting from changes to this view.

Botolph Claydon Conservation Area

4.5.60 Botolph Claydon Conservation Area is a historic linear agricultural village, arranged on an inverse L-shape. It contains a mixture of brick-built and timber framed buildings (some listed) dating from the 15th century onwards and retains a quiet rural character. Views within the village are largely contained within the streetscape, however views to the surrounding landscape are possible from a number of points within the village, grounding it in its associated agricultural setting. Of these, the view from the north of the pond across Aylesbury Vale to the west, and the view south from immediately to the west of 23 Orchard Way, are noted in the conservation area appraisal. The rural, agricultural setting of Botolph Claydon Conservation Area contributes to its significance, providing context for the village, its origins and economic history, and is experienced on the approach to the village along Orchard Way from the west, from the east, and on approach to the village through the surrounding fields along footpaths from the south. The conservation area also contains a number of estate cottages constructed for the Claydon Estate, providing a visible historic link to this important landowner. Long views from the east towards Botolph Claydon situated on the ridge above the Vale of Aylesbury also contribute to its significance.

4.5.61 The proposals site solar arrays and the BESS in the fields to the south and southeast of the conservation area, flanking the footpaths and roads into Botolph Claydon. These will be directly experienced when approaching the conservation area from the south and east, with the BESS proving particularly industrialising in its presence, rising up to 6m in height. The presence of the Proposed Development will alter the setting of the conservation area from a productive agricultural landscape of pre-18th century enclosure fields to a power-generating landscape, characterised by the presence of uniform, linear solar arrays and associated infrastructure set within the field boundaries. Whilst mitigation measures will be incorporated along the PRoW and roads with the intention of addressing ecological and visual impacts, the addition of

hedgerows along the footpath would serve to enclose the approach to the conservation area, constraining views across the surrounding fieldscapes. The Proposed Development would therefore transform the rural, agricultural setting of Botolph Claydon Conservation Area, detracting from its understanding as a historic agricultural village, and degrading the contribution of setting to its significance.

4.5.62 The solar farm infrastructure would be visible to a limited extent in views on the approach to the conservation area from the west and in the view adjacent to 23 Orchard Way. Whilst retention of hedgerows, and grass planting below the panels will provide some limited softening of the solar arrays, the Council remains concerned about the loss of agricultural land use character across this area which contributes to the understanding of the conservation area as a historic agricultural village. Visibility of the static, linear solar arrays will diminish the contribution of setting to the significance of the conservation area and understanding of its historic relationship with the surrounding rural landscape, adversely affecting its significance.

4.5.63 The conservation area will also be impacted due to changes in its setting resulting from development across Parcel 3 comprising solar arrays and the Main Collector Compound. These would be visible in the long view from the conservation area across Aylesbury Vale from the area to the north of the pond. This view, which is identified in the conservation area appraisal, contextualises the village within the Vale and provides a valuable visual link to the surrounding rural landscape. The Proposed Development would also be visible in long views towards the conservation area from the east across the Vale above and between hedgerows lining the roads. The presence of the Proposed Development would compound intrusion in these views resulting from the presence of existing pylons, due to the introduction of additional large-scale energy infrastructure, industrialising the landscape and conflicting with its established visual rural character, adversely impacting the significance of the conservation area.

4.5.64 The assessment therefore does not comply with paragraph 5.9.12 of NPS EN-1 which requires applicants to provide “a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting” at a level of detail which is “proportionate to the importance of the heritage assets”.

Historic Landscape

4.5.65 The Desk Based Assessment **[APP-106]** identifies the historic landscape character within the Order Limits to be ‘enclosure’, with five different types of enclosure identified comprising 19th century, pre-18th century irregular, pre-18th century regular, 20th century, and 20th century Prairie Fields. Pre-18th century regular and irregular enclosures are the dominant character types, some of which may be of medieval origin, and reflect the historic land use character in place contemporaneously with the establishment of Claydon House and Park. This provides a valuable context for the park and house, contributing to understanding of their historic setting and forming part of it, and to an understanding of the way in which this was utilised in the design and development of the designed landscape and house.

4.5.66 Although maintaining existing field boundaries, the Proposed Development will transform the character of the historic landscape within the Order Limits, ending its historic use as a working historic agricultural fieldscape. This will be replaced with the uniform geometry of solar panels across parcels 1, 2 and 3, in combination with the large-scale energy infrastructure of the BESS

and Collector Compounds, resulting in harm to historic landscape character, its legibility/understanding, and contribution to the setting of individual heritage assets such as Claydon House and Pond Farmhouse. The presence of the Proposed Development will transform the character of the enclosed land, within the existing filed boundaries, resulting in industrialisation of the historic agricultural landscape. Considered in combination with surrounding developments such as HS2, East West Rail, and other energy schemes such as Tuckey Solar Farm, this will have resulted in the progressive, piecemeal erosion of historic landscape character with the large-scale presence of energy and transport infrastructure. This will include the three other solar generating stations within a 10km radius. Together, these infrastructure projects will transform a historic agricultural estate and villages into a landscape dominated by modern infrastructure, degrading its significance.

Commentary - Archaeology

4.5.67 The Council's position on archaeology has progressed as a result of engagement with the Applicant. Most recently, a Teams meeting was held on the 5 February 2026 with the archaeological consultants Headland Archaeology, Historic England and the Council where archaeological concerns were raised relating to this the Proposed Development. At that time the Council raised a number of concerns with the Applicant.

4.5.68 The Council consider there are a number of aspects of the Draft Archaeology Management Strategy ("DAMS") which require improvement **[APP-146]**. The Applicant is invited to engage with the Council on these issues. These include:

(a) Clarifying that all archaeological field work will be completed prior to construction work in the relevant area.

(b) While further pre-construction evaluation in the form of non-intrusive methods to inform targeted trial trenching is welcome, the Council remains concerned about coverage (being the percentage of land trenched). The Council consider that typically this would need to be 4% of areas of infrastructure or where geophysical survey indicated potential archaeological sites, and 2% otherwise. The Council request these figures are included in the DAMS and that such matters be to be agreed with the Council.

(c) The DAMS para 4.3.10 outlines what will be included in the report for the trial trenching. There should be a section on reporting and publication of the results, which includes that the Council's Historic Environment Record will be supplied with copies of all of the reports which have been approved by Buckinghamshire Council and Historic England in hard and digital format.

(d) Where archaeology can be preserved in situ, which is included in the DAMS para 5.1.1 and 5.1.2, the methodologies for this should be demonstrated to be appropriate and agreed with Buckinghamshire Council and Historic England.

(e) The DAMS should include a section on public engagement, to include things such as podcasts, updates to the local communities with presentations and field visits and participation in excavations where safe and professional to do so.

(f) Furthermore, the DAMS should include a section on decommissioning to include that the methodologies for this will be agreed with Buckinghamshire Council and Historic England. The presence, significance and vulnerability of heritage assets should be made clear in the OEMP and DEMP.

4.5.69 At the meeting the Applicant's consultant indicated that the recommendations for a), c), d), e) and f) were acceptable and would be updated in the DAMS and other documents.

4.5.70 As to issue b), the Applicant raised concerns about the inclusion of percentages for the trial trenching. It is noted that a good practice guide for archaeology and solar farms has been produced by the main stakeholders, including the solar industry. As a result of this, Historic England and the Council agreed the wording provided in line with that good practice guide. This is again expected to be updated in the DAMS.

4.5.71 The Council await a final version of the DAMS to confirm the agreed matters and that the wording provided is suitable. That updated version was expected in February 2026 but is yet to be forthcoming. The Council will update its position once it has had sight of the updated documents.

4.5.72 Cultural Heritage Local Impact: **Negative**

4.5.73 Archaeology Local Impact: **Neutral** (subject to updated DAMS)

4.6 Population and Human Health

Summary

4.6.1 The Council raised in its Relevant Representation **[RR-026]** that the Environmental Statement, taken as a whole, does not provide a clear or integrated assessment of likely significant effects on population and human health. The Council remains of the view that such work should be done, and notes that the ExA has invited the Applicant to produce such an assessment. As such, the Council has provided a limited responses now, while expressly reserving the opportunity to add to this LIR and comment on the consolidated population and human health assessment when it becomes available.

Key policies/compliance

Table 4-5 - Policies relevant to Population and Human Health

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 4.4.1, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.4.6, 4.4.7, 4.4.8
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs 2.10.40, 2.10.44
NPPF (December 2024)	Paragraphs: 96, 192(e), 135(f)
Vale of Aylesbury Local Plan (VALP)	BE3 Protection of the amenity of residents C3 Renewable Energy C4 Protection of public rights of way S1 Sustainable development for Aylesbury Vale T7 Footpaths and cycle routes

Policy Detail

Overarching NPS for Energy (EN-1)

4.6.2 Paragraphs 4.4.1 and 4.4.2 of NPS EN-1 states "[e]nergy infrastructure has the potential to impact on the health and well-being ("health") of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people's health". Para 4.4.2 goes on to provide a number of examples of direct impact:

- *"increased traffic,*
- *air or water pollution*
- *dust, odour*
- *hazardous waste and substances*
- *noise*
- *Exposure to radiation*
- *Increase in pests"*

4.6.3 New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity (paragraph 4.4.3).

4.6.4 Requirements of the Applicant's assessment are contained in paragraphs 4.4.4 – 4.4.6.

4.6.5 In terms of the Secretary of Staes decision making, paragraph 4.4.7 states that, "[g]enerally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008".

4.6.6 Paragraph 4.4.8 states "not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise".

NPS for Renewable Energy Infrastructure (EN-3)

4.6.7 Paragraph 2.10.40 of NPS EN-3 specifically recognises that solar developments may affect the provision of PRoWs, and access, so, under Paragraph 2.10.44 of NPS EN-3, applicants should consider and maximise opportunities to facilitate the enhancement of the PRoW network, with further opportunities provisioned to allow the public to cross the development.

NPPF (December 2024)

4.6.8 Paragraph 96 of the NPPF outlines: "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy

pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) *are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and*

c) *enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling."*

4.6.9 As is addressed in sections of the LIR above and below, para 105 of NPPF provides for decision to "protect and enhance public rights of way and access".

4.6.10 Paragraph 129 of the NPPF states: "Planning policies and decisions should support development that makes efficient use of land, taking into account: …e) the importance of securing well-designed, attractive and healthy places".

4.6.11 Paragraph 135 of the NPPF establishes that, among other things, planning decisions should ensure that developments "(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

VALP (2013-2033)

4.6.12 Policy BE3 (Protection of the amenity of residents) of the VALP makes clear that planning permission would not be granted for developments that unreasonably harm any aspect of an existing or future resident's amenity

4.6.13 Policy C3 (Renewable Energy) encourages the deployment of renewable energy development provided there are no unacceptable adverse impacts on matters which include but are not limited to: landscape designations; visual impacts on local landscapes and residential amenity.

4.6.14 Policy C4 (Protection of public rights of way) of the VALP confirms that the Local Planning Authority will protect PRoWs to maintain integrity and connectivity and that planning permission will not usually be granted where unacceptable harm to the operation of PRoWs would arise

4.6.15 In a similar vein to Paragraph 39 of the NPPF, Policy S1 (Sustainable development for Aylesbury Vale) of the VALP makes clear that the Local Planning Authority's stance is that they will work proactively with applicants to find solutions to improve economic, social, and environmental conditions in the area.

4.6.16 The Policy T7 (Footpaths and cycle routes) VALP outlines the requirements of developments where implications to footpaths and cycle route networks are anticipated. A key criterion of this Policy is the need for developments to provide direct and convenient pedestrian routes that connect to the existing pedestrian network and strategic routes.

Commentary

4.6.17 The Council has raised in its Relevant Representation **[RR-026]** that the Environmental Statement, taken as a whole, does not provide a clear or integrated assessment of likely significant effects on population and human health. Relevant health determinants are addressed separately across the Environmental Statement chapters including Air Quality **[APP-049]**, Landscape and Visual **[APP-053]**, Noise and Vibration **[APP-056]**, Traffic and Access, and Population **[APP-057]**, then summarised qualitatively, rather than through a health lens. In this form, the Health, and Wellbeing Summary Statement **[APP-083]** does not set out the methods, evidence or assessment needed to support a reasoned conclusion on overall significance of health effects for defined populations, undermining confidence in how the Applicant has derived the stated conclusions.

4.6.18 The Applicant's response to the Relevant Representations **[RR-026]**, which is provided in **[PDA-006]** has been reviewed by the Council. It is acknowledged that clarification is provided relating to discipline-specific methodologies. However, the Council maintains that the Health and Wellbeing Summary Statement **[APP-083]** does not, in its current form, address the following:

- provide a consolidated Population and Human Health assessment.
- apply the former IEMA (now ISEP) Health in EIA methodology.
- identify vulnerable or high-exposure sub-populations through demographic analysis, to enable reporting on differential health effects from those experienced by the wider population.
- present health-specific significance criteria; or
- integrate topic outputs into an overall judgement on likely significant health effects, through a human health lens.

4.6.19 Buckinghamshire Council supports the requirement of the ExA, as set out in its s.89(3) letter to the Applicant, dated 09 January 2026 **[PD-006]**, "that the assessment of, and conclusions on, likely significant effects on human health be brought together in one coherent document, either within revised ES chapters or a standalone report. The Applicant is required to update the ES accordingly and provide a timeframe for submission". Further, the Environmental Statement should make it clear whether effects are significant or not and identify the degree to which any proposed mitigation measures would reduce the significance of effects. The Council notes that the Applicant has indicated that this report will be prepared and is to be submitted to the Examination at Deadline 1 (**[AS-035]**, page 31). The Council welcomes the Applicant's receptiveness to this requirement.

4.6.20 Pending the opportunity to review the separate report being prepared by the Applicant, the Council is not yet able to confirm whether the Applicant's approach satisfies the expectations of NPS EN-1 (including section 4.3 on human health, wellbeing and cumulative impacts) or relevant EN-3 considerations for solar development, nor whether the combined effects of air quality, construction noise, landscape change, PRoW disruption and wider community effects have been assessed adequately for affected populations in Buckinghamshire, in accordance with the ISEP best practice guidance. Pending receipt and review of the consolidated assessment, the Council must therefore reserve its position and will provide further comment (to be part of this LIR) at the next deadline once the separate report, required from the Applicant by the ExA, is made available.

4.6.21 Population and Human Health Local Impacts: **Negative**

4.7 Highways, Transport and Public Rights of Way

Summary of the Local Impact

4.7.1 The Council as Highway Authority has previously raised concerns regarding construction routing, traffic impacts on access routes and junctions, and the CTMP. Discussions have proceeded with the Applicant and a number of issues which were outstanding have been resolved. However, the Highway Authority remains of the view that certain information remains outstanding, certain controls (including a bond) need to be added to the draft DCO, and that the Highway Authority has concerns about the current proposed use of temporary traffic signals. The Highway Authority considers further information should be provided.

4.7.2 In respect of public rights of way, this section of the LIR is specifically focused on access (with landscape and amenity value etc addressed elsewhere). With regard to access, while a number of the changes to public rights of way occasion some inconvenience, generally it is not thought that this inconvenience would discourage use. Currently, the Council does consider and recommend that some further changes and amendments are made to the proposals, including the removal of dead ends produced by the Proposed Development, and it is understood this is already being worked on by the Applicant. It is also noted that a number of enhancements are already being made by the Applicant, which are welcome, however the Council consider further opportunities are available and should be taken.

Key policies/compliance

Table 4-6 - Policies relevant to Highways and Transport and PRoW

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.11.24, 5.11.30, 5.14.8, 5.14.11, 5.14.14, 5.14.17, 5.14.18, 5.14.19, 5.14.20. 5.14.21
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs 2.10.40, 2.10.41, 2.10.42, 2.10.43, 2.10.44, 2.10.45, 2.10.139, 2.10.141, 2.10.161, 2.10.162
NPPF (December 2024)	Paragraphs: 105, 109, 115, 116, 117, 118
Vale of Aylesbury Local Plan (VALP)	T1, T4, T5, T7, C4

Policy Detail

Overarching NPS for Energy (EN-1)

4.7.3 In terms of public rights of way, paragraph 5.11.24 outlines that "where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes".

4.7.4 The importance of public rights of way as recreational facilities for walkers, cyclists and horse risers are highlighted in paragraph 5.11.30, which also sets out the Secretary of State expectation of applicants to take appropriate mitigation measures.

4.7.5 Paragraph 5.14.8 states "assessments should consider any possible disruption to services and infrastructure (including roads, rail and airports)".

4.7.6 Paragraph 5.14.11 outlines, "where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:

- *reduce the need to travel by consolidating trips,*
- *locate development in areas already accessible by active travel and public transport,*
- *provide opportunities for shared mobility"*

4.7.7 Paragraph 5.14.14 states that "[t]he Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic to achieve various things like controlling numbers, making provision for parking, arrangements for reasonably foreseeable abnormal disruption".

4.7.8 Paragraph 5.14.17 outlines that "[i]f the applicant suggests the costs of meeting obligations or requirements would make the cost of the proposal economically unviable, that should not in itself justify the relaxation by the Secretary of State of any obligations or requirements needed to secure the mitigation".

4.7.9 In terms of Secretary of State decision making, paragraphs 5.14.18 and 5.14.19 outline that "new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility". The latter paragraph goes on to provide that "[w]here the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development".

4.7.10 Para 5.14.20 explains that "[d]evelopment consent should not be withheld provided that the applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure".

4.7.11 Paragraph 5.14.21 states "[t]he Secretary of State should only consider refusing consent on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or the applicant does not show how consideration has been given to provision of adequate active public or shared transport access and provision".

NPS for Renewable Energy Infrastructure (EN-3)

4.7.12 In relation to public rights of way, paragraphs 2.10.40 – 2.10.44 state that proposed developments may affect the provision of public rights of way networks and as such, may need to be closed temporarily or diverted to enable construction. In these paragraphs, EN-3 acknowledges that applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed development site open during construction and protect users where a public right of way borders or crosses the site. Applicants are also encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way where possible during construction and in particular during operation. In addition, applicants should minimise visual impacts for users of existing public rights of way and maximise opportunities for enhancement.

4.7.13 Paragraph 2.10.45 provides that "[a]pplicants should set out detail on how public rights of way would be managed to ensure they are safe to use in an outline Public Rights of Way Management Plan.

4.7.14 Paragraph 2.10.139 states that "[i]n some cases, the local highways authorities may request that the Secretary of State impose controls on the number of vehicle movements to and from the solar farm site in a specified period during its construction and, possibly, on the routeing of such movements particularly by heavy vehicles".

4.7.15 Paragraph 2.10.141 outlines that "where cumulative effects on the local road network or residential amenity are predicted from multiple solar farm developments, it may be appropriate for applicants for various projects to work together to ensure that the number of abnormal loads and deliveries are minimised, and the timings of deliveries are managed and coordinated to ensure that disruption to residents and other highway users is reasonably minimised". While this is directed to multiple solar farm developments, the principle would also apply to significant major infrastructure projects, such as East West Rail and HS2.

4.7.16 Paragraph 2.10.161 states that "[o]nce in operation, traffic to and from a solar site is very light". Need for heavier commercial vehicle movements to replace components are likely to be infrequent.

4.7.17 Paragraph 2.10.162 states the Secretary of State is "unlikely to give any more than limited weight to traffic and transport noise and vibration impacts from the operational phase of a project".

NPPF (December 2024)

4.7.18 Paragraph 105 states that "[p]lanning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails".

4.7.19 Paragraph 109 states "transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

a) making transport considerations an important part of early engagement with local communities;

b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;

c) understanding and addressing the potential impacts of development on transport networks;

d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated;

e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and

f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains."

4.7.20 In considering development proposals, paragraph 115 of the NPPF outlines specific applications for development should ensure:

a) "sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach."

4.7.21 NPPF parallels the test in NPS EN-1 at para 5.14.21, as at para 116 it sets out that "[d]evelopment should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

4.7.22 Paragraph 117 provides that, in the context of para 116, there should be a prioritisation of pedestrian and cycle movements including within neighbouring areas.

4.7.23 Paragraph 118 explains the need for travel plans for developments which will "generate significant amounts of movement", and the provision of a "vision-led transport statement or transport assessment so that the likely impacts of the proposed development can be assessed and monitored".

VALP (2013-2033)

4.7.24 The VALP sets an overarching objective to ensure development supports sustainable, multi-modal transport — prioritising walking, cycling, accessibility, and public transport before reliance on private vehicles. Beyond the strategic road network, the plan includes localised improvements such as:

- Local junction capacity works,
- Traffic management measures,
- Pedestrian/cycle connectivity upgrades.

4.7.25 Policy T1 sets out the sustainable transport vision and seeks to ensure that development proposals will deliver highway and transport improvements to ensure new housing and employment development does not create a severe impact on the highway and public transportation network and encourages modal shift with greater use of more sustainable forms of transport.

4.7.26 Policy T4 of the VALP states new development will be permitted where there is evidence that there is sufficient capacity in the transport network to accommodate the increase in travel demand as a result of the development.

4.7.27 Policy T5 of the VALP seeks to ensure necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development.

4.7.28 Policy T7 of the VALP requires developments to provide direct, convenient and safe pedestrian routes connecting to the existing pedestrian network.

4.7.29 Policy C4 Protection of Public Rights of Way states that "t[]he council will enhance and protect public rights of way to ensure the integrity and connectivity of this resource is maintained. The protection and conservation of public rights of way needs to be reconciled with the benefits of new development, to maximise the opportunity to form links from the development to the wider public rights of way network, public transport, recreational facilities and green infrastructure. Development proposals will be required to retain and enhance existing green

corridors, and maximise the opportunity to form new links between existing open spaces. Planning permission will not normally be granted where the proposed development would cause unacceptable harm to the safe and efficient operation of public rights of way".

