



AtkinsRéalis



Rosefield Solar Farm (EN010158)

**Rosefield Solar Farm – Buckinghamshire Council's Comments
to the Examining Authority's Written Questions 1**

Buckinghamshire Council

April 2026

ExQ1	Question to:	Question	Buckinghamshire Council Response
1. General Cross topic questions			
Q1.1.6	The applicant All other interested parties	<p>Solar Roadmap 2025</p> <p>The applicant and all interested parties are invited to make comments or representations about the Solar Roadmap 2025 and its applicability and implications for the proposed development.</p>	<p>The Council notes the contents of the Solar Roadmap 2025, and particularly Part 7 related to Planning and supporting schemes. The Roadmap sets out what changes were (at the time) being made to national policy to direct weight in the planning balance in favour of clean energy projects such as solar development. The Roadmap notes that the NPSs were updated in 2024 and include the recognition of solar as CNP infrastructure (with the relevant policy applying to it as a result). That policy favour has continued in the most recent NPSs. As such, the Council considers that the NPSs properly reflect the Solar Roadmap in the way described in Part 7, and that a decision properly in line with the NPSs (along with all other relevant planning considerations) will accord with the Roadmap. It is unlikely that an independent focus is required on the Roadmap, beyond recognising how it is reflected in national policy.</p>
5. Air Quality			
Q1.5.6	Buckinghamshire Council	<p>Mitigation or monitoring</p> <p>Do you have any outstanding requests for amendments to any of the control documents regarding air quality mitigation or monitoring? If so, set out what these are and why you consider them necessary.</p>	<p>There are no outstanding requests for amendments regarding air quality mitigation or monitoring within the outline CEMP(Tracked) (Rev 2) [REP1-079] or outline OEMP (Tracked) (Rev2) [REP1-081].</p> <p>The outline DEMP (Tracked) (Rev. 2) [REP1-083] sets out air quality mitigation measures considered necessary during the decommissioning phase. However, as stated in the Council’s Local Impact Report (LIR) [REP1-112], decommissioning is anticipated to take place approximately 40 years after commissioning. Given this timescale, it is not feasible to accurately predict the air quality conditions or the specific mitigation measures that will be required at that point in time. Accordingly, it is considered necessary that a new air quality assessment be undertaken immediately prior to decommissioning. The findings of this assessment should inform the final Dust Management Plan to be implemented during decommissioning works. This approach will ensure that prevailing air quality conditions are appropriately assessed and that the mitigation measures proposed are proportionate, relevant and effective for the conditions at the time of decommissioning</p> <p>As outlined within the Council’s LIR [REP1-112] clarity is sought on operational traffic movements and the enforceability of staff minibuss arrangements to ensure that traffic related air quality impacts remain within the parameters assessed. The Examining Authority has also asked this question of the applicant. This may result in the requirement for additional air quality mitigation measures to be added to the control documents.</p> <p>It is acknowledged that the outline CEMP (Tracked) (Rev. 2) [REP1-079], outline OEMP (Tracked) (Rev. 2) [REP1-081] and outline DEMP (Tracked) (Rev. 2) [REP1-083] have been updated to confirm that the applicant will liaise with TCS Biosciences and Preston Farms during the preparation of the detailed CEMP, OEMP and DEMP, and subsequently throughout the construction, operational and decommissioning phases.</p>