Commentary

4.7.30 The Council as Highway Authority has previously raised concerns regarding construction routing, traffic impacts on access routes and junctions, and the Outline CTMP. The Applicant has worked with the Highway Authority on various highways-related issues and resolved a number of concerns as a result. This includes changes to the Outline CTMP.

4.7.31 The changes to the CTMP have been provided to the Highway Authority in draft form with the expectation that they shall form an updated submission at Deadline 1. The changes requested and agreed have been extracted from the draft document and are set out below. Insofar as is required the Highway Authority will comment further on the document when submitted at Deadline 1.

4.7.32 Details regarding the Access Arrangements and Permits have been updated with:

> *"No construction traffic will be permitted to travel east on Granbourgh Road to minimise interactions with local agricultural traffic and livestock crossings on the public road. The Applicant will work with local agricultural interests to facilitate the safe crossing of Granborough Road in the immediate vicinity of the access junction for livestock movements. Full details will be provided in the finalised CTMP."*

4.7.33 This is to ensure that agricultural operations are able to continue to the east of the site access with minimal disruption. The Highway Authority has also been informed that access to the site is to be created to the west of the agricultural feed storage area located on Granborough Road, which would enable the agricultural operation to continue from the east without interaction with the construction traffic. This is however in conflict with the access drawing in the Outline CTMP **[APP-141]** which shows the access to the east of the feed storage area. Clarity is sought as to which position is correct and the exact location of the access to be confirmed. This would also enable the Highway Authority to understand the impact of the access on the agricultural business.

4.7.34 It is accepted that movements to the west will still interact with the construction traffic. However, it is noted that the peak month traffic using this route would be of the order of 30 HGV movements (15 in and 15 out) and 74 (37 in and 37 our) light vehicles in a day. This is considered to be of a level that can be managed by the Applicant. It is however expected that the Applicants should establish a working relationship with the agricultural operation to ensure that conflicts on the highway are avoided and both operations can co-exist. The Highway Authority supports the addition of a requirement within the Outline CTMP to ensure respect of agricultural operations through the provision of agreed crossing points of the access tracks, in both location and design.

> *"An indicative signage strategy to signpost traffic to the approved route is provided in Annex 1 and proposes to use temporary black and yellow direction signage placed at strategic*

locations. The final design and location of the signs will be approved by Buckinghamshire Council prior to installation."

4.7.35 This amendment to the signing strategy is welcomed to ensure that HGV movements are contained to the agreed highway network.

4.7.36 Within the Timing and Permitting section the addition has been made with respect to HS2:

"The Applicant will endeavour to hold monthly engagement meetings between with HS2 to discuss construction traffic management matters and issues as necessary, post determination."

4.7.37 This is welcomed by the Highway Authority and the Highway Authority expects that the outcomes of these meetings will be shared through the Traffic Management Group.

4.7.38 Within the Road Reconstruction Section, the Applicant has acknowledged that the Hogshaw Farm attraction is on the access route and has its busiest periods outside of school term time, and therefore the programming of works on routes serving this attraction should be mindful of this. The following text has been inserted:

"Should the road be in the existing condition when the Proposed Development is proposed to commence construction, then the Applicant will agree to undertake a road improvement scheme with Buckinghamshire Council to have the road rebuilt. Where possible and subject to approval from Buckinghamshire Council, the proposed road works to Snake Lane/Fiddlers Field, would be undertaken outside the Summer school holiday period, so not to adversely affect access to Hogshaw Farm and Wildlife Park."

4.7.39 In order to address the Highway Authorities concerns regarding the management of highway works, and in the absence of a s.278 agreement being required as would be expected for permissions under the TCPA 1990, the applicant has proposed the following amendments:

4.7.40 The road enhancements would be constructed as permanent features for long term benefit to road users. Six months prior to the completion of construction works, the Applicant will engage with the Council to confirm if the works are to be retained or the removed. The final construction detail will be agreed with BC along with a decision if the works will be temporary for the construction phase or permanent works.

4.7.41 Prior to any construction works being undertaken within the limits of road adoption, the detailed design of these works must be submitted to the appropriate highway authority for approval. These submissions will include:

- *A programme for the works, details of the construction method and traffic management requirements;*
- *A detailed design pack of drawings and specifications detailing the works and any service / utility works that may need to be accommodated, informed by additional surveys including topographical surveys and additional speed survey data;*

- *The necessary health and safety information required under the Construction, (Design & Management) Regulations, or their equivalent at the point of submission;*
- *Details of the proposed contractor, including their insurance provisions;*
- *If required by the local road authorities, a Road Safety Audit (RSA) to a combined Stage 1 and Stage 2 standard;*
- *Details of any necessary road signage and road markings; and*
- *Details of any proposed remediation proposals should the works not be permanent.*

4.7.42 The Applicant will reimburse the highway authorities for the technical approval process at the time the applications are made, in line with costs for similar Section 278 or Section 184 applications made under the Highways Act. The finalised CTMP will detail the exact process for these technical approvals.

4.7.43 Except as otherwise provided for in the Development Consent Order, any application for the written consent from the Highway Authority in relation to a Temporary Traffic Regulation Order ("TTRO") will follow the procedure required by the Highway Authority at the time of application and will include full details of the proposed TTRO for inclusion in a "roadworks bulletin" to be issued by the Highway Authority to relevant stakeholders which shall include the dates and times, locations and diversions, and contact numbers for the TTRO. Should any changes to these details be required post consent, the Highway Authority will be informed.

4.7.44 Whilst the Highway Authority welcomes the principle set out above, this does not enable a bond to be taken through a s.278 agreement, which allows the Highway Authority to safeguard against works that do not meet adoptable standards. The Highway Authority requires this provision within the DCO.

4.7.45 The Highway Authority has also raised concerns with the Applicant regarding the enforceability of the travel plan, and in response the Applicant has made the provision that all vehicles accessing the site need to be pre-booked for access to the site. Vehicles that are not pre-booked will be refused access. This provision is accepted as a means of controlling mode share.

4.7.46 There remain outstanding requirements for the applicant to provide a complete swept path analysis from the A41 to the site access locations, as well as a breakdown of traffic volumes during peak hours, as previously set out within the Council's Relevant Representation. In addition, the Highway Authority has not yet been provided with the requested local junction modelling — including assessment of the A41/Station Road junction, the proposed development at Land at Littleton Green, Waddesdon (22/03384/AOP), which is currently subject of an appeal, and details regarding the cumulative impact of major infrastructure schemes. Although the response to the Relevant Representations indicates that this information can be provided, it has not been submitted. The Highway Authority considers that this information remains necessary to ensure that the relevant junctions can accommodate expected movements without detriment to the strategic function of the A41 within the Buckinghamshire highway network.

4.7.47 The draft DCO **[AS-010]** has been reviewed by the Highway Authority and Schedule 8 Part 2 sets out the proposed use of temporary traffic signals on the highway network. The Highway Authority is concerned that this use is not set out within the Transport Assessment and the Applicant is setting out proposals for up to 1.12km lengths of public highway to be under temporary traffic signal control. This is not considered acceptable to the Highway Authority without assessment or further justification.

4.7.48 Such extreme lengths of traffic signal control will introduce unquantified delays into the highway network, and no assessment has been made of the ability of two-way traffic to be accommodated at either end of the signals where queues of waiting traffic will form. Moreover, the Transport Assessment has made no assessment of the delay or identification of these proposals. If this approach is to be pursued, the Transport Assessment is required to be updated with a full and comprehensive assessment of these proposals.

4.7.49 In the light of this Schedule to the draft DCO, swept path analysis is required to be provided and updated to show the safe operation of the whole access routes with the full potential traffic management schemes in place.

4.7.50 It is noted that the Highway Authority had previously required additional drawing details to be provided. Visibility splays are shown on the access drawings in the CTMP, and the response to the Relevant Representations has acknowledged the requirement for security gates to be set back from the highway sufficiently for HGV's to draw off the carriageway to prevent blocking of the highway. The principle of this approach is welcomed however the Highways Authority will seek to review the drawing at the relevant time prior to construction, if the Proposed Development is consented.

Commentary - Public Rights of Way

4.7.51 The Applicant proposes two permanent footpath diversions, one in East Claydon parish and one in Middle Claydon parish [ECL/4/2 and MCL/17/2]. The Council recognises that developments such as the Proposed Development may affect the provision of rights of way networks (NPS EN-3, para 2.10.40), and that applicants are encouraged to design the layout and appearance of the site to ensure continued recreational use particularly during operation (NPS EN-3, para 2.10.42). Thus, while negative effects on the public right of way network should be avoided (by, among other things, carefully designing the layout of the scheme and the required changes to the network), effects on the network generally are likely, and attention must be directed to whether effects are on can be made acceptable within the framework set out by the NPS. For the avoidance of doubt, here the LIR is addressing access issues; landscape and other effects are addressed elsewhere in this LIR.

4.7.52 With this in mind, the Council's view is the alternative routes are acceptable, and both are required for the development to take place. When considering the additional distance walkers will take (respectively 108m and 30m) versus the existing, straight desire lines, there is a minor to medium level of inconvenience. It is not considered that this inconvenience amounts to a layout of the scheme which would discourage recreational use.

4.7.53 The application also proposes a permanent footpath diversion of two footpaths in Steeple Claydon parish, both of which are required for the development to take place. The first [SCL/12/1] at Pond Farm leaves a dead-end that didn't previously exist which the Council finds

unacceptable and would be a negative impact of the development. That is because it is considered a change which reduces the recreational value and legibility of that part of the public right of way network, and thus may to some extent dissuade recreational use of that portion. The Applicant's response to the Relevant Representations states SCL/12/1 will be shortened to avoid the dead end with a revised plan to be presented at 'Deadline 1'. The Council awaits this revision to clarify, and will comment further at that time. The diversion also creates a right-angle bend beside Calvert Road, an arrangement to which the Council disagrees with as it is sub-optimal as walkers follow desire-lines. An alternative solution to remove the right-angle bend has been recommended by the Council by email to James Paterson at TCS Group and the Council awaits a reply (and will comment further at that time). In the event a satisfactory diversion is provided, and with the additional connection the diversion enables for walkers passing north to south and connecting with Footpath SCL/8/1 at Calvert Road, these amendments in aggregate would be considered advantageous.

4.7.54 The second permanent diversion in Steeple Claydon [SCL/13/2] is considered by the Council to be acceptable. When considering the additional distance walkers will take 90m versus the existing, straight desire line, there is a minor to medium level of inconvenience. This is not a level of inconvenience which is thought to amount to a layout of the scheme which would discourage recreational use.

4.7.55 A variety of permissive paths are proposed for the lifetime of the Proposed Development, which complement the existing rights of way network within the red edge and provide onward recreational routes, which is welcome and a positive outcome of the development. For example, a new connection to MCL/13/1 west of Blackmorehill Farm, MK18 2HA. An additional, shorter connection between Knowl Hill and Knowl Hill Farm has been recommended by the council diverting walkers away from farm traffic along Three Points Lane, particularly considering NPS EN-3 para 2.10.44 encourages applicants to "consider and maximise opportunities to facilitate enhancements to the public rights of way". Overall, the additional routes are a positive outcome, but the council recommends the additional link between Knowl Hill Farm and Knowl Hill as an improvement over the baseline provision as it is shorter when approaching from the south and wishing to walk to Knowl Hill.

4.7.56 A further suggestion made by the Council in light of EN-3 para 2.10.44 includes connecting an existing dead-end bridleway [QUA/41/1] onto a footpath [SCL/8/2], upgrading the latter to bridleway allowing passage for horse riders and cyclists and resolving a missing link. In addition, a recommendation to remove/replace all stiles within the development for accessible gates to promote use by mobility impaired walkers, which could be an additional positive outcome.

Comments on the Applicants Reply to the Council's Relevant Representations

1. [RR-026] p.76 - Theme: Closure of PROW

4.7.57 The Council welcomes the Applicant's confirmation that the surface of PROWs will be reinstated post construction following cable laying, at least to the pre-construction condition. The Council will comment on the changes to the Outline Rights of Way and Access Strategy when they become available.

2. [RR-026] p.77 - Theme: Proposed diversions

4.7.58 The Council requested a 2m width recorded in the definitive statement for newly created public footpaths resulting from the proposed diversions. The Applicant's reply states this can be addressed at detailed design. This is noted, but the Council would welcome an undertaking to this effect at this stage (for example in the Outline Rights of Way and Access Strategy). In any event, the Council requires oversight and agreement of the final diversion plan, route description and recorded minimum width to be submitted as part of the final DCO submission. The Council welcomes the inclusion of this within requirement 16 of the draft DCO **[AS-010]**.

4.7.59 The Council welcomes the Applicant's proposal to reduce the length of SCL/12/2 to avoid creating a dead-end at Pond Farm, which doesn't occur in the existing situation and would be an unsatisfactory and harmful outcome to the public amenity. The Council also requests the applicant considers an alternative which creates a desire line that eliminates the right-angle bend at Calvert Road. A revised plan is proposed at Deadline 1. The Council requires oversight and agreement of the final diversion plan, route description and recorded minimum width to be submitted for the area north-west of Pond Farm, Calvert Road, Steeple Claydon MK18 2DH. The Council welcomes the inclusion of this within requirement 16 of the draft DCO **[AS-010]**.

2. [RR-026] p.78 - Theme: Three Points Lane

4.7.60 The Council has requested segregation of non-motorised users along Three Points Lane to avoid conflict with construction traffic, particularly due to the nature of the lane being a single carriageway with passing places. Environmental Statement Vol 3, Fig 3.8.2 **[APP-063]** indicates in blue shading, "[i]ndicative locations suitable for the primary construction compounds" situated beside Three Points Lane, in fields B20 and B23.

4.7.61 The Applicant's response downplays the size of these compounds ("they would be much smaller than the maximum suitable areas shown"). In addition, access wouldn't be taken directly along Three Points Lane, only across it between field SA12 and B23. The Council would welcome clairty on where in the application documents this smaller area is provided for but, on that basis, the Council would consider this acceptable.

[RR-026] p.78 - Proposed Upgrades

4.7.62 The Council requested Bridleway QUA/41/1 is diverted and that the footpath onto it is upgraded to bridleway, so as to resolve an existing dead-end route and missing link. The Applicant states they do not propose to divert the bridleway as it doesn't serve to mitigate the effects of the development.

4.7.63 The Council would invite the Applicant to reconsider this, as it is an opportunity to maximise opportunities to facilitate enhancements within NPS EN-3 para 2.10.44. A variety of permissive paths are provided to improve the walking connectivity during the lifetime of the development and enhance the recreational options. While the Council accepts there is no direct mitigation in diverting the bridleway in this part of the site, it could form part of the Proposed Development's wider package of local access improvements, at no additional cost, and which benefit horse riders and cyclists, who are excluded from the permissive footpath network.

4.7.64 Aside from and in addition to NPS EN-3, this has strong policy support across para 105 NPPF, Policy C4 of VALP, and the Bucks Rights of Way Improvement Plan.

[R-026] p.79 - Theme: New permissive path

4.7.65 The additional, shorter connection between Knowl Hill and Knowl Hill Farm has been recommended by the Council based on providing walkers with a much shorter link to Knowl Hill when approaching Knowl Hill Farm from the south. It would mitigate impacts of additional traffic along Calvert Road, considering this road, or the roadside verges, are the only onward means for cyclists and horse riders excluded from accessing the permissive paths, making onward connections beyond Three Points Lane, unless local walkers drive to Three Points Lane, park and walk. As such, particularly for the 30-month construction period when there is a net increase in vehicular movements along Calvert Road, and until wider connections can be made when the permissive path network is opened, the council considers the request fair, reasonable and directly related to the development. It is considered that this would be an enhancement within NPS EN-3 para 2.10.44.

[RR-026] p.79 - Theme: Upgrades to existing footpaths

4.7.66 The Council requested upgrades to existing public footpaths within the red edge, such as replacing stiles with mobility gates, to support local policy and legislation aiming to improve access for the mobility impaired. The Applicant states this would be further assessed at the detailed design. The Council urges the Applicant to consider this simple, low-cost improvement as part of the applications package access public access improvements. This would be in accordance with NPS EN-3 para 2.10.44 and is something the council would welcome being secured in the Outline Rights of Way and Access Strategy

Conclusion on Highways and Transport and Public Rights of Way

4.7.67 Highways and Transport Local Impacts: **Negative** (but subject to further information and potential mitigation).

4.7.68 Public rights of way Local Impacts: **Neutral**

4.8 Noise and Vibration

Summary of the Local Impact

4.8.1 The Council welcome that none of the noise and vibration effects are in excess of the SOAEL and LOAEL level. The Council recognises this as important in understanding the overall effects of the Proposed Development and recognises that assessments were conducted appropriately and (subject to a small number of effects) noise emissions are within acceptable limits. However, the Council does note that some moderate adverse effects, which are significant in EIA terms, remain in respect of PRoWs and dwellings (applying the Applicant's framework). This is in part a consequence of the rural nature of the site and the resultant low background noise levels. The Council consider further steps to mitigate these significant effects should be taken so that they are avoided.

Mitigation/Improvements

4.8.2 The Council notes that a number of steps have been taken to achieve mitigation of various noise effects of the Proposed Development. This is welcomed, as is the proposed changes to a number of the Outline plans to manage outstanding noise effects. The Council notes, however, that some consideration of mitigation may be required further in light of the remaining significant effects in EIA terms identified. It is also recognised that some mitigations for noise may have a detrimental effect in respect of other matters considered in this LIR.

Key policies/compliance

Table 4-7 Policies relevant to Noise and Vibration

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.12.1, 5.12.2, 5.12.4, 5.12.5, 5.12.6, 5.12.7, 5.12.8, 5.12.12, 5.12.13, 5.12.14, 5.2.15, 5.2.17, 5.12.18
NPS for Renewable Energy Infrastructure (EN-3)	Paragraph 2.10.162
NPPF (December 2024)	Paragraphs: 187, 96-108, 198
NPPG	Noise
Noise Policy Statement for England	Whole document
Vale of Aylesbury Local Plan (VALP)	BE3 Protection of the amenity of residents NE5 Pollution, air quality, and contaminated land

Policy Detail

Overarching NPS for Energy (EN-1)

4.8.3 Paragraph 5.12.1 outlines that "[e]xcessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality".

4.8.4 Paragraph 5.12.2 explains that "[t]he Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to 'noise' below apply equally to the assessment of impacts of vibration".

4.8.5 Paragraph 5.12.4 outlines that "[n]oise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production".

4.8.6 Paragraph 5.12.5 details the factors which determine the likely noise impact of a proposed development. Paragraph 5.12.6 details what the applicant should include as part of their noise assessment. Paragraph 5.12.7 states the nature and extent of noise assessment should be proportionate to likely noise impact. Para 5.12.8 directs the use of the relevant British Standards.

4.8.7 Paragraph 5.12.12 explains that "[a]pplicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation".

4.8.8 In terms of mitigation paragraph 5.12.13 outlines "[t]he Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise". Paragraph 5.12.14 details what the mitigation measures may include.

4.8.9 As to good design, para 5.12.15 sets out that "[t]he project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission)".

4.8.10 Paragraphs 5.12.17 outlines that the Secretary of State "should not grant development consent" unless the tripartite test is met: "avoid significant adverse impacts on health and quality of life

from noise", "mitigate and minimise other adverse effects on health and quality of life from noise", and "where possible, contribute to improvements to health and quality of life through effective management and control of noise". Paragraph 5.12.18 explains that the Secretary of State should consider whether measurable requirements or mitigation measures should be put in the DCO.

NPS for Renewable Energy Infrastructure (EN-3)

4.8.11 NPS EN-3 identifies noise and vibration primarily as matters arising from the construction phase of renewable energy projects, particularly where construction generates traffic movements, use of plant and machinery, and other activities that may give rise to short-term disturbance (see paras 2.10.120-2.10.126, 2.10.139-2.10.144 and para 2.10.161-2.10.162). Note that para 2.10.162 explains that "[t]he Secretary of State is unlikely to give any more than limited weight to traffic and transport noise and vibration impacts from the operational phase of a project".

NPPF (December 2024)

4.8.12 Chapter 8 paragraphs 96 to 108 of NPPF provide supporting direction on creating healthy and safe communities. The NPPF expects layouts and forms of development that prevent undue disturbance and minimise conflicts between noise-generating activities and sensitive receptors. In practice, this supports proportionate construction noise controls, including working hours, routing, and the use of quieter plant, and it reinforces the need to embed acoustic considerations within the design and long-term management of the scheme.

4.8.13 Chapter 15 paragraph 187 requires planning decisions to prevent new and existing development from being adversely affected by unacceptable levels of pollution, including noise, and to mitigate impacts where they arise. This establishes the overarching requirement to avoid significant adverse effects on health and quality of life from noise.

4.8.14 Paragraph 198 reinforces that new development must be appropriate for its location by considering both the likely effects of pollution, including cumulative impacts, and the sensitivity of nearby receptors. For noise, there is the requirement to "mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life". It also expects decision-makers to identify and protect tranquil areas valued for their relative quietness, and to avoid introducing noise-generating uses that could erode these qualities. This further supports proportionate assessment, embedded design mitigation, and robust management measures to ensure development avoids unacceptable noise impacts across all phases

NPPG

4.8.15 Paragraph 001 explains that noise must be considered where development may introduce new noise sources or locate noise-sensitive uses within an existing sound environment. It emphasises that good acoustic design should be integrated early in the planning process to ensure appropriate and cost-effective mitigation is delivered

4.8.16 The guidance requires decision makers to identify whether noise exposure sits below the No Observed Effect Level, above the Lowest Observed Adverse Effect Level, or above the Significant

Observed Adverse Effect Level (Paragraphs 003-004). These levels assist in determining when noise begins to affect behaviour, health, or quality of life and when mitigation becomes necessary.

4.8.17 The NPPG confirms that noise can outweigh other planning considerations where justified (Paragraph 002). It expects applicants to apply the mitigation hierarchy through avoiding significant adverse effects where possible, reducing impacts by design or engineering, and mitigating residual impacts using measures such as screening, insulation, operational controls, or layout optimisation (Paragraphs 009-010)

4.8.18 Specific expectations for protecting tranquil areas are set out in Paragraph 008 which explains that areas valued for tranquillity should be safeguarded from intrusive noise and may be enhanced through landscape design or green infrastructure.

4.8.19 The NPPG notes that noise may constitute a statutory nuisance under the Environmental Protection Act 1990. Local authorities must consider factors such as duration, frequency, intensity, and the existing acoustic character of the locality when determining whether action is reasonably required (Paragraph 017).

Noise Policy Statement for England (2010)

4.8.20 The Noise Policy Statement for England ("NPSE") was published on 15 March 2010. It sets out the long-term vision of Government noise policy, to promote good health and a good quality of life through the management of noise. The NPSE should apply to all forms of noise including environmental noise.

4.8.21 The long-term vison is supported by the following aims:

- Avoid significant adverse impacts on health and quality of life;
- mitigate and minimise adverse impacts on health and quality of life; and
- where possible, contribute to the improvement of health and quality of life.

4.8.22 To assist in the understanding of the terms "significant adverse" and "adverse", the NPSE acknowledges that there are two concepts applied to noise impacts by the World Health Organisation. They are:

- NOEL (No Observed Effect Level) - the level below which no effect can be detected i.e. below this level, there is no detectable effect on health & quality of life.
- LOAEL - Lowest Observed Adverse Effect Level - the level above which adverse effects on health and quality of life can be detected.

4.8.23 The NPSE introduces a third concept referred to as a Significant Observed Adverse Effect Level (SOAEL) which is described as the level above which significant adverse effects of health and quality of life occur.

4.8.24 However, the NPSE goes on to state*:*

> *"It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available*."

4.8.25 In the absence of specific guidance within the NPPF and NPSE for the assessment of environmental noise, it is considered appropriate to base assessment on LPA requirements, current British Standards and national and international guidance (as described later in this Chapter). However, one noteworthy advisory point in the NPSE is the need to place into context any general requirements that increases in ambient noise should be 'minimised'. In this regard the NPSE states:

> *"Of course, taken in isolation and to a literal extreme, noise minimisation would mean no noise at all. In reality, although it has not always been stated, the aim has tended to be to minimise noise as far as is reasonably practical... the application of the NPSE should enable noise to be considered alongside other relevant issues and not to be considered in isolation. In the past, the wider benefits of a particular policy, development or other activity may not have been given adequate weight when assessing the noise implications".*

VALP (2013-2033)

4.8.26 Policy BE3 (Protection of the amenity of residents) makes clear that planning permission will not be granted where proposals result in unacceptable noise or disturbance to existing or future residents.

4.8.27 Policy NE5 (Pollution, air quality, and contaminated land) requires appropriate assessment and mitigation of noise impacts that may materially affect environmental quality or amenity. These policies therefore require robust baseline noise assessment, clear identification of significant effects, and enforceable mitigation secured through construction and operational management plans.

Commentary

4.8.28 The Proposed Development introduces several potential noise-related concerns that require consideration of impact from a noise and vibration perspective. In the construction phase these include the duration and scale of the construction process, given the heavy plant, HGV movements and earthworks required across a large footprint. There are a number of nearby residential properties in Steeple Claydon, East Claydon, Middle Claydon and Botolph Claydon which may experience elevated noise levels. A key factor is compliance with BS5228 standards for construction noise and the need for robust mitigation (e.g. restricted working hours and acoustic barriers). HGVs in the construction and decommissioning phase are a particular concern given the rural roads and sensitivity of nearby receptors, albeit it is recognised these

are short-term effects (and operational traffic is likely to be limited to maintenance visits which should be considered from a cumulative angle).

4.8.29 There is also the operational phase which includes concerns regarding the BESS. Cooling fans and inverters can produce tonal noise, which may be perceptible at low background levels. Compliance with thresholds set out in BS 4142:2014+A1:2019 and Planning Practice Guidance is important. Similar concerns also exist for substation equipment, most notably transformers and switchgear which may emit continuous hum, requiring assessment for industrial noise impacts. Again, compliance with the identified BS thresholds is important. There is a concern that the ancillary equipment could contribute to be a persistent noise source.

4.8.30 It is important to recognise, when considering the noise effects of the Proposed Development, that the background noise levels are low due to the rural locality; this increases the likelihood of significant noise effects being identified.

4.8.31 It is recognised in policy that excessive noise can have wide-ranging impacts on the quality of human life and health (NPS EN-1, para 5.12.1). When assessing noise and its acceptability, the three tiered approach set out in the Noise Policy Statement for England applies (NPS EN-1, para 5.12.17). Key here, given the lack of noise effect in excess of the SOAEL LOAEL is appropriate mitigation to minimise other adverse impacts on health and quality of life from noise.

4.8.32 Following a comprehensive review of the submitted noise assessments, the Council has carefully considered all elements of the application, including predicted construction and operational noise levels, methodology, baseline data, and proposed mitigation measures. The assessments were undertaken in accordance with recognised standards such as BS 5228 for construction noise and BS 4142 for operational impacts, and they demonstrate that, with the recommended controls in place, (and subject to some specific significant effects identified below) noise emissions will in general remain within acceptable limits and are unlikely to result in significant adverse effects on nearby sensitive receptors. However, it is recognised some residual minor adverse effects remain, including in respect of the majority of dwellings (which are not significant). Having evaluated the robustness of the modelling, the appropriateness of the assumptions, and the effectiveness of the proposed mitigation strategies, the Council is satisfied on the whole that the findings are sound. For the avoidance of doubt, the Council is aware of some concerns regards noise on livestock and other animals (including horses). This review of the noise assessment has not addressed this issue, and if the ExA consider this an important matter should be addressed with the requisite expert input.

4.8.33 It is acknowledged that the Proposed Development may result in perceptible noise impacts along public rights of way and footpaths that traverse or border the site, primarily due to operational plant such as the BESS and associated cooling equipment, as well as substation infrastructure. The characteristics of the noise from such plant could subjectively affect the sense of tranquillity and enjoyment for walkers and recreational users in this rural setting. Using the Applicant's agreed framework for assessing impact, when looking at users of the PRoW closest to the proposed BESS siting, the provided noise contour would suggest a potential 6-11dB exceedance of background levels. Working on the reasonable worst case scenario, this would mean there is a realistic possibility that there is a 'high' impact effect on the PRoW (which the applicant has categorised as a 'medium' sensitivity receptor). This would overall result in a

medium adverse effect (which is significant) in EIA terms. This is something that has not been explicitly acknowledged or addressed by the Applicant at this stage.

4.8.34 When considering residential receptors, again the main source of concern in terms of noise generation is from the BESS and associated plant. While these sources are designed to operate within parameters that, paired with mitigation, have been assessed as being below LOAEL, they may introduce a continuous low-frequency hum or tonal characteristics. The NPSE framework (NOEL/NOAEL, LOAEL, SOAEL) assumes a consistent relationship between noise exposure and human response, but research shows that human perception of noise is complex and not linearly tied to sound level measurements. In very quiet environments (e.g., rural night-time LA90 levels in the 20–30 dB range), tiny increases (e.g., +3 to +5 dB) may be highly perceptible, even if they would normally be treated as "minor" in a busier urban context. This means that in very low baseline noise, perception becomes the limiting factor, not numeric thresholds and small rating-level differences may feel far more intrusive than the LOAEL/SOAEL model anticipates. NPSE explicitly state that the thresholds must be determined case-by-case, meaning they do not automatically scale to very low background levels. When the background is extremely quiet, the proportional relationship breaks down and the method lacks any adjustment for psychoacoustic sensitivity in quiet settings. Thus, the model underestimates real-world intrusiveness.

4.8.35 The Council feels this is an important point for the applicant to consider, especially given the Applicant's noise assessment has found that Bernwood Farm R2 and Hogshaw Farm R12 are calculated to experience a 6dB exceedance (with mitigation). Using the Applicant's agreed framework for assessing impact, this would appear to me a 'medium' impact effect on a 'high' sensitivity receptor (as both are recorded as residential) and overall would result in a medium adverse effect (which is significant) in EIA terms. This is something that has not been explicitly acknowledged or addressed by the Applicant at this stage.

4.8.36 The potential for reduced amenity should be recognised, and measures such as careful equipment specification, acoustic design, and ongoing monitoring will help ensure that noise remains as unobtrusive as reasonably practicable. In this regard the council welcomes the provisions related to the BESS set out at para 2.8.4 of the Outline OEMP **[APP-139]** (which recognising that this mitigation may have negative effects considered elsewhere in this LIR).

4.8.37 The mitigation proposed for the construction phase, decommissioning and during the operation of the site, focussed around the plant and BESS are vital to reducing the potential impact on both residents and the amenity of the area as a whole. The need to have mitigation suitably specified including materials, construction and maintenance was raised by Buckinghamshire Council as part of the Relevant Representation stage. This has been acknowledged by the Applicant who has stated in their response **[PDA-006]** that:

> *"The specification, installation, and maintenance requirements of any acoustic mitigation scheme would be provided prior to operation and is secured by a requirement of the Outline*

Operational Environmental Management Plan [EN010158/APP/7.3] [APP-139], (Section 2.8).”

4.8.38 This is welcomed by the Council as agreement on this detail will be imperative to protecting the amenity of residents within the vicinity of all plant proposed as part of the development. The Council note that, insofar as this mitigation relates to the construction and decommissioning phase it is to be included in Outline CEMP and Outline DEMP.

4.8.39 The Council remain concerned about the potential for ongoing negative impact throughout the operational stage, especially as the development ages and deteriorates through the course of its operational life. This could be caused by faulty plant (such as worn bearings etc), damaged barriers or a wide range of other issues that could develop, resulting in the impact on amenity worsening. As such, the Council has raised the importance of good implementation of ongoing monitoring, maintenance, and complaints procedures as part of previous submissions. The applicant has responded to this as part of **[PDA-006]** stating:

“Further detail will be added into the Outline OEMP [EN010158/APP/7.3] [APP-139] at Deadline 1 of the examination to set out the commitment for a clear complaints procedure, including compliance noise monitoring and adaptive control measures, where deemed necessary.”

4.8.40 The Council welcome this addition and await the updated Outline OEMP to review this addition. Any further comments will be made at that time.

Conclusion on Noise and Vibration

4.8.41 Taking account of the above caveats, the Council notes SOAEL and LOAEL effects are avoided and that proposed mitigation is in place and appears appropriate within the scope of NPS EN-1 para 5.12.17, albeit some moderate and minor adverse noise effects remain in EIA terms and require to be considered. While the obligation to “contribute to improvements to health and quality of life through the effective management and control of noise” is noted, the Council recognises that the possibility of this may be limited.

4.8.42 Noise Local Impact: **Negative**

4.9 Soil

Summary of the Local Impact

4.9.1 Potential impacts of the Proposed Development include the degradation and loss of agricultural land quality, soil health, and soil ecosystems.

4.9.2 The Proposed Development will require the temporary removal of land and soils from agriculture for a 40-year period during the operational phase over 637 ha of Grade 3b (non- best and most versatile ("BMV")), 3 ha of Grade 2 (which is BMV) and 7.2 ha of Grade 3a (which is BMV) agricultural land. The Applicant has considered the Agricultural Land Classification ("ALC") grade in their design and only 10.2 ha of BMV land is proposed to be temporarily lost. No mitigation on the temporary loss of agricultural land is proposed, but after decommissioning most of the land is proposed to be returned to agricultural use. Approximately 10 ha of non-BMV Grade 3b land may be permanently removed from agriculture to support green infrastructure, but the total area has not yet been secured.

4.9.3 Impacts from construction on agricultural land are considered to be slight adverse for Grade 3a and 3b land and moderate adverse for Grade 2 land. Operational and decommissioning impacts on agricultural land are considered to be slight adverse as they would already have occurred during the construction phase.

4.9.4 Topsoil and subsoil will need to be trafficked, stripped and stored to support all phases of the Proposed Development. The soils on site are clay and clay loams, which are sensitive to damage. If compacted, the quality, health, and functionality of the soils during the operational period is at risk. The Applicant's current assessment of the risk aligns with good practice guidance. However, given the clay dominated soil profile, it is recommended that the soils be classified as high risk. In line with this, additional mitigations such as imposing a seasonal constraint on construction activities should be considered to minimise soil degradation.

4.9.5 The assessment of impacts to soil resources oversimplifies soil ecosystem services, omitting key issues like soil hydrology and drainage. Furthermore, the sensitivity of "soil ecosystems" has been assigned based on soil texture and field capacity days, which are an indicator of resilience to structural damage, not ecosystem services. While the Environmental Statement outlines the IEMA methodology for assessing ecosystem services, it does not follow it to derive the sensitivity and impacts on soil ecosystem services and provides limited site-specific information to inform the assessment. Overall, impacts that disturb the soil during construction and decommissioning are considered to have slight adverse effects on ecosystems, while the operational phase is considered to have a slight beneficial effect due to sward development.

4.9.6 The Council considers that there will be cumulative effects on agricultural land due to several large infrastructure developments within the surrounding area, which may result in a cumulative loss of agricultural land, impacting food security and putting local agrifood infrastructure at risk. The Applicant did not find significant cumulative effects on the grounds that only 1.51% of the site was BMV land.

4.9.7 Given the large area of land involved the impacts on the farm business impacts are relevant. However, these are covered in other parts of this LIR.

Mitigation/Improvements

4.9.8 Mitigation has been embedded into the design process to minimise impacts on BMV land, by considering the placement of infrastructure. There is no mitigation proposed for temporary agricultural land loss.

4.9.9 An Outline Soil Management Plan ("OSMP") plan has been provided to mitigate potential impacts on soil quality. The plan incorporates several management strategies to maintain and promote soil health over the operational period.

4.9.10 The OSMP is consistent with the obligations and mitigations outlined in the Environmental Statement to protect soil quality. It also includes several innovative soil protection methods that have been recently developed in the solar sector, such as the establishment of grass sward 6 months prior to construction. The OSMP currently lacks detail on who will be responsible for ensuring these measures are complied with, and it is important that this is included at the outline stage.

Key Policies/ Compliance

Table 4-8 - Policies relevant to Soils

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.11.12, 5.11.13, 5.11.14, 5.11.23, 5.11.34
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs 2.10.29, 2.10.33, 2.10.34, 2.10.81, 2.10.145
NPPF (December 2024)	Paragraph: 187
Vale of Aylesbury Local Plan (VALP)	NE7 BMV agricultural land

Policy Detail

Overarching NPS for Energy (EN-1)

4.9.11 Paragraph 5.11.12 of NPS EN-1 makes clear that where development on previously undeveloped land is unavoidable, applicants should seek to minimise impacts on Best and Most Versatile (BMV) agricultural land. BMV is defined as Grades 1, 2 and 3a, with Grades 3b–5 considered non-BMV. Applicants must therefore set out the land quality present, justify the extent of BMV loss, and demonstrate that the use of poorer-quality land has been prioritised wherever practicable.

4.9.12 Paragraph 5.11.13 provides that "[a]pplicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed". That may include providing a soil management plan (para 5.11.14).

4.9.13 When considering mitigation, para 5.11.23 provides that "[a]lthough in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project and the protection of soils during construction".

4.9.14 Para 5.11.34 provides that "[t]he Secretary of State should ensure that applicants do not sire their scheme on the best and most versatile agricultural land without justification". The paragraph provides a preference for poorer quality land over higher quality land.

NPS for Renewable Energy Infrastructure (EN-3)

4.9.15 Paragraph 2.10.29 indicates that "[w]hile land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise suitable previously developed land, brownfield land, contaminated land and infustrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land" applying the preference to not develop BMV land.

4.9.16 Paragraphs 2.10.33 confirms that, where required, field-based ALC surveys must be undertaken to determine the distribution of soil grades and soil types. This information should then inform soil management.

4.9.17 In terms of soil management, para 2.10.34 explains that "[a]pplicants are encouraged to develop and implement a Soil Resources and Management Plan which could help to use and manage soils sustainably and minimise adverse impacts on soil health and potential land contamination. This should be in line with the ambition set out in the Environmental Improvement Plan to bring at least 40% of England's agricultural soils into sustainable management by 2028 and increase this up to 60% by 2030".

4.9.18 Paragraph 2.10.81 outlines that "[w]here soil stripping occurs, topsoil and subsoil should be stripped, stored, and replaced separately to minimise soil damage and to provide optimal conditions for site restoration. Further details on minimising impacts on soil and soil handling are above at paragraphs 2.10.33 and 2.10.34".

4.9.19 Paragraph 2.10.145 sets out that, in decision-making, "[t]he Secretary of State should take into account the economic and other benefits of the best and most versatile agricultural land. The Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to minimise impacts on soils and soil resources".

NPPF (December 2024)

4.9.20 NPPF paragraph 187 states that "planning policies and decisions should contribute to and enhance the natural and local environment by:

> *a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)…*
>
> *b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the BMV agricultural land and of trees and woodland."*

VALP (2013-2033)

4.9.21 The VALP does not contain explicit soil-related planning policies; nevertheless, soil considerations are implicitly addressed through general environmental protection policies and the wider development-management framework used by Buckinghamshire Council.

4.9.22 Policy NE7 (BMV agricultural land) of the VALP confirms that the Council, will seek to protect BMV land for the long term. Proposals involving the development of agricultural land are required to be accompanied by an assessment identifying the ALC grades across the proposal.

Commentary

4.9.23 The relevant planning policies require developments to minimise impacts on BMV agricultural land and protect and improve soil quality. Developments should also incorporate appropriate best practice measures to minimise impacts to soils. Field surveys should be used to establish the ALC grades and identify the soil types to inform soil management.

4.9.24 The approach taken in the Environmental Statement for the assessment of agricultural land and soil impacts is high level. The Applicant is proposing to remove the entire 647.05 ha of agricultural land from production for a 40-year period. The Environmental Statement does not provide details on how much land is required for each element of the development and it does not provide a breakdown of the Proposed Development in terms of temporary construction activities.

4.9.25 There are a range of land management options provided, but it is unclear how much of the soil across the 647 ha of land will be retained in a functional state (i.e. not sealed) during the operational phase, as the applicant has not provided details on each element. A discussion is provided on how the ALC and soils survey results were used to inform the design and avoid, where possible, impacts on BMV agricultural land. The Applicant discusses that some land will be returned to agriculture during the operational phase and that some type of production will be possible across the array areas.

4.9.26 However, there are no details on how much land this would involve, its ALC grade or on how continued agricultural use will be secured. The assessment of effects on the soil ecosystem has assumed the "best case" scenario of using land for grazing during the operational phase,

resulting in nutrient addition to the soil. If grazing is not secured, the assessment of effects may need to be adjusted. It is suggested that a clear strategy must be provided setting out the minimum management standards that will be met.

4.9.27 Limited information on construction methods is provided to inform impacts on soil resources. Similarly, no detail is provided on the land take and construction methods for differing element of the proposed design.

4.9.28 The Applicant has provided an OSMP that is generally in line with industry good standards. The OSMP discusses the high project and site-specific risk of causing soil compaction during the construction phase. The Applicant is proposing to use the topsoil as the construction platform to support the installation of the solar arrays. Measures that will be put in place to mitigate risks to soil damage are provided, but no details are included as to who will be responsible for ensuring these measures are implemented.

4.9.29 The OSMP states that the land and soils are at a greater risk when construction activities are conducted in winter but there is no proposal to put a seasonal constraint on the construction activities. Instead, the Applicant states that construction will be suspended if heavy rainfall occurred. It is also stated that key soil handling processes will only occur when the soil is dry and this will be determined by a suitably qualified person. However, no details on how these measures will be secured is provided.

4.9.30 It is recognised that a detailed Soil Management Plan will be provided at a later stage, however more detail on the key roles and responsibilities for those responsible for developing and implementing the plan must be provided in the outline plan to ensure the construction phase is suitable resourced with staff having the required skills.

4.9.31 The soil texture across the site have been reported as being relatively uniform, slowly permeable, seasonally waterlogged and consists of clay with some areas of heavy textured clay loams. Clay content of all the soil is above 27% and these soils are clay and heavy textured clay loams. The Applicant states that field capacity days are less than 150 and therefore classes the soils as medium sensitivity to structural damage. However, field capacity days are based on a dataset from the year 1988, whereas the ALC survey identified wetness as the limiting factor to ALC grade. In view of the change of climate since the publication of the climatological dataset, it would be advised that slowly permeable clay and heavy clay loams with a wetness class of IV should be considered to have high sensitivity to structural damage and extra precautions taken during soil handling, particularly when proposals include topsoil trafficking.

4.9.32 This Proposed Development will require topsoil to be directly trafficked, to support the construction phase over the array areas. Once construction is complete, the soil will be inaccessible and any soil damage that occurred during construction will remain unmitigated for 40 years. Over the 40-year period the soil will have to support the solar panels and continue to deliver other soil services. At the end of the operational period the soil will be required to support the decommissioning phase and be suitable for return to biomass production to support agriculture. This will be very challenging to achieve due to the nature of soils involved and the Applicant has not demonstrated their understanding of this either in either the assessment or OSMP.

4.9.33 The OSMP outlines that soils should not be handled in a plastic state but states that works can be undertaken during the winter months. Site-specific field capacity days are discussed in relation to the potential impacts on the construction phase when soil is trafficked in winter. This land is primarily Subgrade 3b land with its ALC limitation being due to wetness. Farming activities on this land are limited to non-BMV levels of production due in part, to land access restrictions resulting from seasonal soil wetness that prevents land accessibility that is needed to support production on Subgrade 3a (BMV land). Risks to the soils should be reassessed to provide a more direct justification for proposing that topsoil be trafficked in winter.