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			<p>The applicant has also identified specific measures to be included within each document which are intended to address the sensitivities of nearby businesses, as highlighted by the Council at paragraph 4.12.2 of the Local Impact Report [REP1-112]. These updates are welcomed. The Council notes, however, that it will be for local businesses to raise any specific concerns that they may have about these updates and how they will operate to avoid and mitigate harms to their business, and the Council will consider any submissions to the Examination in considering this issue further.</p>
7. Biodiversity and Ecology			
Q1.7.1	<p>Natural England, Buckinghamshire Council, Environment Agency, Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT), Claydons Solar Action Group (CSAG)</p>	<p>General - review of deadline 1 documents Review the updates to the application documents (see table 1 of the applicant’s cover letter [REP1-001] for an overview of the updated documents) and the additional documents (see table 2 of the applicant’s cover letter) submitted at deadline 1, the applicant’s responses to the relevant representations [PDA-006] and confirm whether the comments or amendments have addressed your concerns regarding the impacts on biodiversity and ecology (as applicable). If the changes have not sufficiently addressed your concerns, set out how the documents could be further updated to overcome them.</p>	<p><u>Arboricultural impacts - Survey data: methodology and accuracy:</u></p> <p>The Council notes the Applicant’s explanation that the arboricultural baseline was informed by both ground survey and drone-derived survey data, and that the drone survey is said to have been supported by high-density ground control points and to provide survey-grade positional accuracy. The Council also notes the Applicant’s statement that aerial data did not replace BS 5837-compliant ground-based assessment. However, the Council’s concern is not resolved by those statements alone. The AIA itself confirms that inspection was restricted in numerous areas because trees were located in hedgerows or on ditch edges, which restricted views and the ability to measure stem dimensions, while also confirming that trees were plotted using aerial drone survey topographical base mapping.</p> <p>In the Council’s view, further clarity is still required to demonstrate that:</p> <ul style="list-style-type: none"> • all stem measurements, categorisations and condition assessments were undertaken through direct ground-based inspection in accordance with BS 5837:2012; • aerial data was used for positional plotting only, rather than to fill gaps in arboricultural attribute data; • any access constraints did not materially affect measurement accuracy, categorisation, crown spread plotting, or the identification of constraints; and • any conflicts or gaps between the two datasets were resolved in a way that does not affect RPAs, stand-off distances, fencing alignment or layout decisions in arboriculturally sensitive locations. <p>This is important because the arboricultural baseline directly informs the layout of buffers, protective fencing, cabling, access routes, drainage features and highway works. Where baseline information is not demonstrably precise and fully ground-verified, there remains a risk that RPAs, stem positions and canopy extents may not be accurately represented, with consequent implications for the effectiveness of avoidance and mitigation measures. That concern is heightened in this case by the number of veteran trees, important hedgerows and sensitive woodland edges present within and adjacent to the Order Limits.</p>

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			<p>The Council’s position therefore remains that, notwithstanding the further explanation now provided, the application has not yet demonstrated with sufficient certainty that the arboricultural baseline is robust across all areas where sensitive features may be affected.</p> <p>The Council remains concerned that woodland features have not always been clearly or consistently classified within the arboricultural assessment. The AIA states that there are numerous large woodlands recorded, but it then specifically notes only ancient semi-natural woodland in the data tables. The Applicant’s response states that BS 5837 distinguishes woodland from groups but does not require a particular suffix such as “W”, and says that woodland parcels are already identifiable in the schedule.</p> <p>The Council’s concern, however, is not about the use or non-use of a suffix. It is about whether features functioning as woodland systems have been assessed as such, rather than being treated simply as groups of trees. This distinction matters because woodland functions as an interconnected ecological and structural unit, with shared rooting environments, common soil conditions and sensitive edge processes. If woodland is treated as a group of individual trees, there is a risk that the assessment focuses too heavily on individual stems and RPAs and insufficiently on woodland edge effects, microclimate, shared rooting environments and indirect impacts from nearby construction and operation.</p> <p>That issue has direct implications for:</p> <ul style="list-style-type: none"> • the derivation of buffer distances; • the assessment of edge disturbance; • the identification of indirect impacts from drainage, access and construction activity; and • the long-term resilience of woodland edge trees and woodland structure over the 40-year operational life of the scheme. <p>The Council therefore remains of the view that greater clarity is required as to:</p> <ul style="list-style-type: none"> • which recorded features are properly functioning woodland parcels; • how those have been distinguished from ordinary tree groups; • and how the assessment and buffer strategy have been adapted to reflect woodland as an integrated system rather than a collection of individual trees. <p>Until that is clarified, uncertainty remains as to whether woodland edge sensitivity and indirect woodland effects have been fully captured in the assessment.</p>