4.9.34 The status and functionally of the current agricultural land drainage across the land has not been discussed either in the ES or OSMP. The applicant recognises the need to repair land drainage as part of decommissioning phase. An assessment of the current land drainage status should be provided to determine if it is adequate to support the operational phase.

Conclusion on Soil

4.9.35 The impacts from construction on agricultural land are considered to be slight adverse for Grade 3a and 3b land and moderate adverse for Grade 2 land. Operational and decommissioning impacts on agricultural land are considered to be slight adverse as they would already have occurred during the construction phase.

4.9.36 Impacts that disturb the soil during construction and decommissioning are considered to have slight adverse effects on ecosystems, while the operational phase is considered to have a slight beneficial effect. It is also considered that there will be negative cumulative effects on agricultural land due to several large infrastructure developments within the surrounding area.

4.9.37 The Applicant has met the policy objective to avoid impacts on BMV land by conducting an ALC survey and considering the results at the design phase.

4.9.38 The Proposed Development will require the complete removal of 647.05 ha of agricultural land from agricultural production for 40 years, and this includes 10.1 ha of BMV land. No mitigation is provided for this.

4.9.39 Relevant mitigation strategies have been provided to minimise impacts on soil ecosystem functions. However, the Applicant has not demonstrated a comprehensive understanding of soil ecosystem services, and it is recommended that these risks have been understated in the assessment.

4.9.40 An OSMP has been provided and incorporated effective good practice measures. However, it lacks provision for the protection of soils when they are at field capacity, specifically during the winter, and it lacks specific detail on how these measures will be secured and by whom. The OSMP needs to include stronger protection measures.

4.9.41 Soil Local Impacts**: Negative**

4.10 Land and Ground Water

Summary of the Local Impact

4.10.1 The Proposed Development may give rise to land and groundwater effects primarily associated with: (i) disturbance of existing contamination; (ii) the potential introduction of new contaminant sources during construction, operation and decommissioning; and (iii) limited physical effects on underlying geology. The site is predominantly agricultural, and no significant existing contamination has been identified to date. However, only limited ground investigation has been undertaken, and further investigation, particularly regarding groundwater depth, flow regime, and geotechnical characteristics, will be required.

4.10.2 Potential contamination risks during construction and operation can be mitigated through standard embedded measures (CEMP, OEMP, BSMP, Drainage Strategy). Residual effects are expected to be neutral or slight beneficial following mitigation. The main area of uncertainty relates to the siting of the BESS in locations where shallow groundwater may be present. Additional information will be required to verify the suitability of BESS locations. The Minerals Safeguarding Assessment concludes no significant sterilisation, subject to update once pre-construction ground investigation data is available.

Key policies/compliance

Table 4-9 - Policies relevant to Land and Groundwater

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.11.1, 5.11.5, 5.11.17, 5.11.19, 5.11.28, 5.16.1, 5.16.2, 5.16.6
NPS for Renewable Energy Infrastructure (EN-3)	Paragraphs 2.10.28, 2.10.29
NPPF (December 2024)	Paragraph: 187, 196, 1976
Vale of Aylesbury Local Plan (VALP)	Policy NE5, Policy I5
Buckinghamshire Minerals and Waste Local Plan	Policy 1, 2, 4, 27

Policy Detail

Overarching NPS for Energy (EN-1)

4.10.3 Paragraphs 5.11.1, 5.11.5 and 5.11.17 set out general land quality requirements, confirming that land must be suitable for its proposed use and that risks from ground conditions, land instability, and contamination must be assessed and addressed.

4.10.4 Mineral safeguarding requirements are addressed in Paragraphs 5.11.19 and 5.11.28, which require applicants to prevent avoidable sterilisation of mineral resources and for the Secretary of State to ensure appropriate mitigation where the development affects a Mineral Safeguarding Area.

4.10.5 Paragraphs 5.16.1 and 5.16.2 recognise that energy infrastructure can adversely affect the water environment across all development phases, including through increased risk of spills, leaks, and pollutant mobilisation. Applicants must therefore assess such risks and provide proportionate mitigation.

4.10.6 Under Paragraph 5.16.6, applicants are expected to incorporate "protective measures" to prevent groundwater pollution, including appropriate design, construction controls, and operational procedures.

NPS for Renewable Energy Infrastructure (EN-3)

4.10.7 Paragraph 2.10.28 identifiess that "[s]olar is a highly flexible technology and as such can be deployed on a wide variety of land types". Para 2.10.29 goes on to explain that "[w]hile land type should not be a predominating factor in determining the suitability of the site location, applicants should where possible, utilise suitable previously developed land, brownfield land, contaminated land and industrial land".

NPPF (December 2024)

4.10.8 Paragraph 187 states that development should contribute to and enhance the natural and local environment. This means to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by "unacceptable levels of soil, air, water or noise pollution or land instability." Degraded and contaminated land should be remediated, where appropriate.

4.10.9 Paragraph 196 of the NPPF confirms that, in decision making, it should be ensured that a site is suitable for its proposed use (taking account of ground conditions and any risks arising from land instability and contamination). Adequate site investigation information, prepared by a competent person is available to inform these assessments.

4.10.10 Paragraph 197 of the NPPF ties into Paragraphs 5.11.5 and 5.11.17 of NPS EN-1 and confirms that where a site is affected by contamination or land stability issues, the responsibility of securing a safe development rests with the developer.

VALP (2013-2033)

4.10.11 VALP has planning policies on land quality, especially in the context of site appraisal, ecology, and land use constraints, plus policies related to flood risk, including groundwater as part of all-source flood risk assessment.

4.10.12 VALP (2013-2033) Policy NE5 (Pollution, Air Quality and Contaminated Land) of the VALP confirms that development near or on land that is or may be affected by contamination will only

be permitted where a Contaminated Land Assessment has been carried out to identify risks to human health, the natural environment or water quality.

4.10.13 Policy I5 (Water Resources and Wastewater Infrastructure) of the VALP outlines that the Local Planning Authority will, among other things, seek to improve water quality. Policy I5 notes that "water quality will be maintained and enhanced by avoiding adverse effects of development on the water environment. Development proposals will not be permitted which would adversely affect the water quality of surface or underground water bodies (including rivers, canals, lakes, reservoirs, source protection zones, and groundwater aquifers) as a result of directly attributable factors".

Buckinghamshire Minerals and Waste Local Plan (2016-2036)

4.10.14 Policy 1 requires development to avoid the needless sterilisation of safeguarded sand and gravel resources. Where the development lies within a Mineral Safeguarding Area, applicants must demonstrate that the proposal will not compromise the future ability to extract the resource. This may include evidence showing whether prior extraction is feasible or whether the development is of such a form, duration or location that it would not hinder future mineral working.

4.10.15 Policy 2 sets out the county's approach to managing mineral extraction, focusing sand and gravel working in the Thames and Colne Valleys, with additional provision in the Great Ouse Valley. While the Proposed Development does not constitute mineral extraction, the policy is relevant insofar as it seeks to ensure that other forms of development do not undermine the county's strategic ability to maintain a steady and adequate supply of aggregates. Proposals must therefore demonstrate that they do not impede access to existing or allocated mineral areas.

4.10.16 Policy 4 identifies specific locations that deliver the county's sand and gravel requirements to 2036. Development proposals within or adjacent to these allocations must show that they do not prejudice the future viability, operation or restoration of these sites. Although solar PV development is temporary in nature, it must still ensure that land allocated for mineral extraction is not constrained or sterilised.

4.10.17 Policy 27 all development- particularly non-mineral development- is to avoid creating conflicts with existing or proposed minerals and waste operations. This includes ensuring that new land uses do not impede access, create amenity conflicts, or limit the operational lifespan of safeguarded or allocated sites. Proposals must demonstrate that they can coexist with mineral uses without resulting in long-term constraints or operational incompatibilities.

Commentary

4.10.18 The relevant planning policies collectively require applicants to demonstrate that land is suitable for its proposed use, that any contamination risks are understood and managed, and that groundwater resources are protected throughout construction, operation, and decommissioning. The Proposed Development incorporates industry-standard measures (CEMP, OEMP, BSMP, Drainage Strategy) which, in principle, provide an appropriate framework for managing land and groundwater risks.

4.10.19 However, the land and groundwater assessment relies on an assumption of low contamination potential without presenting sufficient evidence from the initial ground investigation to substantiate this. The investigation completed to date is limited in scope: it is unclear whether locations targeted potential contamination sources, and no groundwater monitoring, gas monitoring, or leachate testing was undertaken. As a result, there remains uncertainty around baseline land quality and contamination pathways.

4.10.20 Further pre-construction ground investigation - secured through the CEMP - will therefore be required to confirm contamination risk, establish groundwater levels and flow direction, and provide more detailed geological information. This additional evidence will be necessary both to verify the Site's suitability and to inform updates to the Minerals Safeguarding Assessment. Where contamination is identified, additional assessment or remediation may be required to ensure safe development.

4.10.21 The BESS presents a particular concern due to the risk of fire and associated chemical releases, which could affect soils and groundwater. Although decommissioning-phase risks have been acknowledged, equivalent risks during operation have not been assessed in sufficient detail. The OEMP must clearly secure operational-phase controls including firewater containment, spill pathways, emergency response procedures, and management of hazardous substances.

4.10.22 The assessment of geological impacts is limited and provides only a high-level statement that effects are neutral or slight adverse. More detailed characterisation of geological units, their sensitivity to earthworks, and their relationship to groundwater behaviour would strengthen the assessment and is expected to be addressed through the forthcoming ground investigation.

4.10.23 Groundwater conditions remain a key information gap. Although shallow groundwater is anticipated near watercourses, the assessment does not address the potential for groundwater flooding or the implications for the siting of the BESS. Additional hydrogeological assessment will be essential to confirm that the proposed BESS locations do not pose an unacceptable risk to groundwater and are resilient to shallow groundwater conditions.

4.10.24 Regarding mineral resources, no significant sterilisation effects have been identified, largely due to the temporary nature of the development. This conclusion is reasonable, but confirmation will depend on the results of the pre-construction ground investigation, which must be incorporated into the final Minerals Safeguarding Assessment.

Conclusion on Land and Groundwater

4.10.25 Potential land and groundwater impacts of the Proposed Development post mitigation are anticipated to be neutral to slight beneficial and not significant, as they can be mitigated through the implementation of standard best practice measures. However, additional information is required to support the land and groundwater assessment, the Minerals Safeguarding Assessment and proposed mitigation measures, including further ground investigation.

4.10.26 There are no comments to make with regard to this as it is not anticipated that there will be significant impacts to the local area from potential contamination which may be present at the

site. If anything, there could be a positive impact as any contamination identified during the proposed development, if granted, would be remediated.

4.10.27 It is not anticipated that there will be significant impacts to the local area from potential contamination which may be present at the site. If anything, there could be a positive impact as any contamination identified during the proposed development, if granted, would be remediated.

4.10.28 Land and Ground Water Local Impacts: **Neutral**

4.11 Flood Risk and Drainage

Summary of Impacts

4.11.1 The Proposed Development spans land with variable surface water flood risk, including several established overland flow routes across all three parcels where medium to high-risk flooding can occur during extreme rainfall events. These flow paths are strongly influenced by local topography and feed into a network of ordinary watercourses within the LLFA and IDB remit, creating a sensitive hydrological environment. Groundwater levels are also variable, with shallower water tables in lower-lying areas, which places constraints on the use of infiltration-based drainage solutions in certain locations. Although no historic flood incidents are recorded within the site, isolated events in nearby settlements indicate that existing drainage systems in the wider area may already be susceptible to pressure during prolonged rainfall.

4.11.2 Without appropriate controls, the introduction of impermeable infrastructure such as substation platforms, equipment compounds, access tracks and drainage channels has the potential to increase runoff rates and volumes, altering existing flow routes and potentially exerting additional pressure on watercourses. The scale of the solar farm also means that localised compaction, if not properly managed, could elevate both the risk of surface water ponding and sediment mobilisation, with consequent impacts on downstream receptors. The proximity to ordinary watercourses and the presence of fluvial influence in Parcel 3 mean that poorly managed discharges could, in the absence of mitigation, contribute to elevated flood risk off-site.

Key policies/compliance

Table 4-10 - Policies relevant to Flood Risk and Drainage

Document	Relevant Sections/Paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.8.1, 5.8.2, 5.8.6, 5.8.7, 5.8.9, 5.8.10, 5.8.12, 5.8.13, 5.8.14, 5.8.15, 5.8.21, 5.8.23, 5.8.24, 5.8.25, 5.8.26, 5.8.27, 5.8.29, 5.8.36, 5.8.41, 5.8.42
NPS for Renewable Energy Infrastructure (EN-3)	2.4.11, 2.10.60, 2.10.84, 2.10.154
NPPF (December 2024)	Paragraph 170, 173, 174, 175, 181, 182
Vale of Aylesbury Local Plan (VALP)	I4 Flooding NE2 River and stream corridors

Policy

Overarching NPS EN-1

4.11.3 Paragraph 5.8.1 recognises that "[f]looding is a natural process which, as well as playing an important role in shaping the natural environment, can threaten life and cause substantial disruption and damage to property".

4.11.4 Paragraph 5.8.2 goes on to note the importance of resilient energy infrastructure and how resilience not only reduces the risk of flood damage to the infrastructure but also reduces disruptive impacts on homes and businesses that rely on that same infrastructure.

4.11.5 Paragraph 5.8.6 states that "[t]he aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding".

4.11.6 Para 5.8.7 explain that"[w]here new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood".

4.11.7 Paragraph 5.8.9 of NPS EN-1 explains that if, following the application of the Sequential Test, it is not possible for a project to be located in areas of lower flood risk, the Exception Test can be applied. However, the application of the Exception Test is only appropriate where the Sequential Test alone cannot deliver an acceptable site (Paragraph 5.8.10 of NPS EN-1).

4.11.8 Paragraph 5.8.12 outlines that "[d]evelopment should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques".

4.11.9 Paragraph 5.8.13 states "a site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:

- *sites of 1 hectare or more*
- *land which has been identified by the EA or NRW as having critical drainage problems*
- *land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future*
- *land that may be subject to other sources of flooding (for example surface water)*

- *where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems".*

4.11.10 Para 5.8.14 explains that "[t]his assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account".

4.11.11 Paragraph 5.8.15 sets out the minimum requirements for flood risk assessments.

4.11.12 Paragraph 5.8.21 establishes that "a sequential, risk-based approach is to be followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites within medium-risk areas and then, only where there are no reasonably available sites in low- and medium-risk areas, within high-risk areas".

4.11.13 Paragraph 5.8.23 goes on to state that the "[c]onsideration of alternative sites should take account of the policy on alternatives [and that] all projects should apply the Sequential Test to locating development within the site".

4.11.14 Paragraph 5.8.24 explains that "[t]o satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property".

4.11.15 Paragraph 5.8.25 outlines various SuDS approaches to surface water drainage management and paragraph 5.8.26 states that site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.

4.11.16 Paragraph 5.8.27 explains that "[t]he surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect".

4.11.17 Paragraph 5.8.29 states that "[t]he sequential approach should be applied to layout and design". The para also states that "[v]ulnerable aspects of development should be located on parts of the site at lower risk and residual risk of flooding".

4.11.18 In terms of the Secretary of States decision making, paragraph 5.8.36 states "the Secretary of State should be satisfied that where relevant:

- *the application is supported by an appropriate FRA*
- *the Sequential Test has been applied and satisfied as part of site selection*
- *a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk*

- *the proposal is in line with any relevant national and local flood risk management strategy*

- *SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate*

- *in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42)*

- *the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development*

- *and that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation or maintenance".*

4.11.19 Paragraph 5.8.41 of NPS EN-1 confirms that energy projects should not normally be considered within Flood Zone 3b areas but, where essential energy infrastructure has to be located in such areas for operational reasons, consent can be granted if the development does not result in a net loss of flood plain storage or impede water flows.

4.11.20 Paragraph 5.8.42 states "[e]xceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies".

NPS for Renewable Energy Infrastructue EN-3

4.11.21 Paragraph 2.4.11 of NPS EN-3 recognises that "solar photovoltaic (PV) sites may also be proposed in low lying exposed sites. For these proposals, applicants should consider, in particular, how plant will be resilient to:

- *increased risk of flooding; and*

- *impact of higher temperatures"*

4.11.22 Paragraph 2.10.60 states "*applicants will consider several factors when considering the design and layout of sites, including proximity to available grid capacity to accommodate the scale of generation, orientation, topography, previous land–use, and ability to mitigate environmental impacts and flood risk"*.

4.11.23 PAragraph 2.10.84 explains that "[w]here a Flood Risk Assessment has been carried out this must be submitted alongside the applicant's Environmental Statement. This will need to consider the impact of drainage. As solar PV panels will drain to the existing ground, the impact will not, in general, be significant".

4.11.24 Paragraph 2.10.154 outlines "[w]ater management is a critical component of site design for ground mount solar plants. Where previous management of the site has involved intensive agricultural practice, solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, natural wetland habitat, and water quality management".

NPPF (December 2024)

4.11.25 Paragraph 170 states "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where 50 development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

4.11.26 Paragraph 173 outlines "a sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding, by following the steps set out below".

4.11.27 Paragraph 174 states "[w]ithin this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test".

4.11.28 Paragraph 175 explains that "[t]he sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)".

4.11.29 Paragraph 181 then sets out that "[w]hen determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan".

4.11.30 Paragraph 182 states "[a]pplications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should: a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development".

VALP (2013-2033)

4.11.31 Policy I4 Flooding states:

"Management of flood risk

In order to minimise the impacts of and from all forms of flood risk the following is required:

a. Site-specific flood risk assessments (FRAs), informed by the latest version of the SFRA, where the development proposal is over 1ha in size and is in Flood Zone 1, or the development proposal includes land in Flood Zones 2 and 3 (as defined by the latest Environment Agency mapping). A site-specific FRA will also be required where a development proposal affects land in Flood Zone 1 where evidence, in particular the SFRA, indicates there are records of historic flooding or other sources of flooding, e.g. due to critical drainage problems, including from ordinary watercourses and for development sites located within 9m of any water courses (8m in the Environment Agency's Anglian Region50)

b. All development proposals must clearly demonstrate that the flood risk sequential test , as set out in the latest version of the SFRA, has been passed and be designed using a sequential approach, and

c. If the sequential test has been satisfied, development proposals, other than those allocated in this Plan, must also satisfy the exception test in all applicable situations as set out in the latest version of the SFRA

Flood risk assessments

All development proposals requiring a Flood Risk Assessment in (a) above will assess all sources and forms of flooding, must adhere to the advice in the latest version of the SFRA and will:

d. provide level-for-level floodplain compensation, up to the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change, and volume-for-volume

compensation unless a justified reason has been submitted and agreed which may justify other forms of compensation

e. ensure no increase in flood risk on site or elsewhere, such as downstream or upstream receptors, existing development and/or adjacent land, and ensure there will be no increase in fluvial and surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event, with an allowance for climate change (the design storm event)

f. not flood from surface water up to and including the design storm event, or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site

g. explore opportunities to reduce flood risk overall, including financial contributions from the developer where appropriate

h. ensure development is safe from flooding for its lifetime (and remain operational where necessary) including an assessment of climate change impacts

i. ensure development is appropriately flood resistant, resilient and safe and does not damage flood defences but does allow for the maintenance and management of flood defences

j. take into account all sources and forms of flooding

k. ensure safe access and exits are available for development in accordance with Department for Environment, Food and Rural Affairs (DEFRA) guidance51. Access to "safe refuges" or "dry islands" are unlikely to be considered safe as this will further burden the Emergency Service in times of flood

l. include detailed modelling of any ordinary watercourses within or adjacent to the site, where appropriate, to define in detail the area at risk of flooding and model the effect of climate change

m. provide an assessment of residual flood risk

n. provide satisfactory Evacuation Management Plans, where necessary, including consultation with the Emergency Services and Emergency Planners

Sustainable drainage systems (SuDS)

All development proposals must adhere to the advice in the latest version of the SFRA and will:

o. Ensure development layouts are informed by drainage strategies incorporating SuDS and complete site specific ground investigations to gain a more local understanding of groundwater flood risk and inform the design of sustainable drainage components

p. All development will be required to design and use sustainable drainage systems (SuDS) for the effective management of surface water run-off on site, as part of the submitted planning application and not increase flood risk elsewhere, including sewer flooding. All development should adopt exemplar source control SuDS techniques to reduce the risk of flooding due to post-development runoff. SuDS design should follow current best practice (CIRIA Manual 2015 or as

replaced) and Buckinghamshire Council guidance on runoff rates and volumes to deliver wider environmental benefits. Where the final discharge point is the public sewerage network the runoff rate should be agreed with the sewerage undertaker.

q. Where site-specific FRAs are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems

r. In considering SuDS solutions, the need to protect groundwater quality must be taken into account, especially where infiltration techniques are proposed in considering a response to the presence of any contaminated land. The Environment Agency need to be consulted where infiltration is proposed in contaminated land. SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. Opportunities will be sought to enhance natural river flows and floodplains, increasing their amenity and biodiversity value and a watercourse advice note is being prepared for further guidance

s. Applicants will be required to provide a management plan to maintain SuDS in new developments, and a contribution will be required for maintenance of the scheme/SuDS

t. Onsite attenuation options should be tested to ensure that changing the timing of peak flows does not exacerbate flooding downstream, and

u. Only in exceptional circumstances will surface water connections to the combined or surface water system be permitted. Applicants will need to demonstrate in consultation with the sewerage undertaker that there is no feasible alternative and that there will be no detriment to existing users

Climate change

v. Climate change modelling should be undertaken using the relevant allowances (February 2016) for the type of development and level of risk w. Safe access and egress should be demonstrated in the 1 in 100 plus climate change event, and

x. Compensation flood storage would need to be provided for the built footprint as well as any land-raising within the 1 in 100 plus appropriate climate change flood event. This compensation would need to be demonstrated within a Flood Risk Assessment (FRA)."