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			<p>Ecology</p> <p>The additional documents have addressed our concerns regarding:</p> <ol style="list-style-type: none"> 1. The requirements for further surveys, which have been addressed via proposed measures within the outline CEMP [REP1-078] and Outline LEMP [REP1-086] requiring pre-construction assessments for these species. 2. We agree that further surveys are not required. <p>The additional documents have not addressed our concerns regarding, among other things:</p> <ol style="list-style-type: none"> 1. The assessment conclusions for Bechstein bats. <p>Existing ecological data demonstrates there is an isolated and genetically distinct, population of rare Bechstein’s bats present in this area which is of national significance. There have been a number of recent scientific papers that suggest that solar panels may have a displacement effect on some species of bats¹. The Bat Conservation Trust put out a call for evidence on bats and solar farms in October 2025². Panels are being placed both in fields known to have been used by Bechstein’s bats to forage (hence potentially reducing the bats available feeding resource which requires close proximity to ancient woodlands) and between adjacent ancient woodlands (which reduces the crucial ecological connectivity in the area for all bats and in particular Bechstein’s bats). A precautionary approach would therefore be to conclude that the impact on the Bechstein’s bat population by the proposals would be significant and would result in substantial harm to the bat population (as explained in the Council’s LIR para 4.3.55).</p> <p>The applicant has submitted a Bat Technical Study [REP1-105] to provide additional information requested by Natural England. The technical study has attempted to consider whether construction noise or operational noise may impact the bats and also whether the placement of panels within pasture fields grazed by cattle would reduce the foraging resource for bats.</p> <p>The Technical Study has summarized the research relating to the types of invertebrates that <i>Myotis</i> species feed on and how livestock and the type of livestock management has an impact on the invertebrates present for the bats to forage. There is a general consensus within the research that there is a positive correlation between livestock</p>

¹ Tinsley, E.; Froideveaux, J.S.P; Zsebők, S.; Szabadi, K.L.; and Jones, G. (2023). Renewable energies and biodiversity: Impact of ground- mounted solar photovoltaic sites on bat activity. *Journal of Applied Ecology* 60, 1752–1762. [Summarized here: [Bats are avoiding solar farms and scientists aren't sure why – Cabot Institute for the Environment blog](#)]

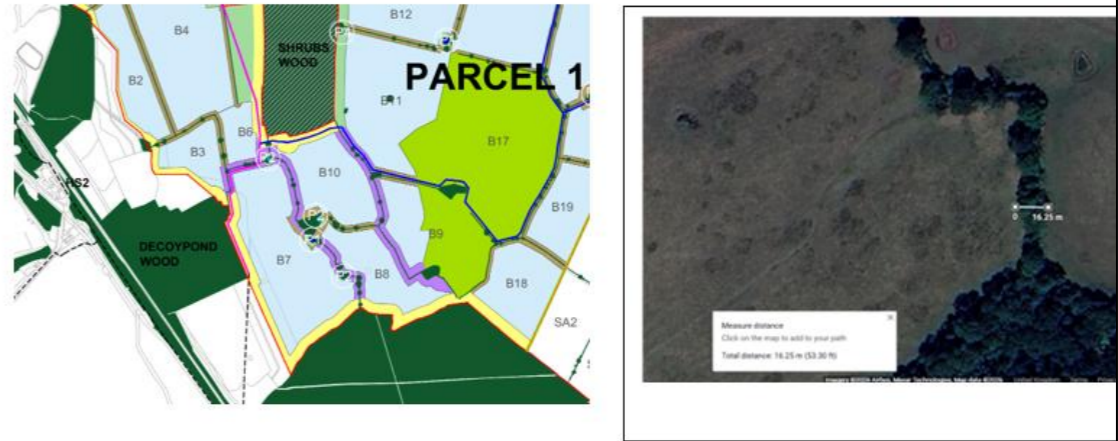
² <https://www.bats.org.uk/news/2025/10/call-for-evidence-impacts-of-solar-farms-on-bats>