4.11.32 Policy NE2 states: "[d]evelopment proposals must not have an adverse impact on the functions and setting of any watercourse and its associated corridor. They should conserve and enhance the biodiversity, landscape and consider the recreational value of the watercourse and its corridor through good design. Opportunities for de-culverting of watercourses should be actively pursued. Planning permission will only be granted for proposals which do not involve the culverting of watercourses and which do not prejudice future opportunities for de-culverting. Development proposals adjacent to or containing a watercourse shall provide or retain a 10m ecological buffer (unless existing physical constraints prevent) from the top of the watercourse bank and the development, and include a long-term landscape and ecological management plan for this buffer."

Commentary - Overview of Local Flood Mechanisms

Surface water

4.11.33 The Risk of Flooding from Surface Water map is an assessment of where surface water flooding may occur. This happens when rainwater lies on or flows over the ground, instead of draining away through the normal drainage systems or soaking into the ground.

4.11.34 Having regard to national mapping, the Proposed Development lies in area at variable risk of surface water flooding. Most of the Site is at a very low risk of surface water flooding, meaning a 0.1% chance of happening in any given year (Annual Exceedance Probability, "AEP"). However, there are areas of medium and high risk, meaning a 1% AEP and 3.3% AEP respectively in any given year. The areas of medium and high risk are associated with topographical low points and represent overland surface water flow routes until the point in which they connect with the local drainage network of watercourses.

Parcel 1

4.11.35 There are four overland surface water flow routes within Parcel 1. These are associated with B1, B13, B16 and B20, B23 (South) and B23(North), C1 and C2 (North). There are some areas of surface water ponding within B7. These areas are anticipated to be at high risk of surface water flooding. The overland surface water flow routes are mostly present along field boundaries.

Parcel 2

4.11.36 There are two overland surface water flow routes within Parcel 2. These are associated with D8, D9, D10, D16, D17, D18 and D27. The flow route present within D8, D9, D16, D18 and D27 is anticipated to be at high risk of surface water flooding. D10 and D17 are at medium to low risk of surface water flooding. The overland surface water flow routes are mostly present along field boundaries.

Parcel 3

4.11.37 There is one overland surface water flow route within Parcel 3. It is anticipated to flow through E10, E11, E20, E21 and E23. It is anticipated to be high surface water flood risk. However, there is an ordinary watercourse (IDB area), which is a tributary of the Claydon Brook, within this area and so it is a more reasonable conclusion that this area is subject to fluvial flooding as opposed to surface water flooding.

Groundwater

4.11.38 British Geological Survey Infiltration SuDS Map indicates that the depth to water table within the red line boundary is variable. In areas of higher elevation, the water table is expected to be greater than 5m below the ground surface. In areas of lower elevation and nearer to watercourses, the water table is expected to be within 3m of the ground surface.

Ordinary watercourses

4.11.39 There are ordinary watercourses present across all three parcels:

- Muxwell Brook, a tributary of River Roy located to the southeast of Parcel 1.

- An unnamed tributary of The Twins or Padbury Brook flowing along western edge of Parcel 1.

- An unnamed tributary of The Twins or Padbury Brook flowing across northeast of Parcel 1.

- An unnamed tributary of Claydon Brook crossing underneath Claydon Road along southeastern edge of Parcel 2; and

- Claydon Brook flowing along eastern boundary of Parcel 3 and its tributaries located to the east of Parcel 3.

4.11.40 Those within Parcel 1 are ordinary watercourses which fall under the LLFA's remit. Those within Parcel 2 are also within the LLFA's remit. Ordinary watercourses are present within Parcel 3 and fall under the remit of the Internal Drainage Board.

Known historic flooding incident

4.11.41 There are no Section 19 Flood Investigations within the red line boundary or surrounding villages.

4.11.42 There are no flood records within the red line boundary. The nearest flood record is Boytl Road, Botolph Claydon where internal property flooding was reported in 2020, source of flooding unknown. Flood record at East Claydon for surface water, reported in Winter 2001.

Ordinary watercourse constraints

4.11.43 These include:

- Buckinghamshire Council Culvert Policy

- Buckingham and River Ouzel Internal Drainage Board Byelaws

Comment - LLFA Review of the Flood Risk Assessment

Evidence base

4.11.44 The FRA considers all relevant flood sources and uses national mapping, where available.

4.11.45 In relation to surface water flood risk, the Risk of Flooding from Surface Water map is used as the evidence base for assessment of surface water flooding with the exception of Parcel 3. The applicant has completed site-specific surface water risk modelling for the East Claydon BESS development. This has been modelled using a 25% climate change allowance in the 1% AEP scenario.

Climate change

4.11.46 To account for climate change, a 550mm depth for the future pluvial maximum credible scenario.

Mitigation measures

4.11.47 The following mitigation measures are listed below:

- The FRA situates more vulnerable aspects of the development such as the Battery Energy Storage Site (BESS), ITS, Independent Outdoor Equipment, and collector compounds entirely within Flood Zone 1.
- In areas of overland surface water flow routes, solar PV modules will be designed to sit 800mm above ground level.
- No ground level raising will occur in flood zone areas.
- Any surface water runoff generated from new impermeable areas will attenuate in areas of Flood Zone 1.
- Management and maintenance of vegetated and grassed areas surrounding panels and gravel subbase for on-site units.
- Use of sustainable drainage systems, including basin and swales to serve new impermeable areas.
- Perimeter fencing to be permeable in nature to allow passage of overland flow through the structure.

FRA Review Conclusion

4.11.48 The FRA identifies and assesses the risk of surface water flooding to and from the proposed development and demonstrates how this source of flood risk will be managed, taking climate change into account.

Identification of potential off-site impacts

4.11.49 In respect of solar PV panels, the total surface area of the photovoltaic array is not considered as an impermeable area, as rainfall can drain freely off the panels onto the ground beneath, where the surface is permeable. As such, the impact is assumed to be negligible where surfaces underneath and between panels remain uncompacted and with good vegetation coverage to bind the soil surface and limit scour.

4.11.50 As to associated infrastructure, the provision of required infrastructure, such as substations, access roads, etc can give rise to an increase in runoff rates and volumes to receiving watercourses if unmitigated. A surface water drainage strategy is required for each impermeable area within the proposed development.

Conclusion – Surface Water drainage strategy

4.11.51 The principles set out in the Outline Drainage Strategy to manage surface water flood risk arising from the proposed development are satisfactory. The measures demonstrate that the peak rate

and volume of discharge from the site can be adequately managed through the provision of SuDS and that climate change has been taken into account. The agreed discharge rate should mean that surface water runoff leaving the site is no greater than the rates prior to the proposed development.

4.11.52 LLFA Local Impacts: **Neutral**

4.12 Air Quality

Summary of the Local Impact

4.12.1 The Proposed Development introduces several air quality considerations, primarily associated with construction phase dust, earthworks, and HGV movements, which may temporarily affect nearby receptors if not appropriately managed. The Planning Statement confirms that operational emissions are negligible, with traffic generation falling below recognised screening thresholds and no Air Quality Management Areas located near the site. With embedded construction mitigation and adherence to the Outline CEMP, OEMP, DEMP and CTMP, residual effects are assessed as not significant. Overall, the Proposed Development is unlikely to lead to adverse air quality outcomes provided management plans are properly implemented and maintained throughout the project lifecycle.

Mitigation/Improvements

4.12.2 The Council considers that additional improvements are necessary to ensure adequate long-term protection. In particular, because decommissioning is expected to occur around 40 years after commissioning, a new air quality assessment should be required immediately prior to decommissioning to inform the final Dust Management Plan. The Council also recommends that bespoke mitigation is incorporated within the relevant management plans to address the sensitivity of nearby businesses, including TCS Biosciences and Preston Farms. Clarity is also sought on operational traffic movements and the enforceability of staff minibus arrangements, to ensure that traffic-related air quality impacts remain within the parameters assessed.

Key policies/compliance

Table 4-11 - Policies relevant to Air Quality

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.2.1, 5.2.8, 5.2.9, 5.2.10, 5.2.11, 5.2.13, 5.2.15, 5.2.16, 5.2.17, 5.2.18, 5.2.19
NPPF (December 2024)	Paragraph: 187, 199
Vale of Aylesbury Local Plan (VALP)	NE5: Pollution, air quality, and contaminated land

Policy Detail

National Policy

Overarching NPS for Energy (EN-1)

4.12.3 Paragraph 5.2.1 notes that energy infrastructure development can have adverse effects on air quality across all phases of development on health, protected species and on the wider countryside and species.

4.12.4 Paragraph 5.2.8 requires development that "is likely to have adverse effects on air quality to undertake an assessment of the impacts of the proposed project as part of the ES". Paragraph 5.2.9 goes on to outline what the Environmental Statement should include with regard to air quality.

4.12.5 In addition, at paragraph 5.2.10, it states that applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.

4.12.6 Paragraph 5.2.11 outlines that "Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes, and the applicant should ensure these are current at the point of an application. The applicant's assessment should be consistent with this but may include more detailed modelling and evaluation to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence to the extent they could affect the conclusions of the assessment, they should include this in their representations to the Examining Authority along with the source".

4.12.7 Para 5.2.13 provides that: "[t]he Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England... or any successors... and should consider the relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance".

4.12.8 In terms of the Secretary of States decision making, in addition to pollution control, para 5.2.15 states that the Secretary of State "must also consider duties under other legislation, including duties under the Environment Act 2021, in relation to environmental targets and have regard to policies set out in the Government's Environmental Improvement Plan 2023".

4.12.9 Paragraph 5.2.16 states that "[t]he Secretary of State should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches national air quality limits or statutory quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives or targets".

4.12.10 Paragraph 5.2.17 provides that "[t]he Secretary of State should give air quality considerations substantial weight where a project is propsoed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat".

4.12.11 Paragraph 5.2.18 explains that "[w]here a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the Secretary of State should refuse consent".

4.12.12 Finally, para 5.2.19 provides that "[i]n all cases, the Secretary of State must take account of any relevant statutory are quality limits, objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent".

NPS for Renegay Infrastructure (EN-3)

4.12.13 There are no relevant policies for air quality in relation to development for solar farms.

NPPF (December 2024)

4.12.14 Paragraph 187 states, "planning policies and decisions should contribute to and enhance the natural and local environment by:

> *e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans."*

4.12.15 Paragraph 199 of the NPPF makes clear that planning decisions should "sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement".

NPPG

4.12.16 The Air Quality NPPG, paragraph 001 explains that planning must address the potential effects of new development on concentrations of pollutants such as PM_{10}, $PM_{2.5}$ and NO_2, taking account of legally binding limit values and national emission reduction commitments. It also highlights that air pollution can affect human health, amenity, and biodiversity, requiring early and proportionate consideration in decision-making.

4.12.17 Paragraph 002 sets out expectations for plan making, requiring strategic approaches that consider Air Quality Management Areas, Clean Air Zones and designated ecological sites. Plans should assess likely emissions, cumulative effects, and opportunities for air quality improvements.

4.12.18 Under Paragraph 005, air quality becomes a relevant consideration during development management where proposals may worsen existing poor air quality, introduce new sensitive receptors into areas of poor air quality or undermine air quality strategies or legal obligations. Decision-makers must establish baseline conditions and evaluate construction and operational impacts.

4.12.19 Paragraph 007 confirms that assessments should be proportionate and tailored to the location and scale of development, addressing baseline conditions, modelling, cumulative impacts, and the proposed mitigation strategy.

VALP (2013-2033)

4.12.20 Policy NE5 (Pollution, air quality and contaminated land) of the VALP details that developments that may have an adverse impact on air quality will be required to submit an air quality impact assessment that demonstrates the effects of the proposal would not exceed the National Air Quality Strategy Standards (as replaced) or would not materially affect a surrounding area affected by existing and continuous poor air quality.

Commentary

4.12.21 The principal impacts on air quality are associated with dust and traffic emissions during the construction and operational phases of the proposed development.

4.12.22 The air quality assessment **[APP-086]** states that there is a medium risk of dust being created during the earthworks and construction phase of the proposed development. It is therefore proposed that mitigation measures are implemented to control any potential dust and particulate matter emissions during the construction phase and to ensure any adverse effects on the local area are greatly reduced or eliminated. Proposed mitigation measures are provided within the Outline CEMP **[APP-138]**.

4.12.23 The Council agrees that mitigation measures must be implemented during the construction phase of the proposed development to limit the negative impacts on the local area. It is also agreed that the mitigation measures outlined within the Outline CEMP are appropriate.

4.12.24 As outlined it is expected that road traffic exhaust emissions from the construction phase of the development may have an impact on local air quality. A screening level assessment against the Environmental Protection UK ("EPUK") and Institute of Air Quality Management ("IAQM") Land-Use Planning & Development Control: Planning for Air Quality guidance screening criteria has been undertaken as part of the air quality assessment **[APP-086]**. This approach is accepted.

4.12.25 The air quality assessment assumes that the maximum Annual Average Daily Traffic data ("AADT") (two-way trips) in 2029 will be 218 for Light Duty Vehicles ("LDVs"). This is below the EPUK and IAQM guidance screening criteria of a change of Light Duty Vehicle flows of more than 500 AADT. Therefore, it is considered unlikely that the additional construction phase traffic emissions resulting from the Proposed Development would cause a significant adverse effect on local air quality and on nearby human receptors.

4.12.26 However, the Transport Assessment **[APP-131]** states that it is expected that 75% of staff are expected to arrive on site by minibus and that it is the minibus arrangements which will contribute to the maximum of 218 LDV daily trips. If the staff do not use the minibus service, then the AADT will increase and there is the potential for the EPUK and IAQM guidance screening criteria to be breached. The Council seeks certainty that the 75% of staff arrivals through the minibus scheme will be fully managed and enforced to ensure that the stated maximum impact is accurate and can be achieved. If this is not supplied, then the air quality assessment will need to be updated to reflect the total number of all staff/LDVs arriving on site.

4.12.27 In the Applicant's Response to Relevant Representations **[PDA-006]** it is stated that: "provision for a Staff Travel Plan to be delivered as part of the detailed CTMP, which would set the mode

shares. The detailed CTMP would be provided to the Principal Contractor, and they would be required to abide by these regulations as part of their commercial contract with the Applicant. Failure to follow the traffic management measures proposed would be a non - compliance matter and could result in contractors being subject to penalties and individual sanctions. Failure to observe the CTMP would also be a breach of the DCO" (page 74).

4.12.28 The maximum number of AADT (two-way trips) for Heavy Duty Vehicles ("HDV") in 2029 is anticipated to be 141 on Station Road/Dewes Lane, Snake Lane/Fiddlers Field and Claydon Road. This exceeds the EPUK & IAQM guidance screening criteria as there will be a change of HDV flows of more than 100 AADT. The air quality assessment states that the annual mean nitrogen dioxide and particulate matter (PM10 and PM2.5) concentrations at the site are expected to be well below the Air Quality Standards ("AQS") as illustrated in Table 4.1. The effects would also be limited to a relatively short period at each phase of the proposed development. Therefore, it is considered unlikely that the additional construction phase traffic emissions because of the proposed development would cause a significant adverse effect on local air quality and on nearby human receptors. After considering the data present within the assessment, the council agrees with this statement and no further assessment of the HDV construction phase traffic emissions is required.

4.12.29 The air quality assessment states that road traffic exhaust emissions during the operational phase are expected to have a negligible impact on air quality and nearby human receptors. This is because it is anticipated that there would be four two-way LDV trips per day, which does not exceed the EPUK & IAQM guidance screening criteria. However, it is noted that the number of operational trips in the air quality assessment contradicts the number of daily trips outlined within the Transport Assessment. The Traffic Assessment states there is anticipated to be a maximum of 24 LDV trips per day and a maximum of 12 HDV trips per day when battery or panel replacement is required. The council accepts that the figures quoted within the Traffic Assessment are still below the EPUK & IAQM guidance screening criteria and therefore further assessment of the operation phase traffic emissions is not required.

4.12.30 Air Quality Local Impacts: Neutral

4.13 Socio-economics

Summary of the Local Impact

4.13.1 The proposed development has the potential to generate economic activity and short-term employment, but the extent to which these benefits will be realised within Buckinghamshire is uncertain. While the Outline Employment, Skills and Supply Chain Plan ("OESSCP") includes positive measures, the rural location of the Site, reliance on commercial contractor decisions, and limited public transport access mean that local residents, particularly those from more deprived communities may struggle to benefit fully from job opportunities. The Applicant acknowledges accessibility challenges but proposes solutions that depend on external funding (e.g. Jobcentre Plus), rather than firm commitments to Applicant-funded transport. Similarly, although supply-chain opportunities are referenced and partnerships such as those with Bucks Business First are welcomed, the Applicant confirms that decisions on procurement will remain primarily commercial, meaning benefits may extend beyond the county. The Council therefore considers that while some benefits may arise, their scale, sustainability and local retention are limited, with most gains occurring only during the 30-month construction phase.

4.13.2 The Proposed Development also raises significant concerns for the rural economy, including agriculture, tourism and established local businesses. The loss of associated employment, and questions around the adequacy and implications of land swaps. Businesses such as Claydon House, Hogshaw Farm and Wildlife Park and TCS Biosciences have raised concerns around animal welfare, biosecurity, visual impact, and construction-related disruption. The Applicant acknowledges that some receptors particularly Hogshaw Farm and Wildlife Park and Claydon House would experience considerable landscape and visual effects even after mitigation, and the Council is not assured that proposed measures sufficiently address visitor-access issues, business viability risks or wider visitor-economy impacts. With the rural economy already under pressure from declining agricultural employment and competing land-use demands, the Council concludes that the development is likely to exert material negative effects on nearby businesses, agricultural operations and tourism unless stronger mitigations and long-term support mechanisms are secured.

Mitigation/Improvements

4.13.3 A range of measures have been proposed to help ensure that the economic opportunities generated by the scheme are accessible to Buckinghamshire residents and businesses. The OESSCP offers a structured route to promote local recruitment, upskilling and supply-chain engagement, supported by the Applicant's collaboration with partners such as Bucks Business First, which will help signpost contracting opportunities and improve business readiness. The Applicant's commitment to revising the Plan at Deadline 1 to include the decommissioning phase represents a further improvement, ensuring that legacy benefits extend beyond construction. Taken together, these measures provide a framework through which the Council can steer activities toward local communities, promote local procurement where feasible, and work with the Applicant to ensure that commercial decisions better reflect wider social-value outcomes rather than cost considerations alone.

4.13.4 The Applicant's Response to Relevant Representations also outlines adjustments made following engagement with affected businesses and stakeholder groups, including the incorporation of traffic-management measures, continued liaison commitments and efforts to minimise construction disruption for visitor-dependent attractions. These steps, while requiring further detail and monitoring, represent potential improvements that could assist in reducing the most acute impacts on businesses such as Hogshaw Farm and Wildlife Park and Claydon House, particularly where access, biosecurity and visitor-experience issues have been raised. The Council encourages the Applicant to strengthen these mitigation measures through ongoing dialogue, enhanced visibility of construction-phase management, and additional support for the visitor economy such as promotional activity and reassurance where this would help sustain footfall during periods of disruption. Continued engagement and targeted mitigation will therefore be essential to reducing negative effects on the rural economy and supporting the resilience of businesses and tourism during the lifetime of the project.

Key policies/compliance

Table 4-12 - Policies relevant to socio-economics

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.13.2, 5.13.3, 5.13.4, 5.13.6, 5.13.8, 5.13.9, 5.13.10, 5.13.11, 5.13.12
NPS for Renewable Energy Infrastructure (EN-3)	Paragraph 2.10.69
NPPF (December 2024)	Paragraph: 39, 85-89, 96-98
Vale of Aylesbury Local Plan (VALP)	Policy S1 Sustainable Development Policy BE3 (Protection of the amenity of residents Policy S5 Infrastructure

Policy Detail

Overarching NPS for Energy (EN-1)

4.13.5 Paragraph 5.13.2 establishes that, "[w]here a project is likely to have socio-economic impacts at local or regional levels, an applicant is to undertake an assessment of these impacts as part of an ES". Under Paragraph 5.13.3 there is also encouragement for applicants to "engage with the relevant local authorities during the early stages of project development so that the applicant can gain a better understanding of local or regional issues and opportunities". Paragraph 5.13.4 goes on to outline the considerations that such an assessment of socio-economics may contain.

4.13.6 Paragraph 5.13.6 of NPS EN-1 outlines that socio-economic impacts may be linked to other impacts (such as visual impacts). Paragraph 5.13.8 of NPS EN-1 states the need to consider

whether there are any additional mitigation measures necessary to mitigate any adverse socio-economic impacts.

4.13.7 In terms of the Secretary of State decision making, paragraph 5.13.9 explains that "[t]he Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision".

4.13.8 Paragraph 5.13.10 continues stating, "[t]he Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS)".

4.13.9 Paragraph 5.13.11 directs that "[t]he Secretary of State should consider any relevant positive provisions the applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts".

4.13.10 Finally para 5.13.12 outlines "[t]he Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted".

NPS for Renewable Energy Infrastructure (EN-3)

4.13.11 Socio-economics is referenced in relation to the decommission of solar projects in EN-3. Paragraph 2.10.69 states "[a]pplicants should set out what would be decommissioned and removed from the site at the end of the operational life of the generating station, considering instances where it may be less harmful for the ecology of the site to keep or retain certain types of infrastructure, for example underground cabling, and where there may be socio-economic benefits in retaining site infrastructure after the operational life, such as retaining pathways through the site or a site substations".