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			<p>and increased invertebrates available for bats to forage. While the research to date has considered cattle grazing, the relationship with sheep has not been investigated. The technical study has attempted to compare the insect communities associated with sheep and cattle, but has only considered this at a high level; that sheep dung also attracts flies and moths, rather than considering the species assemblages associated with cattle vs sheep.</p> <p>The additional information has not addressed the council's concerns that solar farms may be displacing bats for reasons which are not yet understood. The placement of panels in these fields therefore could make them unsuitable for bats to forage, even if livestock are present.</p> <p>The technical study has also attempted to compare the numbers of bats using boundary features with the numbers using the open fields, concluding that there are more bats using boundary features than the open fields, asserting that the open fields are therefore not important for Bechstein's bat at this site. There is a significant issue in the methodology in that only one detector was placed within the open fields. Detectors can only detect bats that come within close range; often within approximately 5m), whilst this method of detection works well along a boundary feature; as bats will mostly fly within close proximity to the detector when following a boundary, it doesn't work for a large open area where the bats could be using space not in close proximity to the detector. Whilst this has been mentioned as a limitation within the study, it has been overlooked when conclusions have been drawn. The council therefore does not consider that this study is suitable to inform decision making and instead refers to previous evidence^{3,4} which indicates Bechstein's bats do forage in open fields and in particular pasture grazed by cattle.</p> <p>2. The methodology used to measure proposed buffers for hedgerows and woodland.</p> <p>The proposed buffers for hedgerows and woodland are being incorrectly measured from the centre point of each hedgerow. The applicant has stated the reason for this is to provide consistency across the site. While this could be acceptable for 'standard width' hedgerows (e.g. 3m width stated by Natural England), there are several existing hedgerows in the site that have widths in excess of 3m stated by Natural England. Examples of these include the corridors around fields B7, B8 & B10 which comprise important links to existing woodlands: Sheephouse Wood, Decoy Pond Wood and Shrubs Wood. The hedgerow linking these woodlands exceeds 16m in width in many sections. Taking the central point of hedges this wide to calculate the buffer is not considered proportionate or acceptable. The map below from Appendix 2.A of the LEMP [REP1-086] shows the purple mitigation corridor for bats alongside aerial</p>

³ Wright, P. (2018). Monitoring population size, structure and change in Bechstein's bat (*Myotis bechsteinii*): combined approaches using molecular and landscape ecology. Available online: <https://www.proquest.com/openview/1274d38b84eba1cb628cfaa04232ff9c/1?cbl=51922&diss=y&pq-origsite=gscholar> (Accessed April 2025).

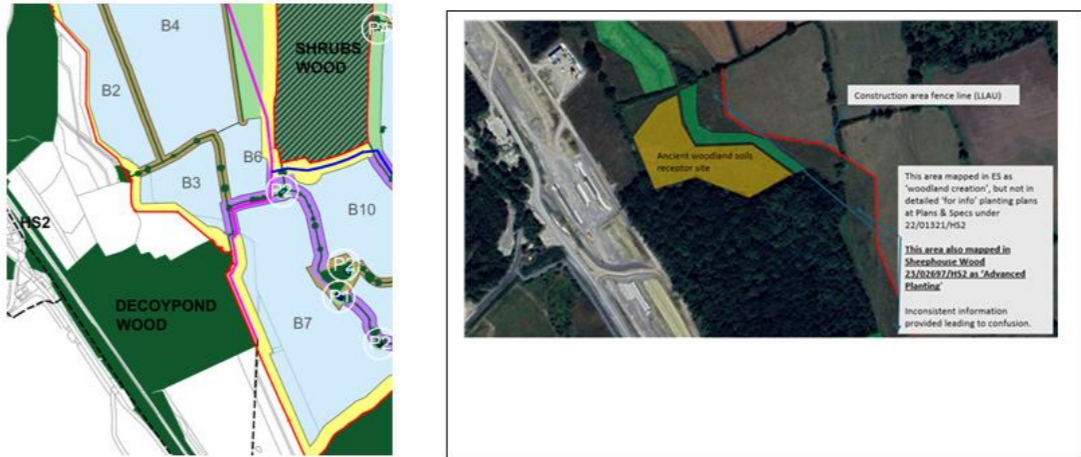
⁴ Andrews H & McGill J (2022). Account of Bat Prey Species Associations (BPSA) for bats resident in the British Isles – 2022. AECOL – Andrews Ecology, Barnstaple. Available online: AECOL-2022-BAT-PREY-SPECIES-ASSOCIATIONS v2-25th-August.pdf