NPPF (2024)

4.13.12 Paragraph 39 encourages for applicants to engage with the relevant local authorities to understand the socio-economic fabric of an area to enable developments to support and improve the economic, social, and environmental conditions of the land.

4.13.13 Paragraph 85 requires planning decisions to help create the conditions for economic resilience and prosperity, addressing local business needs and wider economic opportunities. Paragraph 86 expects plans to set out strategies that positively encourage sustainable economic growth, including supporting investment in key sectors, employment land, and local infrastructure. Paragraph 88-89 highlights that supporting rural businesses and community facilities is important for rural socio-economic vitality.

4.13.14 Paragraph 96 requires planning decisions to enable healthy, inclusive communities by providing access to local services, public spaces, green infrastructure, and opportunities for active travel-

all of which support socio-economic resilience and public health. Paragraph 98 requires planning to guard against the loss of valued facilities and to ensure that services remain accessible, underpinning the social infrastructure necessary for sustainable communities.

VALP (2013-2033)

4.13.15 VALP Policy S1 Sustainable Development for Aylesbury Vale clearly states that the Local Planning Authority is committed to working proactively with applicants to identify solutions that enhance economic, social, and environmental conditions in the area. This approach aligns with paragraph 39 of the NPPF.

4.13.16 VALP Policy BE3 (Protection of the amenity of residents) states that planning permission would not be granted for developments that unreasonably harm any aspect of an existing or future resident's amenity.

4.13.17 VALP Policy S5 Infrastructure All new development must provide necessary on- and off-site infrastructure as per the Infrastructure Delivery Plan to:

- avoid placing additional burden on the existing community
- avoid or mitigate adverse social, economic, and environmental impacts and
- make good the loss or damage of social, economic, and environmental assets.

Commentary

Economy, Investment and Regeneration (EIR) Service commentary

4.13.18 In November 2025, the Economy, Investment and Regeneration Service ("EIR") provided comments on the Outline Employment, Skills and Supply Chain Plan (such Plan being welcomed as a part of meeting the relevant national policy: NPS EN-1 para 5.13.12). Whilst acknowledging the investment and potential economic benefits arising from the proposal, the Council's comments highlighted concerns over the extent to which these would be felt by Buckinghamshire's residents, particularly given the rural location of the site. We also included brief reference to the potential impact on existing businesses in the vicinity of the proposed development and tourism. Such effects are relevant and important to the decision to be made on consenting the proposal (NPS EN-1, para 5.13.9).

4.13.19 The Applicant's Response to Relevant Representations includes detailed replies to our comments and our views on these are set out in an appendix to this LIR. The Council also note the representations from other interested parties which have emphasised the potential impact on individual businesses, agriculture, and the wider rural economy. We will also consider these to expand on our original point around the potential impact on businesses and tourism. The Council consider harm to local businesses and the economy is a factor pointing against the proposal; however, recognise steps are being taken in mitigation. As detailed below, further mitigation steps should be explored where possible, in line with policy (NPS EN-1, para 5.13.8).

Local Employment and Skills

4.13.20 In summary, we welcome the activities proposed in the OESSCP and welcome opportunities to work with the Applicant to ensure these activities are targeted at Buckinghamshire's residents and businesses. However, as the Applicant acknowledges, even with such activities, the extent to which the economic benefits will be felt locally remains difficult to estimate and ensure.

4.13.21 The location of the Proposed Development remains a barrier to accessing economic opportunities, particularly for those from more deprived communities and those who may not have access to their own transport (particularly young people). In response to our comment on accessibility, the Applicant suggests "harnessing Jobcentre Plus ancillary support to provide job seeker clients with bus transport to the site." This implies that support is dependent on funding from Jobcentre Plus being available. Even if funding was available, it is highly unlikely this would extend to job seekers who are not engaged with Jobcentre Plus. We would recommend that the emphasis should be upon the Applicant funding and arranging transport options, working with partners, but not relying on them and their funding streams, or being constrained by their area of focus or required beneficiaries. We would invite changes to the Outline Plan to reflect this.

4.13.22 Reference is further made to some decisions being the commercial responsibility of appointed contractors. The Council accept that local suppliers may not always be the most economical option, particularly if they are smaller businesses who cannot take advantage of the economies of scale larger companies can. The recruitment of local people may also require more effort and support, again with resource implications. To ensure that commercial decisions are not solely based on finances and recognise wider social benefit, the Council would suggest that the Applicant considers how contractors can be mandated to provide employment, skills, and procurement opportunities locally, and whether quantifiable targets need to be included. We would invite changes to the Outline Plan to reflect how this could be achieved.

The Rural Economy

4.13.23 Whilst the Council's original comments focused upon the local employment, skills, and procurement opportunities, we acknowledged that the Proposed Development would have an impact on businesses within the vicinity of the development, which includes businesses within the tourism sector. Having considered some of the other responses received, it would be pertinent to expand upon this.

4.13.24 The rural economy has an important role to play in contributing to GVA, supporting employment and a diverse range of businesses, particularly SMEs, supporting tourism and the visitor economy and through farming and agriculture, supporting food security. The Proposed Development is in a part of the county that is predominantly rural in nature and therefore has the potential to impact the rural economy. Other responses have drawn particular attention to the loss of land for agricultural use and the impact on businesses, particularly Claydon House, Hogshaw Farm and Wildlife Park, TCS Biosciences, and Preston Farms.

4.13.25 In their Response to Relevant Representations, the Applicant states the "equivalent to 0.65% of agricultural land in Buckinghamshire [is] being taken out of agricultural use for the construction and operation (including maintenance) phases" resulting in the loss of 10 FTEs. The response also states, "Heads of Terms have been agreed for land swaps and financial compensation with

all tenants and landowners, and in some cases, agreements have been finalised." It would be helpful to understand more on the anticipated impact of these land swaps on tenants, landowners, and local agriculture overall.

4.13.26 Data from Defra would suggest that the number of agricultural holdings across Buckinghamshire, and the associated level of employment supported by these, has been declining in recent years. The Council is aware that the pressure on land for alternatives uses is increasing, with other infrastructure projects and residential developments. In November 2025, the Council agreed a motion to support farmers, stating the position "[a] considerable part of Buckinghamshire's economy, character, landscape, and people are engaged in our rural way of life. The rural economy is a vital component of Buckinghamshire's success and prosperity. Buckinghamshire Farmers and their activities should be respected."

4.13.27 It is also worth noting that the UK's Modern Industrial Strategy (2025) identifies eight sectors that will drive economic growth. Advanced manufacturing is one of the eight, with the Advanced Manufacturing Sector Plan including reference to agri-tech and supporting innovation within agriculture. There is therefore a local and national focus upon agriculture and locally, the wider rural economy. It is worth remembering, however, that Clean Energy is also one of the eight growth sectors identified by the government, and whilst solar power is not identified within the Sector Plan as a "frontier" industry, the Plan highlights ongoing support for its deployment.

4.13.28 The Applicant's Response suggests that the views of those businesses most affected have been considered and adjustments made to the proposal accordingly. We note that TCS and Hogshaw Farm and Wildlife Park have both highlighted the negative impact of the proposed development on their business, including the effect on animal welfare, biosecurity, visual amenity and increased traffic and associated disruption. We would be keen to see these, and other businesses, supported, given their existing investment in the county and the permanent employment opportunities they support. It would be useful to understand whether the mitigations and proposed amendments are sufficient to alleviate the concerns of these businesses, which are evidenced, or whether more work is required. The Council would invite ongoing discussions to address this, including whether further changes might be made to the Outline Plan to address these issues.

TCS Biosciences and Preston Farms

4.13.29 The Council is aware of specific concerns related to TCS Biosciences and Preston Farms. This was a matter which came up briefly at CAH1. It is apparent that both businesses are sensitive receptors due to the work they do (the production of diagnostics materials) and that they are the subject of some Government oversight (e.g. through the Home Office). The Council understands from TCS Biosciences and Preston Farms that they are a sufficiently substantial supplier of the NHS and other important clinical and biosciences bodies and institutions that effects on their business could (in principle) have national implications. The Council considers that this is a matter which should be examined in detail.

4.13.30 On its current understanding, the Council is concerned that these businesses will experience a significant negative socio-economic effect as a result of the proposal. However, the evidencing of that effect is ultimately a matter for TCS Biosciences and Preston Farms as interested parties. Where the possibility of such harm is evidenced, the Council invites the Applicant to take further

steps (recognising some steps have already been taken) to mitigate this effect and considers that care should be taken to reflect the residual negative socio-economic effect when deciding whether to grant permission for the proposal.

4.13.31 The Council will comment further on the evidence that TCS Biosciences and Preston Farms submit. The Council recognises that some of this information is likely to be commercially sensitive and invites the Applicant to work with TCS Biosciences and Preston Farms to look at ways to address that sensitivity while putting evidence as needed before the ExA. The Council invites the Applicant to consider further how changes to the DCO and relevant Plans might achieve mitigation for the businesses and is happy to assist in any way it can (including as the Local Planning Authority, which is likely to be the discharging authority for requirements and plans).

Tourism

4.13.32 With respect to tourism, the Applicant's Response to Relevant Representations states, "In most cases, the environmental and accessibility effects on tourism sector receptors is not significant, though it is acknowledged that significant landscape and visual effects would remain for some receptors, following mitigation (Hogshaw Wildlife Park and Claydon House)".

4.13.33 The Response also concludes, in relation to Hogshaw Farm and Wildlife Park and the impacts on visual amenity, "it is not considered that this would affect the viability of the businesses concerned, given their diverse attraction and business model."

4.13.34 It is reasonable to consider that difficulties in accessing such attractions as a result of construction traffic and disruption could deter visitors to the area and its attractions, which would be detrimental to these businesses. In the National Trust's response, for example, reference is made to proposed mitigations, including traffic management plans and regular liaison to minimise disruption. We would encourage ongoing dialogue between the Applicant and appropriate businesses, regular monitoring, and further mitigations if either party consider necessary. Again, this is something that the Council would invite ongoing discussions concerning with the aim of considering further amendments to the Outline Plan.

4.13.35 Similarly, where wider visual amenities, surroundings and views are a key influencer in the decision to visit, the impact on visitor attractions will be greater. Again, it would be useful to understand whether the mitigations proposed are sufficient to allay some of the concerns of local attractions, including Hogshaw Farm and Wildlife Park, who have only just recently invested in enhancing their facilities. In that regard, the Council consider cumulative effects to be important, given the changes to wider visual amenity and landscape in the surrounding area due to other large infrastructure projects (e.g. HS2 and EastWest Rail).

4.13.36 It may be beneficial to consider how the Applicant could assist the visitor economy, through, for example, promotional support and positive messaging around the openness of attractions. We note the Environmental Statement includes a reference to the Visitor Economy Strategy Update from 2023. Unfortunately, the political decision was taken to not proceed with the adoption of the Visitor Economy Strategy and since then, the Council has not been in a position to focus efforts upon the sector. Visit Buckinghamshire, who coordinated tourism activity across the county, have also closed. Efforts to revive the focus on the visitor economy, for the benefit of

businesses in the vicinity as well as the wider local area, would be welcomed. This is something the Council is open to discussing further.

Conclusion on Socio-economic

4.13.37 Overall, the Proposed Development offers some potential for short-term economic gain through construction-phase employment and supply-chain activity; however, the evidence demonstrates that these benefits are unlikely to be strongly or consistently captured within Buckinghamshire. Limited transport accessibility, reliance on commercially driven contractor decisions, and the lack of firm commitments to Applicant-funded access measures all reduce the likelihood of the county's residents—particularly those from more deprived or rural communities—fully benefiting from the opportunities the project could generate. While the OESSCP provides a mechanism to guide activity, the document highlights that much of the economic uplift will be temporary, uncertain in scale, and largely dependent on decisions outside the Council's control. The Council therefore considers the socio-economic benefits to be modest, short-lived and not reliably secured for Buckinghamshire.

4.13.38 Conversely, the evidence points to material and lasting adverse impacts on the rural economy, local businesses, agriculture and the visitor sector. The displacement of agricultural land, risks to sensitive operators such as Claydon House, Hogshaw Farm and Wildlife Park and TCS Biosciences, and concerns around animal welfare, biosecurity, visual amenity and construction-related disruption all indicate a level of harm that is both locally significant and insufficiently mitigated. The Applicant acknowledges that several receptors would continue to experience significant effects even after mitigation, and the Council is not satisfied that adjustments to date adequately address business viability or visitor-economy impacts. Given the existing pressures on the rural economy and the potential for cumulative effects alongside other major infrastructure schemes, the evidence supports a conclusion that the proposal is likely to result in meaningful socio-economic harm unless substantially stronger mitigation and long-term support measures are secured.

4.13.39 Socio-economic Local Impacts: **Negative**

4.14 Resources (Materials) and Waste

Summary of the Local Impact

4.14.1 Buckinghamshire Council has concerns regarding effects of the Proposed Development with regards to materials and waste. Streams and volumes of construction materials and waste disposal are not provided in sufficient detail to be able to fully see how they can be scoped out of assessment. The Council does agree with the decision to scope the assessment out, however, but still consider evidence is needed to support this issue. Provision of the requisite documents will support efficient use of materials and reduced generation of waste.

Key policies/compliance

Table 4-13 - Policies relevant to Materials and Waste

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.15.2, 5.15.3, 5.15.4, 5.15.8, 5.15.9, 5.15.10, 5.15.12, 5.15.14, 5.15.15, 5.15.16, 5.15.17, 5.15.19
NPS for Renewable Energy Infrastructure (EN-3)	N/A
Buckinghamshire Minerals and Waste Local Plan (BMWLP)	Policy 1, 2, 4, 27

Policy Detail

Overarching NPS for Energy (EN-1)

4.14.2 Resource and waste management is addressed in Section 5.15, with some further references in other parts of EN-1.

4.14.3 Paragraph 5.15.2 states that sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order):

- prevention
- preparing for reuse
- recycling
- other recovery, including energy recovery

- disposal

4.14.4 Paragraph 5.15.3 states that the "[d]isposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome". Furthermore, paragraph 5.15.4 states "[a]ll large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements".

4.14.5 Paragraph 5.15.8 states "[t]he applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation, and construction activities".

4.14.6 In addition, para 5.15.9 states that "[t]he arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised, in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation".

4.14.7 Paragraph 5.15.10 explains that "[t]he applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and Towards Zero Waste: Our Waste Strategy for Wales and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome".

4.14.8 In para 5.15.12 it is noted that the UK aims to transition to a circular economy. Applicants should prioritise recycled, reused, low-carbon, and locally sourced materials. Best construction practices should be followed to maximise on-site material reuse and recycling.

4.14.9 In term of Secretary of State decision making, para 5.15.14, states "the Secretary of State should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development".

4.14.10 Paragraph 5.15.15 outlines that "[t]he Secretary of State should be satisfied that:

- *any such waste will be properly managed, both on-site and off-site.*
- *the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area.*

- *adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome".*

4.14.11 Paragraph 5.15.16 states "[w]here necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied". Para 5.15.7 then explains that [t]he Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent".

4.14.12 Paragraph 5.15.19 explains that "[t]he Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023".

NPS for Renewable Energy Infrastructure (EN-3)

4.14.13 There are no relevant policies in relation to materials and waste in NPS EN-3.

NPPF (December 2024)

4.14.14 NPPF addresses waste in a high level way (e.g. see para 8(c)). The 2014 National Planning Policy for Waste is still largely used for large new developments and in supporting the development of local planning policies regarding materials and waste.

VALP (2013-2033)

4.14.15 The VALP policy promotes the value of sourcing sustainable minerals from secondary and recycled supplies, however, refers to the Buckinghamshire Minerals and Waste Local Plan (2016–2036), adopted July 2019. This is the statutory development plan governing minerals use, safeguarding, and all forms of waste management across the county. As such, there are no relevant policies contained within the VALP (2013-2033).

Buckinghamshire Minerals & Waste Local Plan (MWLP) 2016–2036 (adopted July 2019)

4.14.16 Policy 1 requires development to avoid the needless sterilisation of safeguarded sand and gravel resources. Where the development lies within a Mineral Safeguarding Area, applicants must demonstrate that the proposal will not compromise the future ability to extract the resource. This may include evidence showing whether prior extraction is feasible or whether the development is of such a form, duration or location that it would not hinder future mineral working.

4.14.17 Policy 2 sets out the county's approach to managing mineral extraction, focusing sand and gravel working in the Thames and Colne Valleys, with additional provision in the Great Ouse Valley. While the Proposed Development does not constitute mineral extraction, the policy is relevant insofar as it seeks to ensure that other forms of development do not undermine the county's strategic ability to maintain a steady and adequate supply of aggregates. Proposals must therefore demonstrate that they do not impede access to existing or allocated mineral areas.

4.14.18 Policy 4 identifies specific locations that deliver the county's sand and gravel requirements to 2036. Development proposals within or adjacent to these allocations must show that they do not prejudice the future viability, operation or restoration of these sites. Although solar PV development is temporary in nature, it must still ensure that land allocated for mineral extraction is not constrained or sterilised.

4.14.19 Policy 27 provides all development - particularly non-mineral development - should avoid creating conflicts with existing or proposed minerals and waste operations. This includes ensuring that new land uses do not impede access, create amenity conflicts, or limit the operational lifespan of safeguarded or allocated sites. Proposals must demonstrate that they can coexist with mineral uses without resulting in long-term constraints or operational incompatibilities.

Commentary

4.14.20 Considering the comments provided by the Applicant, it is noted that the Environmental Statement Volume 4, Appendix 5.7: Indicative Construction, Operation and Decommissioning Waste [**APP-085]** sets out the potential waste streams and estimated total volumes of waste during construction, operation, and decommissioning. However, the Council remains concerned that such report does not identify whether these waste streams are calculated on a per year or overall scheme basis and does not include waste from compound demobilisation (e.g. aggregate for hardstanding, temporary haul roads etc.). It also does not appear to include construction worker waste / office waste and packaging. The Council also has concerns about the recycling rates not being justified.

4.14.21 It is noted that the Applicant says no soils would be removed from the Site and all aggregate would be recycled on Site unless there is an instance for contaminated soil to be removed. The Council would welcome clarity on whether this is excavated aggregates or includes aggregates brought to Site (such as for construction compounds).

4.14.22 It is noted that the Applicant says there would be minimal packaging and office waste from the Proposed Development, the majority of which would be recycled. However, considering there will be 600 staff on site, it is considered the waste would not be minimal.

4.14.23 The Council understands that some detailed estimates will be provided in the detailed Construction Environmental Management Plan, which is noted.

4.14.24 It is noted that a technical note has been submitted at Procedural Deadline A as Appendix 1 to **[PDA-006]** to provide further detail on the landfill and waste capacity in the region alongside a review of the cumulative schemes and anticipated waste generation. The Council is concerned that a future baseline could have been estimated by extrapolating historic data forward. A baseline study area of the Southeast, bu witht a zone of influence of only 10km seems at odds. The Council notes that the current baseline merges together inert and non-hazardous and does not show hazardous at all, this should be split out as wastes, such as the PV panels, will be non-hazardous or may even be hazardous waste. It is also noted that data is only for decommissioning and does not cover construction (600 staff on their own will generate office type waste) and operation.

4.14.25 The Applicant explains that the Proposed Development Description **[APP-046]** details the materials that are anticipated to and welfare the construction of the Proposed Development, broken down by each component. However, the Rosefield Substation Compound would be 60,000m² in plan and include building(s) such as office, and welfare facilities. The Rosefield Substation includes up to seven main transformers. Each transformer would sit on a concrete base. Each main transformer would be up to 235m^2 in plan – it is noted that nowhere in this section of that document is a summary of the materials needed to construct this and their volumes. Similarly, it is unclear what volume of material is needed to construct the AIL Access Corridor. As with waste it is difficult to understand how traffic numbers have been calculated if material volumes are not known.

4.14.26 The Applicant has considered total waste generation as detailed in Indicative Construction, Operation and Decommissioning Waste **[APP-085]** and has confirmed that vehicle traffic numbers including the delivery and collection of waste and recycling skips have been accounted for within the traffic numbers which have been assessed in the traffic and air quality assessments which is in line with common practice. However, the Council remains concerned that this does not account for worker waste (600 staff), packaging, or waste from demob of temporary construction compounds etc it is difficult to understand that it has taken account of all waste.

Conclusion on Materials and Waste

4.14.27 The Council still has concerns that full consideration of material use, and waste generation has not been given and that outstanding documents or details still need to be provided on this for the council to feel it has been fully addressed.

4.14.28 These concerns undermine confidence that the Applicant has fully reported on the traffic impacts (also covering air and noise) of the Proposed Development, where full material and waste volumes are not known.

4.14.29 Materials and Waste Local impacts: **Negative**

4.15 Climate Change

Summary of the Local Impact

4.15.1 The Council note the position on need for schemes such as the Proposed Development set out earlier in this LIR. As to the Greenhouse Gas ("GHG") emissions of the scheme itself, the whole life assessment is noted, and the Council understands that the Proposed Development will reach carbon payback 11 years into its life. It is accepted and noted that this is an important positive benefit of the scheme. The Council accepts the approach to assessment that has been adopted and also notes and accepts the mitigation measures that the Applicant has adopted in this regard.