imagery with measurements south of pond P2. The applicant needs to review hedgerows across the site to ensure appropriate buffers are established at the thresholds they have agreed.



The need for early planting of the bat mitigation corridor in purple has been recognised within the LEMP document. We need detail of when this will be planted as this corridor is also part of the associated Biodiversity Net Gain (BNG) calculations.

Field B3 will also need to be re-assessed as it currently shows solar array in areas where existing HS2 buffer planting has already occurred. A buffer of the same scale to those described (i.e. 30m) will also be required at this section as illustrated below



3. The need to reduce the extent of the solar panels to avoid harm to commuting and foraging bats and propose an appropriate bat monitoring scheme.

Infrastructure within fields B6, B7, B8, B10, B11 between Shrubs Wood and Sheeppouse Wood SSSI, and fields D28 and D29 between Finemere SSSI and Runts Wood has the greatest potential to result in significant impacts on Bechstein’s bat by

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			<p>severing / impacting known existing foraging and commuting routes. The impact could be avoided by the removal of panels and infrastructure from these locations.</p> <p>We require details of the proposed bat monitoring scheme to ensure adequate levels of assessments are implemented to fully inform on the species of concern, Bechstein's Bat. We would expect consistency with the monitoring programme for HS2 ensuring ensure cumulative impacts of both schemes are fully considered. Discussion with Natural England will be required due to the Licencing requirements for this level of monitoring.</p>
Q1.7.7	The applicant	<p>Environmental Improvement Plan 2023 and Local Nature Recovery Strategy for Buckinghamshire and Milton Keynes</p> <p>Buckinghamshire Council suggests [REP1-112] that the potentially significant effects identified on Bechstein's bats appear to contravene goal 1 of the Environmental Improvement Plan 2023 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.</p> <p>1. Do you agree with these statements? If not, why not?</p> <p>If the effects on Bechstein's bats were determined to be significant (rather than potentially significant) do you consider that this would result in conflict with the aims of the Environmental Improvement Plan 2023 or Local Nature Recovery Strategy for Buckinghamshire and Milton Keynes?</p>	<p>Bechstein's bat are a Key Species identified within the Local Nature Recovery Strategy. The site is within a Target Area for Species Recovery; Grendon Greatmoor. Where the target is to 'Expand SSSI areas and manage areas linking primary sites for biodiversity; particularly bats, old trees, various neutral grasslands and damper areas. See also Shortlist Species/assemblage measures Duke of Burgundy Fritillary butterfly, Blackthorn Butterflies and Moths'</p> <p>The Council would consider a scheme which had a significant impact on Bechstein's bats to be at conflict with the aims of the Local Nature Recovery Strategy for Buckinghamshire and Milton Keynes.</p>
Q1.7.10	Buckinghamshire Council, North Bucks Bat Group, BBOWT, CSAG	<p>Surveys of Bechstein's bats</p> <p>Provide a view on Natural England's position regarding the survey work for Bechstein's bats [RR-203], AS-038, REP1-124 – to what extent do you agree or disagree with this and why?</p>	<p>Natural England's response (23 Jan 2026) [AS-038] has explained they did not consider the Rosefield development should undertake radio tracking due to concerns about further disturbance to the bat population from the invasive surveying methodology. They acknowledge that the only way to gather sufficient information about the use of the area would be to undertake trapping and radio tracking. Natural England recommends that as the value of the area for Bechstein's bats has already been demonstrated to be high, everything possible should be done to avoid any impact, which includes not placing panels or other infrastructure in parcels B6, B7 and B8.</p> <p>Buckinghamshire Council has already raised concerns about the reliance on older survey data due to recent significant changes to the landscape from the construction of HS2. It is possible that the way in which the landscape is used by bats for roosting, foraging and commuting may have changed recently due to the impacts of the HS2 scheme in this location.</p> <p>The Council agree with Natural England that trapping and radio tracking surveys are themselves highly invasive and that it is not desirable to increase the pressure on this vulnerable population of Bechstein's bats. We also agree with Natural England that existing information has demonstrated that there is an isolated, genetically distinct and</p>