Key policies/compliance

Table 4-14 - Policies relevant to Climate Change

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs 5.3.3, 5.3.4, 5.3.5, 5.3.8, 5.3.9, 5.3.10, 5.3.11, 5.3.12
NPS for Renewable Energy Infrastructure (EN-3)	Paragraph 2.4.11, 2.10.19
NPPF (December 2024)	Paragraphs 168(a)), 161, 168(c), 163(c)
NPPG	Climate Change
Vale of Aylesbury Local Plan (VALP)	C3 Renewable Energy

Policy Detail

Overarching NPS for Energy (EN-1)

4.15.2 The Council has noted and reviewed the position on need for the types of infrastructure such as the Proposed Development, and the Government's need for and explanation of Critical National Priority infrastructure. That is not repeated here however it is recognised that this directly goes to the climate change considerations related to the Proposed Development, and (if constructed) its contribution to net zero.

4.15.3 Paragraph 5.3.3 states while all steps should be taken to reduce and mitigate climate change impacts, it is accepted that there will be residual emissions from energy infrastructure. Paragraph 5.3.4 notes that these should be assessed and explains such assessment.

4.15.4 Paragraph 5.3.5 states "[a] GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as

possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero".

4.15.5 Paragraph 5.3.8 explains that "[t]he Secretary of State must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development". Para .5.3.9 goes on to explain that "[t]he Secretary of State should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development".

4.15.6 Paragraph 5.3.10 notes that "[h]owever, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure".

4.15.7 Paragraph 5.3.11 states that "operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than is set out in the energy NPSs".

4.15.8 Paragraph 5.3.12 finally explains that "[o]perational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with the carbon budgets, net zero and our international climate committments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate committments".

NPS for Renewable Energy Infrastructure (EN-3)

4.15.9 Para 2.4.11 states solar is likely to be proposed in low-lying exposed sites. Applicants should consider how the plant will be resilient to increased risk of flooding and the impact of higher temperatures (from a climate resilience perspective).

4.15.10 Para 2.10.19 notes that the design and layout of solar PV development should account for site-specific characteristics, including topography, shading, ground conditions, drainage patterns and exposure to climate-related risks. Applicants should demonstrate that solar arrays have been configured to maximise operational efficiency while ensuring resilience to projected climate conditions, such as increased rainfall intensity, higher ambient temperatures, and potential changes to soil stability. The paragraph emphasises that good design should integrate climate-adaptive measures from the outset, ensuring long-term operability and minimising the need for future corrective interventions.

NPPF (December 2024)

4.15.11 The NPPF provides climate change is a material and mandatory planning consideration. Furthermore, the planning system must support the transition to net-zero by 2050 by reducing greenhouse-gas emissions, increasing renewable energy, and ensuring climate-resilient development.

4.15.12 Authorities must give "significant weight to the benefits" of renewable and low-carbon energy generation and their contribution to a net-zero future (para 168(a)). Paragraph 161 states:

"[t]he planning system should support the transition to net zero by 2050 and take full account of all climate impacts… [i]t should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources… and support renewable and low carbon energy and associated infrastructure".

4.15.13 NPPF paragraph 168(c) supports repowering and life-extension of existing renewables sites by the requirement for local planning authorities to give significant weight to the benefits of utilising an established site.

NPPG

4.15.14 The Climate Change NPPG confirms that planning must play an active role in both mitigating greenhouse gas emissions and adapting development to climate risks, emphasising that Local Plans must include policies that secure mitigation and adaptation in line with the CCA 2008 (paras 001–002) It highlights that spatial planning influences emissions through development distribution, design and transport, and requires strategies that support renewable and low carbon energy, energy efficient design and reduced reliance on fossil fuel transport.

4.15.15 The guidance requires local planning authorities to take future climate risks into account throughout the lifespan of a development. It emphasises the integration of mitigation and adaptation strategies, such as green infrastructure, flood-resilient design, and passive cooling (paras 003–004). The guidance encourages flexible, low-regret adaptation measures backed by evidence, such as Strategic Flood Risk Assessments and climate risk studies. It also stresses the importance of avoiding maladaptation while facilitating long-term resilience.

VALP (2013-2033)

4.15.16 The policy C3 Renewable Energy promotes that all development schemes should look to achieve greater efficiency in the use of natural resources, and notes that renewable and low-carbon systems will be encouraged. It goes on to explain that "[p]lanning permission will normally be granted for off-site renewable energy (for example, but not confined to, wind, solar, biomass and energy crops, anaerobic digestion, and landfill gas), where it has been demonstrated that all the following criteria have been met:

4.15.17 There is no significant adverse effect on landscape or townscape character, ecology and wildlife, heritage assets, whether designated or not, areas or features of historical significance or amenity value.

4.15.18 There is no significant adverse impact on local amenity, health, and quality of life as a result of noise, emissions to the atmosphere, electronic interference, or outlook through unacceptable visual intrusion, and

4.15.19 There is no adverse impact on highway safety. Where development is granted, mitigation measures will be required as appropriate to minimise any environmental impacts. When considering the social and economic benefits, the council will encourage community participation/ownership of a renewable energy scheme."

4.15.20 VALP (paragraph 10.56) aims to mitigate climate change by reducing greenhouse gas emissions and managing flood risks. It also focuses on minimising waste, promoting recycling, recovering value and energy from waste, and protecting water quality in the VALP area to adapt to climate change.

4.15.21 VALP paragraph 10.60 notes that the Council supports renewable and low carbon energy provision wherever any adverse impacts can be addressed satisfactorily. Plus, given the significantly low available capacity in Aylesbury East, where such developments are large scale (over 5MW), they will only be considered by the Council where evidence of a robust feasibility has been conducted for energy storage. The potential local environmental, economic and community benefits of renewable energy schemes will be a key consideration in determining planning applications.

Commentary

4.15.22 The Proposed Development will result in GHG emissions during the construction, operational, and end-of-life phases. Over the lifecycle of the scheme, it will emit approximately 1,191,562 tCO2e, 54% of these emissions will occur during the construction phase (2029-31).

4.15.23 However, the Proposed Development will generate an estimated 12,030,493 MWh of low carbon electricity (99.0 gCO2e/kWh) that will replace fossil-fuel derived electricity (354 gCO2e/kWh for CCGT) within the national network, contributing to the decarbonisation of the UK national electricity network and the UK's ability to meet its carbon reduction targets.

4.15.24 The Proposed Development has a carbon payback period of approximately 11 years. Therefore, due to the generation of low carbon electricity, the scheme is considered to have a significant beneficial effect on the climate. In recognising this figure, the Council accepts the approach taken to assessment of this figure by the Applicant.

4.15.25 As to climate change resilience, the Scheme has been assessed in terms of its vulnerability to climate change. Climate vulnerability is taken to be the degree to which receptors in the study area are susceptible to the effects of climate change, both beneficial and adverse. These effects include slow onset trends in climate as well as project changes to extreme weather.

Conclusion on Climate Change

4.15.26 The Scheme will have a beneficial impact on the climate due to the generation of low carbon energy compared to existing forms of energy generation (e.g. fossil fuels). As the release of GHG emissions impacts the atmosphere on a global scale, there are no specific local impacts resulting from the Scheme.

4.15.27 Climate Change Local impacts: **Positive**

4.16 Cumulative effects

Summary of the Local Impact

4.16.1 Significant and potentially significant cumulative effects are identified for landscape and visual receptors and biodiversity, particularly in combination with other large-scale infrastructure such as HS2, East West Rail and nearby renewable energy schemes. These cumulative effects reflect the evolving infrastructure context around the Site, which compounds many of the effects identified across this LIR.

Mitigation/Improvements

4.16.2 Buckinghamshire Council notes that the Applicant has identified a range of mitigation measures for cumulative effects. As drafted, these relate principally to landscape and ecological matters. However, the Council remains significantly concerned about the cumulative effects of the Proposed Development, including in respect of these issues. There is a notable absence of consideration of other topics previously highlighted as important in this context, including heritage and human health matters. Buckinghamshire Council considers that currently, there is insufficient clarity about how these mitigation measures will be effective in addressing the full range of likely significant cumulative effects, and further detail on scope and implementation is sought.

4.16.3 Buckinghamshire Council is concerned about the cumulative transport implications of the Scheme, when considered in the context of other developments. It is likely that multiple projects will collectively rely on common access routes and contribute to impacts on the same selection of villages and communities. There is insufficient information within the Applicant's submission to satisfy Buckinghamshire Council that robust cumulative transport assessment has been undertaken and that effective mitigation is incorporated.

Key policies/compliance

Table 4-15 – Policies Relevant to Cumulative Effects

Document	Relevant sections/paragraphs
Overarching NPS for Energy (EN-1)	Paragraphs, 4.2.12, 4.3.3, 4.3.19
NPS for Renewable Energy Infrastructure (EN-3)	Paragraph 2.10.26, 2.10.94, 2.10.126, 2.10.141, 2.10.157
NPPF	Paragraph 198
Vale of Aylesbury Local Plan (VALP)	NE1, C3

Policy Detail

Overarching NPS for Energy (EN-1)

4.16.4 Paragraph 4.2.12 states applicants should set out how residual impacts will be compensated for, and how mitigation or compensation measures will be monitored and reported. Cumulative residual impacts should also be considered. This reflects the broader position under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which requires the assessment of cumulative effects with other developments (see regs.1(b), 3(g), Schedule 4 para 5).

4.16.5 Paragraph 4.3.3 requires Environmental Statements to assess likely significant effects, including those that arise cumulatively with other existing, approved or reasonably foreseeable developments. The paragraph makes clear that cumulative effects are a core requirement of the EIA process and must be fully considered in decision making.

4.16.6 Paragraph 4.3.19 confirms that cumulative impacts may influence how the Secretary of State weighs the overall balance of benefits and harms, with cumulative impacts forming part of that judgment.

NPS for Renewable Energy Infrastructure (EN-3)

4.16.7 Paragraph 2.10.26 requires "applicant should consider the cumulative impacts of situating a solar farm in close proximity to other energy generating stations and infrastructure".

4.16.8 Paragraph 2.10.94 states that "[t]he approach to assessing cumulative landscape and visual impact of large-scale solar farms is likely to be the same as assessing other onshore energy infrastructure. Solar farms are likely to be in low lying areas of good exposure and as such may have a wider zone of visual influence than other types of onshore energy infrastructure".

4.16.9 Paragraph 2.10.126 provides that "[w]here a cumulative impact is likely because multiple energy infrastructure developments are proposing to use a common port and/or access route and pass through the same towns and villages, applicants should include a cumulative transport assessment as part of the ES. This should consider the impacts of abnormal traffic movements relating to the project in question in combination with those from any other relevant development. Consultation with the relevant local highways authorities is likely to be necessary".

4.16.10 In addition, para 2.10.141 explains "[w]here cumulative effects on the local road network or residential amenity are predicted from multiple solar farm developments, it may be appropriate for applicants for various projects to work together to ensure that the number of abnormal loads and deliveries are minimised, and the timings of deliveries are managed and coordinated to ensure that disruption to residents and other highway users is reasonably minimised".

4.16.11 Paragraph 2.10.157 outlines "[t]he Secretary of State will consider the landscape and visual impact of any proposed solar PV farm, taking account of any sensitive visual receptors, and the effect of the development on landscape character, together with the possible cumulative effect with any existing or proposed development. Nationally designated landscapes (National Parks,

The Broads and Areas of Outstanding Beauty) are afforded extra protection due their statutory purpose".

NPPF (December 2024)

4.16.12 Paragraph 198 requires planning decisions to ensure that development is appropriate for its location, taking account of the likely effects (including cumulative effects) and the sensitivity of the site and wider area. This reinforces the need for cumulative assessments to form part of the planning balance.

VALP (2013-2033)

4.16.13 NE1 Biodiversity and Geodiversity states development proposals that would lead to an individual or cumulative adverse impact on an internationally or nationally important Protected Site or species, such as SSSIs or irreplaceable habitats such as ancient woodland or ancient trees, will be refused unless exceptional circumstances can be demonstrated, and lists the exceptions including if the benefits of the development at this site significantly and demonstrably outweigh both the impacts or loss can be mitigated and compensated against.

4.16.14 VALP policy C3 Renewable Energy states that all development schemes should look to achieve greater efficiency in the use of natural resources. Planning applications involving renewable energy development will be encouraged, provided that there is no unacceptable adverse impact, including cumulative impact, on the following issues:

- landscape and biodiversity, including designations, protected habitats, and species
- visual impacts on local landscapes
- the historic environment, including designated and non-designated assets and their settings
- the Green Belt, particularly visual impacts on openness
- aviation activities
- highways and access issues, and
- residential amenity.

Commentary

4.16.15 The Applicant's cumulative assessment substantially underestimates the scale, nature and significance of cumulative harm arising in this location. The Proposed Development is not proposed in a neutral or resilient landscape but in the centre of one of the most infrastructure-intensive areas in Buckinghamshire. The cumulative context is exceptional: multiple nationally significant and large-scale developments are already committed, constructed or under construction within close proximity to the site, including HS2, East West Rail, the National Grid East Claydon Substation, the consented East Claydon BESS, the proposed

Greener Grid Park, the Statera BESS, Tuckey Solar Farm, Longbreach Solar Farm, Padbury Brook Solar Farm, the Calvert Energy Park proposals, and the substantial redevelopment of Grendon Prison. These projects coincide spatially, temporally and functionally, creating a unique convergence of industrialising influences across what has historically been a tranquil, rural and ecologically sensitive landscape.

4.16.16 The Applicant's Environmental Statement fails to recognise that cumulative effects in this location are not merely additive but compounding. Each further development introduces new layers of infrastructure, human activity, construction traffic, movement, noise, visual massing, lighting and land-use change, creating a downward trajectory in landscape quality and a progressive erosion of rural character. This is especially pronounced along the elevated views such as the highly valued Bernwood Jubilee Way, where users already experience extensive visibility of HS2 construction compounds, EWR works, and the East Claydon Substation. Introducing a large, industrial-scale BESS into this cumulative baseline would intensify and accelerate an ongoing landscape transformation from rural to industrial, fundamentally altering the experiential qualities of the area.

4.16.17 This part of Buckinghamshire is characterised by a fragile landscape character defined by undulating topography, sweeping views, ancient woodland blocks and quiet rural lanes. These characteristics amplify the magnitude of cumulative effects because each new structure, fence line, hardstanding area or noise-generating element becomes more perceptible in an open, elevated and introspective landscape. The Applicant's inclusion as part of the description of the topography the Site that it is "relatively flat" is not supported by evidence and fails to acknowledge that undulation increases intervisibility, making the cumulative mass of energy infrastructure more prominent from multiple directions and over long distances.

4.16.18 Heritage receptors are also adversely affected in combination. The cumulative industrialisation of the Claydon landscape diminishes the setting of Claydon House (Grade I), its Registered Park and Garden, the Botolph Claydon Conservation Area, and the network of historic farmsteads and medieval landscapes that rely upon a rural backdrop to retain their legibility and meaning. The Applicant limits its cumulative heritage assessment to narrow visual interactions, overlooking broader effects on tranquillity, landscape coherence, and the ability to appreciate the historic evolution of the Claydon estate and surrounding settlements.

4.16.19 Ecologically, the cumulative concentration of major schemes around key woodland complexes, including the proposed Bernwood SSSI, heightens the risk of habitat fragmentation, disturbance and degradation. Multiple energy and infrastructure projects encroaching upon a single bat landscape used by regionally significant populations of Bechstein's and barbastelle bats exacerbate pressures on commuting corridors, foraging habitat and dark skies. The Applicant's chapter does not account for this concentrated pattern of influence, nor does it assess the role of Rosefield in tipping certain ecological pressures beyond thresholds of resilience.

4.16.20 When viewed in the round, the cumulative context is not a peripheral consideration but a key one. NPS EN-1 requires cumulative impacts to be taken into account, and the presumption in favour of Critical National Priority infrastructure does not negate the requirement to avoid and mitigate effects, nor negate the requirement to assess whether residual impacts, in combination with other schemes, result in harm so severe or so exceptional that it outweighs the benefits. In this case, the combined industrialising effects of multiple overlapping developments create

precisely such an exceptional circumstance. The Proposed Development, particularly the BESS and solar panels in ecologically sensitive areas, would materially intensify a cumulative landscape shift already at saturation point, undermining rural character, ecological resilience, heritage settings and the recreational value of the Bernwood Jubilee Way and other PRoWs.

4.16.21 Accordingly, the Applicant's cumulative effects chapter fails to provide a proportionate or accurate evaluation of the cumulative harm arising in this location. A more realistic assessment demonstrates that the proposal would significantly exacerbate an already exceptional cluster of infrastructure, tipping the balance firmly against the development.

Conclusion on cumulative effects

4.16.22 Cumulative Effects Local Impact: **Negative**

5. Comments on DCO

Introduction

5.1.1 This chapter sets out the Council's comments on the draft DCO **[AS-010]**. These comments are not exhaustive, and it is possible that additional comments will be made on the draft DCO during the Examination. The Council would welcome the opportunity to discuss these comments with the Applicant after Deadline 1 (including specific wordings where appropriate).

Table 5-1 - Comments on draft DCO

Article/Req	Text (where appropriate)	Comment
Article 2(1)	Definition of "permitted preliminary works"	The Council has concerns that permits as preliminary works all of Works No.9 and considers that limitations on the extent of those works which can properly be described as preliminary should be explored.
Article 2(1)	Definition of "vegetation removal parameters"	The Council considers the cross-reference is unclear as these parameters are an appendix of the OLEMP. It is considered that the cross-reference in Schedule 13 should make clear that these parameters are Appendix 3 to the OLEMP.
Article 6(1)(e)	Disapplication of s.118 WIA 1991	The Council would welcome clarification on why this provision is being disapplied. It appears to be because Article 18 provides a bespoke regime for discharge, but this is not apparent from any explanation provided.
Article 6(1)(e)		Assuming the Council is correct that Article 18 displaces s.118 as it provides a bespoke regime for discharge of water, the Council suggests that s.106 WIA 1991 should be disapplied on the same basis. Communication with public sewers should be managed through the Article 18 regime.
Article 12		It is noted that this provides for closure of streets and PRoWs, including for temporary works purposes. The Council has concerns that there is insufficient security currently that the Applicant will be required to return the streets and/or PRoWs to the same condition as prior to their use for temporary works purposes, and considers a provision in Article 12 to achieve this may be appropriate.
Article 22(1)	"facilitate, or as is incidental, to it"	Typographical correction. The Council suggests "facilitate it, or as is incidental to it".
Article 37(3)		The Council notes that there is a provision requiring notice to be given to it when no consent is required for the transfer of the benefit of the DCO to another party. No similar notice provision is provided where consent is required and the

Article/Req	Text (where appropriate)	Comment
		Secretary of State will determine the application for consent. The Council suggests that a provision, for the avoidance of doubt, requiring notice to be provided to the Council be included in that circumstance.
Article 37(4)	"State, the relevant planning authorities"	Typographical correction. The Council suggests "State and the relevant planning authorities".
Sch 1 Works 1A	"mounting structures;"	Typographical correction. The Council suggests there should be an "and" after the semi-colon.
Sch 1 final paragraph	Beginning "and further associated..."	The Council wish to bookmark at this stage that a similar provisions are currently the subject of a judicial review in relation to the Gatwick Airport DCO. It may be that the framing of this provision needs to be considered dependent on the outcome of that judicial review.
Sch 2 Req 4	"No part of Works Nos.1 to 7 and 10"	In line with the above concern related to permitted preliminary works, the Council has concerns about the exclusion of all of Works No.9 from the detailed design provision. The Council assumes Works No.8 is not included as the works are temporary, but this is not apparent from any explanation provided.
Sch 2 Req 5	Community liaison group	The Council request that a provision be added that the Council have the power to elect to nominate a representative to be part of the group.
Sch 2 Req 18		The Council note this provision secures decommissioning. The Council currently has concerns that this covers decommissioning in all circumstances (e.g. if the person or body that benefits from the DCO became unable to fulfil the requirements for whatever reason). The Council would welcome the Applicant providing further clarity on how decommissioning is secured in all circumstances.
Sch 2 Req 18(2)(a)	"requirement 3"	Typographical error. Should be requirement 2.
Schedule 8, Part 2		This is addressed in the Highways Section of the LIR. In short, the Highway Authority is concerned that the proposed steps in this part are not set out within the Transport Assessment, and that the Applicant is setting out proposals for up to 1.12km lengths of public highway to be under temporary traffic signal control. This is not considered acceptable to

Article/Req	Text (where appropriate)	Comment
		the Highway Authority without assessment or further justification.
Schedule 16		The Council has some significant concerns about the framework for timings and fees provided for in Schedule 16. The Council and the Applicant have not been in discussion over this Schedule, and the Council would welcome the opportunity to engage in those discussions. For example, the Council has concerns about the short timescales for validation and requesting additional information, the overall timescales for determination (given the deeming provisions), and the approach to fees (including on a refusal). This is a matter that will be addressed further with the Applicant to aim to reach an agreed position.
New addition		In the highways section of the LIR the Council as Highways Authority addresses the process for temporary traffic regulation orders and adoption of works. While the Highways Authority welcomes the principles identified by the Applicant, they do not enable a bond to be taken through a s.278 HA 1980 agreement, which allows the Highway Authority to safeguard against works that do not meet adoptable standards. The Highway Authority requires a similar this provision within the DCO.

Council's Suggested Modifications to Layout

5.1.2 The ExA will be aware that in its Relevant Representations the Council made suggestions as to the modification of the layout of the Proposed Development. This was provided to assist the ExA in understanding what the Council considered to be a Proposed Development with substantially reduced negative effects. The Council at that time (para 18) said that it had concerns that the Proposed Development did not respond to key constraints. Given the position set out in the LIR, the Council maintain that view. The Council suggest that the Applicant consider these suggested amendments once again as modifications which resolve many of the substantial planning concerns that the Council has.

5.1.3 The first issue identified (para 19) was the location of the BESS which is currently proposed in fields D8 and D9. Having considered (among other things) the landscape effects and effects on PRoWs, the Council remain of the view that D8 and D9 are a location with negative effects which are sufficiently substantial (and, in some aspects, significant in EIA terms) calling for the BESS to be located in another location. The Council maintain its view that close to East Claydon Substation would be an appropriate location, given the existing (and proposed) electrical

landscape in that area with the Substation itself but also one consented (and a further one proposed) 500MW BESS. The Council's view, particularly in landscape and visual terms and effects on amenity and use of PRoWs, is that this location is more suitable for the BESS. The Council notes that this is not merely a suggestion that it would be an improvement to the Proposed Development to move the proposed BESS to this location, but rather an avoidance and mitigation measure for effects at D8 and D9 which the Council considers are sufficiently significant that it contributed to the Council's current position that development consent should be withheld.

5.1.4 The Applicant has provided to the Council a letter explaining the BESS location. It has been helpful to see the rationale provided for that location, and particularly for rejecting E10 and E11. The Council does not understand that letter to have yet been submitted to the Examination, and would suggest that this is done so that all parties can comment on it that it (or some document equivalent to it) is submitted. That would allow all parties (including the Council) to provide formal comments on it to the ExA.

5.1.5 However, for the moment, the Council note a small number of points about E10 and E11, when considered in the context of the issues identified throughout the LIR about the existing position for the BESS. In the first place, it is recognised that parts of E10 and E11 sit in flood zone. However, that it not the case for a significant proportion of those fields (and, among other things, E11 and E20 are proposed to have the substation anyway). In the second place, it is recognised that parts of E11 are sufficiently close to Sion Hill Farm to raise concerns about a noise effect. However, that is not the case for a significant proportion of those fields, and the existing and substantial electrical infrastructure (both currently present and proposed through both the Proposed Development but also the reconstruction of the Substation is noted). In the third place it is noted that there are overhead lines related to the substation. However, that is not the case for a significant portion of those fields, and as can be seen with the Statera development which is consented nearby and also has overhead lines, this constraint may be avoided. It is also noted that the location of the lines may remain in doubt due to the works to move the Substation to the west, and also the existing proposal to put some forms of development under the lines.

5.1.6 These factors have been raised with officers and experts internal to the Council where appropriate and the Council considers fields E10 and E11 remain appropriate as a location. Insofar as it is said that the location is insufficiently sized for the BESS development, the Council would welcome clarity on this issue. Particularly noting the reduced size and connection agreement for the Proposed Development (335MW) versus when fields were originally being discounted for development that issue may be resolved in any event. The Council remain open to exploring this issue further with the Applicant as it is considered, in landscape and visual, effects on PRoW, and noise terms this would be a valuable change to the scheme properly and fully applying the mitigation hierarchy.

5.1.7 As to other modifications to the layout of the Proposed Development, these are dealt with in their requisite sections (ecology and landscape). However, in short, it is considered that due to effects on Bechstein's bats and also effects on the Aylesbury Vale Area of Attractive Landscape, it considered that PV (or other electrical infrastructure) should not be built out in B6, B7, B8, B10, B11, D28 and D29. The Council accept that these fields can remain within the redline area

of the Proposed Development, but consider that they should be put to appropriate mitigation rather than for electrical infrastructure.

Summary and conclusion

5.1.8 The Council considers it necessary in this case to set out, in clear terms, the principal considerations that will later need to be weighed by the ExA. This section summarises the extent and seriousness of the harms identified through the Council's assessment, and the matters that are likely to be determinative when the Secretary of State applies the relevant policy tests.

5.1.9 The Council recognises that the Proposed Development is intended to contribute to national objectives for renewable energy generation and to support system resilience through energy storage. These national objectives carry considerable weight under the relevant National Policy Statements. The scheme also offers a limited number of localised benefits, including biodiversity net gain and additional permissive access, although the scale and certainty of these benefits depend on matters which remain unresolved at this stage.

5.1.10 Set against these benefits, the evidence before the Council demonstrates that the Proposed Development gives rise to a series of substantial and interrelated harms. These harms occur across multiple environmental and policy areas and, crucially, they arise within a landscape that is subject to an exceptional cumulative harm from significant national infrastructure projects. The Council has identified potentially significant effects on the Bechstein's bat population, including within areas of nationally recognised ecological value. These concerns are heightened by the Applicant's incomplete adherence to the mitigation hierarchy, the inadequacy of proposed buffers, and the lack of a proportionate alternatives assessment. The residual ecological risk is therefore substantial, and in policy terms this matters attract considerable weight. It is also considered that, given the current position regards compliance with the mitigation hierarchy, the Applicant does not currently apply the approach required in NPS EN-1 para 4.2.10-4.2.12. As a result, the test in para 4.2.14 is not met and the CNP Infrastructure presumption in para 4.2.15 onwards does not arise.

5.1.11 Landscape and visual impacts are also of a serious order. The introduction of large-scale solar infrastructure and the BESS into an undulating and visually open rural landscape would create marked and unavoidable change. These effects would be readily experienced from public viewpoints and valued public rights of way, including the Bernwood Jubilee Way. They would also sit alongside numerous other major schemes in the locality. When viewed cumulatively, the proposal contributes to an accelerating pattern of industrialisation which fundamentally alters the prevailing rural baseline and diminishes the character of the area in a way that mitigation cannot realistically resolve.

5.1.12 The proposal would additionally result in harm to the setting of designated heritage assets. Claydon House, its Registered Park and Garden, and the associated group of listed farmhouses and conservation areas depend for their significance on their relationship with the surrounding rural estate landscape. The introduction of energy infrastructure across this landscape would erode this relationship. Although the harm is less than substantial in NPS terms, it extends to the middle and upper range of that spectrum. National policy requires such harm to be given great weight, and in this case there are no clear or convincing justifications that would diminish that weight.

5.1.13 There are further concerns relating to soil health, agricultural land, arboriculture, rights of way and highways impacts. In each case the residual impacts remain uncertain or adverse, and key elements of mitigation remain insufficiently evidenced or secured. These unresolved matters add to the overall degree of harm and reinforce the Council's wider concerns about the suitability of the location for development of this scale.

5.1.14 Taken together, the extent of ecological, landscape, heritage and cumulative harms, combined with the unresolved technical matters identified throughout this Report, lead the Council to conclude that the adverse effects of the Proposed Development are substantial and multifaceted. They do not occur in isolation but interact across environmental, spatial and functional boundaries. In this context, and on the evidence available, the Council considers that the collective harms arising from the scheme in this location significantly outweigh the benefits identified. Given the nature of certain aspects of the scheme (ecology, landscape, cumulative effect), it is considered this moves the case into the exceptional category. On that basis, the Council's position is that the proposal, as currently presented, does not meet the policy requirements necessary for development of this nature to be supported and that the balance of considerations points firmly against development consent.

6. List of Acronyms

Phrase	Acronym
Agricultural Land Classification	ALC
Archaeology Method Statement	AMS
Annual Exceedance Probability	AEP
Battery Energy Storage System	BESS
Battery Safety Management Plan	BSMP
Best and most versatile land	BMV
Biodiversity Net Gain	BNG
Bioenergy with Carbon Capture and Storage	BECCS
Buckinghamshire Council	BC or the Council
Buckinghamshire Minerals and Waste Local Plan 2016-2036	MWLP
Greenhouse gas	GHG
Construction Environment Management Plan	CEMP
Construction Labour Market Area	CLMA
Core Sustenance Zone	CSZ
Development Consent Order	DCO
Draft Archaeology Method Statement	DAMS
Draft development Consent Order	dDCO
Draft Environmental Management Plan	DEMP
East West Rail	EWR
Environmental Impact Assessment	EIA
Environmental Statement	ES
Examining Authority	ExA
Flood Risk Assessment	FRA
Heavy good vehicle	HGV
High Speed 2	HS2
Interested Party	IP
Kilowatt	kW
Kilowatt-hour	kWh
Landscape visual impact assessment	LVIA
Landscape Environmental Management Plan	LEMP
Landscape Character Assessment	LCA
Local Impact Report (this document)	LIR
Lead Local Flood Authority	LLFA
Local Nature Recovery Strategies	LNRS
Local Planning Authority	LPA
Megawatt	MW
Megawatt-hour	MWh
National Planning Policy Framework	NPPF
National Policy Statement	NPS
Nationally Significant Infrastructure Project	NSIP
Outline Employment, Skills, and Supply Chain Plan	OESSCP

Outline Rights of Way Access Strategy	ORWAS
Outline Soil Management Plan	OSMP
Preliminary impact report	PEIR
Photovoltaic	PV
Planning Act 2008	PA 2008
Planning Inspectorate	PINS
Public Right of Way	PRoW
Rosefield Energyfarm Limited	Applicant
Secretary of State for Energy Security & Net Zero	The SoS
Site of Special Scientific Interest	SSSI
Soil Management Plan	SMP
Statements of Common Ground	SoCG
Supplementary Planning Document	SPD
Sustainable Urban Drainage System	SuDS

7. Appendices

7.1 Appendix A Local Employment Skills-Reference RR-026 (pages 105-113)

Theme	Matter Raised	Applicant's Response	LIR Response
Construction workers	Request for clarification on the number of construction jobs created and where these would be fulfilled from to assess benefit to Buckinghamshire, including workforce spending.	ES Volume 2, Chapter 14: Population [EN010158/APP/6.2] [APP-057] estimates that during the construction phase, a (gross) peak of approximately 600 workers may be on-site at any one time, with the peak extending for the duration of the construction period (i.e. also an average of 600 over the 30-month construction period). Applying average workforce mobility assumptions from industry surveys, and standard additionality assumptions (displacement, leakage) to this figure results in an estimated net additional employment average of approximately 420 to 470 FTEs per year in the CLMA; or 180 FTEs per year in the CLMA Focus Area. It cannot be accurately considered what proportion of this estimate would accrue to Buckinghamshire in terms of economic or employment benefit – such estimates would be determined in part by commercial agreements. Notwithstanding this, Buckinghamshire	Clarification on the number of construction jobs is provided and whilst a figure is provided for the CLMA Focus Area (which includes Buckinghamshire) it is acknowledged that it is not possible to estimate how many will be secured by Buckinghamshire residents. The activities proposed in the Employment, Skills and Supply Chain are welcomed and we would be keen to work with the Applicant to ensure these are targeted at Buckinghamshire residents and to consider specific targets for local recruitment. Even with targeted activity, there remains a strong likelihood of some economic benefits being realised outside rather than within the county.

Theme	Matter Raised	Applicant's Response	LIR Response
		Council is the host authority for the Proposed Development, and the relevant planning authority responsible for approval of the detailed Employment, Skills and Supply Chain Plan, and therefore it would be able to work with the Applicant to direct measures to be secured within the Plan to the primary benefit of its residents and businesses. The Outline Employment, Skills, and Supply Chain [EN010158/APP/7.14] [APP-150] aims to help maximise the positive gain for the local economy from the beneficial effect arising from employment generation	
Employment and Skills	Request for confirmation that employment and skills activities outlined in the Outline ESSCP [EN01058/APP/7.14] [APP-150] would be focused on Buckinghamshire residents, particularly with the CLMA Focus Area which is identified as the area within which to target proactive activity	The CLMA Focus Area (see ES Volume 3, Figure 14.3: CLMA Focus Area [EN010158/APP/6.3] [APP-073]) is principally focused on Buckinghamshire, however it is noted that the Proposed Development is broadly equidistant between major urban areas of Milton Keynes (Milton Keynes), Bicester (Cherwell), and Aylesbury (Buckinghamshire). As such, it is likely that the economic benefit relating to construction employment and supply chain may extend across different local authority areas. However, Buckinghamshire Council is the host	We welcome opportunities to work with the Applicant to try and maximise the skills and employment opportunities for Buckinghamshire residents. We recognise however, that even with focused activity, economic benefits will not be wholly confined to Buckinghamshire based residents and businesses.

Theme	Matter Raised	Applicant's Response	LIR Response
		authority for the Proposed Development, and the relevant planning authority responsible for approval of the detailed Employment, Skills and Supply Chain Plan, and therefore would be able to work with the Applicant to direct measures to be secured within the Plan to the primary benefit of its residents and businesses	
Employment Opportunities	Comment that the rural location of the Proposed Development is difficult to access by public transport, meaning it is unlikely residents in more deprived areas of the county would access employment opportunities and therefore measures to support access to the Proposed Development should be considered.	The Applicant acknowledges that this is a challenge faced by all rural infrastructure schemes and has been raised during engagement on the Outline ESSCP [EN010158/APP/7.14] [APP-150]. Measures targeting communities that have disproportionate levels of multiple deprivation and low social mobility will form part of the Detailed Employment, Skills, and Supply Chain Plan. The organisations closest to those communities would be consulted, including Opportunity Bucks and Jobcentre Plus. Potential solutions discussed during stakeholder engagement included harnessing Jobcentre Plus ancillary support to provide job seeker clients with bus transport to the site.	More consideration needs to be given to access to the site. Jobcentre Plus ancillary support would be dependent upon external funding and limited to those residents engaged with Jobcentre Plus. We would argue for the Applicant to fund transport support that is available to all jobseekers. Without this, the ability for local people to benefit from employment opportunities at the proposed development, especially those from more deprived areas and young people without access to their own transport, will be severely constrained. As a further point, Opportunity Bucks is a programme seeking to support those from more deprived communities, not an organisation.
Construction Workers	Comment that due to other infrastructure projects locally,	Cumulative labour market effects are considered within ES Volume 2 Chapter	The activities proposed in the Outline Employment, Skills and Supply Chain Plan

Theme	Matter Raised	Applicant's Response	LIR Response
	there is high demand for construction workers, which means there may be a shortage of workers with experience and interest in the sector (to which see NPS EN-1 para 5.13.4 bp7). Consideration should therefore be given to whether more intensive effort is needed to reach those who may have less interest in the sector, require re-training or skills development or face barriers to employment, and subsequently whether the Education and Skills Fund is sufficient and how the Outline ESSCP [EN01058/APP/7.14] [APP-150] would be co-ordinated and funded.	17: Cumulative Effects [EN010158/APP/6.2] [APP-060] from paragraph 17.7.46, concluding that, given the scale of the labour market, the characteristics of the construction labour market, the cumulative employment supported (around 2.5% of existing resident construction workers in the CLMA Focus Area today) is likely to result in a low magnitude effect on a medium sensitivity receptor resulting in a temporary, minor beneficial effect (not significant). While the employment, skills and opportunity provided by the cumulative developments reflect a positive contribution to the economic and social policy objectives of local, regional and national policy reported in ES Volume 2, Chapter 14: Population [EN010158/APP/6.2] [APP-057], and therefore present the potential for a beneficial (though not significant) effect, the Applicant is cognisant that stakeholders may be concerned about the ability for the labour market to deliver the number of skilled construction workers without causing shortages in supply, and the policy responsibility for the Applicant to promote employment, skills and supply chain benefits within the	are welcomed. It remains unclear however how the Plan will be co-ordinated and funded and whether there is sufficient resource for more intensive support.

Theme	Matter Raised	Applicant's Response	LIR Response
		local area. As such, the Applicant has produced an Outline ESSCP [EN010158/APP/7.14] [APP-150], with a detailed Skills, Employment and Supply Plan being secured by a Requirement to the Draft DCO [EN010158/APP/3.1.2] [AS-010]. The Outline ESSCP [EN010158/APP/7.14] [APP-150] intends to: • Promote opportunities for people who are employed, unemployed and economically active and young people who are not in Education, Employment or Training to access employment and skills development opportunities; • Create opportunities for businesses to tender for work and join the supply chain of the Proposed Development; • Clearly define the workforce, skills and supply chain requirements of the Proposed Development and articulate these in a clear and timely way to relevant stakeholders involved at a County- and Regional level in supporting education, access to employment, skills development and business engagement; • Harness the motivational potential of the Proposed Development to inspire the next generation of talent, particularly, to confidently invest in a career and future in Buckinghamshire, benefitting all	

Theme	Matter Raised	Applicant's Response	LIR Response
		employers; and, • Contribute to an evidence base to support the planning and delivery of education and skills curricula and training capable of delivering the workforce and skills needed across the County and wider Region, at the right time, to support the business competitiveness of all energy and construction projects. Through the measures to be developed within the Outline ESSCP [EN010158/APP/7.14] [APP-150], existing workers and firms may be able to up/re-skill to the benefit of the Proposed Development but also supporting their own career development and strategic policy objectives to improve the skills base in green construction sectors that will aid future cumulative demand for similar skills across the region's renewable energy sector.	
Longevity of Benefits	Comments that the majority of economic benefits would arise during the comparatively short construction phase relative to the lifetime of the Proposed Development. Request for the Applicant to consider how it can secure longer-benefits with examples including: working	The Statement of Need [EN010158/APP/5.6] [APP-036] explains that the government's stated policy objectives for the energy system are to ensure our energy supplies always remains secure, reliable, affordable, and consistent with achieving net zero by 2050, and that "solar is a key part of the government's strategy for low cost	We welcome the relationships that the Applicant has developed with Buckinghamshire Business First and the skills and sector activity being considered or delivered as a result. We also note the supportive response to the proposed development submitted by Bucks Business First.

Theme	Matter Raised	Applicant's Response	LIR Response
	with other construction employers to broker introductions for employees, equipping individuals with the skills, experience, and connections to secure good employment on completion of construction.	decarbonisation of the energy sector" (NPS EN-1 (2023) Para 2.10.9). As such the Proposed Development would deliver long term benefits through the provision of secure, low-carbon and low-cost energy supplies which will also shield consumers from the effects of volatile international energy markets. Paragraph 2.1.6 of the Outline ESSCP [EN010158/APP/7.14] [APP-150] acknowledges that most of the potential economic benefits from the Proposed Development would arise during the 30-month construction phase. It confirms that those benefits that would arise through the operational phase would be more limited, but they would still provide opportunities for Buckinghamshire residents and businesses. It also confirms that the detailed Employment, Skills, and Supply Chain Plan would incorporate activities relating to both the construction and operation phases. The Applicant would work with Buckinghamshire Council to identify proportionate activities to secure the long-term benefits of the construction phase, within the detailed Employment, Skills and Supply Chain Plan. Section 2.5 of the Outline ESSCP	Whilst these activities may support some longer-term skills and employment opportunities, the majority of direct economic benefits remain temporary and short-term.

Theme	Matter Raised	Applicant's Response	LIR Response
		[EN010158/APP/7.14] [APP-150] states that prosperity of the renewable energy sector, local communities and businesses is increasingly dependent upon inter-agency and cross company collaborations. As part of this, the Applicant has explored with Buckinghamshire Council existing structures that could provide vehicles for this collaboration. Keenly aware of the importance of raising awareness of the Proposed Development across local institutions and embedding collaborative working, the Applicant has entered into a partnership with Bucks Business First (BBF) to become a 2025/6 sponsor for the Bucks Skills Hub and a BBF Ambassador. The Applicant will participate in the well-established, industry-chaired BBF Construction Sector Employer Group, which will connect the Proposed Development with other construction businesses within Buckinghamshire and enable the Applicant and its contractors to create routes for construction workers from the Proposed Development onto other schemes.	
Local Businesses	Comment that the extent of the benefits to local businesses	ES Volume 2, Chapter 14: Population [EN010158/APP/6.2] [APP-057] sets out	The collaboration with Bucks Business First on procurement events is welcomed.

Theme	Matter Raised	Applicant's Response	LIR Response
	would be dependent upon the nature of the supply chain opportunities and the degree to which local businesses can meet these.	an assessment of potential supply chain effects noting that the production of materials, and their installation at the Proposed Development, along with goods and labour associated with the construction activity, will result in indirect economic effects. These effects would largely be determined by where the contracts for materials are procured. It is acknowledged (paragraph 14.8.14) that the level of retention of supply chain benefit varies depending on the project and will be a commercial decision of the contractor who would seek to source materials and employ some local and some regional or even national sub-contractors. As such, the spatial context of supply chain effects could range from local to national depending on the supply and sourcing of construction materials and other supplies. Creating opportunities for businesses to tender for work and join the supply chain of the Proposed Development is a core objective of the Outline ESSCP [EN010158/APP/7.14] [APP-150], with 'Theme 3' specifically concerning measures to open up the supply chain, committing the Applicant and Tier 1 contractors to deliver activities in	The Outline Employment, Skills and Supply Chain Plan refers to contractors actively promoting opportunities locally and participating in market warming events. We note however, the response refers to the supply chain benefits being "a commercial decision of the contractor." We would recommend that contractors are encouraged to consider the wider social value impacts from recruitment and procurement decisions and not to focus solely on the financial costs. If decisions are based on costs alone, the extent to which local businesses, who are predominantly SMEs, are able to benefit could be reduced.

Theme	Matter Raised	Applicant's Response	LIR Response
		collaboration with organisations that engage with businesses, to promote awareness of contracting opportunities for local businesses. Table 2.1 of the Outline ESSCP [EN010158/APP/7.14] [APP-150] sets out how key stakeholders with relationships to business would be engaged to this end. A key local partner would be Bucks Business First, which has agreed to work closely with the Applicant to collaborate on organising and delivering market warming events to signpost potential contracting opportunities to businesses and support their readiness to tender.	
Decommissioning	Note that the Outline ESSCP [EN01058/APP/7.14] [APP-150] does not include the decommissioning phase. Request that the decommissioning stage includes an approach to maximising local employment, skills, and supply chain benefits, utilising the relationships developed through the construction phase activities and applying any learning and best practice from these.	The Outline ESSCP [EN010158/APP/7.14] [APP-150] will be amended and resubmitted into Examination at Deadline 1 to include the decommissioning phase to maximise legacy benefits.	We welcome the extension of activities to support local economic benefit through the decommissioning phase. The Council will review the updated Outline Plan when it becomes available.