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			<p>therefore vulnerable, population of rare Bechstein's bats present in this area that has the potential to be adversely affected by the impacts of this proposed development.</p> <p>We disagree in relation to the degree of reliance on older data when designing specific avoidance and mitigation measures based on the identification of specific roosts and core sustenance zones identified by the previous surveys. Instead, we recommend that a more precautionary approach is adopted which recognises that further areas of this landscape may also now, or in the near future, be providing roosting sites or core sustenance zones due to the recent disturbance of the bats caused by HS2.</p>
Q1.7.24	The applicant, Natural England, Buckinghamshire Council, BBOWT	<p>Monitoring</p> <p>The applicant:</p> <ol style="list-style-type: none"> 1. The oOEMP [REP1-080] refers to the need for monitoring of bat activity during the operation of the proposed development. The oLEMP [REP1-086] provides more information on the requirements for a bat monitoring strategy. Whilst oLEMP states that this would be developed in consultation with Natural England, it does not require their agreement, nor does it require that Buckinghamshire Council or the BBOWT are party to its agreement – why is this? 2. The oLEMP refers to a monitoring report which would be produced following bat surveys at year 1, 3, 5 and 10 of operation, and would detail any actions or adaptive management practices required where appropriate, which would be actioned before the next monitoring survey visit where possible. 3. Who would review the monitoring report? 4. If it were found that the existing mitigation measures were not effective, what additional measures could be put in place to mitigate the effects and who would agree that they are suitable? 5. The aforementioned wording of the oLEMP suggests that implementing additional mitigation measures between surveys may not be possible. Why would it not be possible to implement additional measures given that the surveys are proposed a number of years apart? 6. The ExA also notes that Buckinghamshire Council suggest [REP1-112] that a more comprehensive monitoring programme in the form of a detailed research project is required for the proposed development. Is this something which you would be prepared to accommodate? If not, why not? <p>Natural England, Buckinghamshire Council and BBOWT: do you consider that you should be consulted on, and approve the details of any proposed monitoring of bat activity during the operation of the proposed development, including any monitoring reports and adaptive mitigation measures – justify your answer.</p>	<p>Yes, Buckinghamshire Council considers that we should be consulted on and approve the details of the monitoring strategy for bats as well as agree the need for, and details of, any adaptive mitigation measures in the longer term where monitoring indicates that they are necessary. This is required to have confidence that the monitoring will be undertaken, that mitigation will be put in place where deemed necessary and provide a mechanism by which enforcement of non-compliance could be achieved.</p>

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7.2 Biodiversity Net Gain			
Q1.7.5	Buckinghamshire Council	<p>BNG calculation</p> <p>The ExA notes your comments in your Local Impact Report [REP1-112] regarding the weight to be offered to the benefits from BNG in the planning balance. However, confirm whether you consider that the calculations and methodology of the Biodiversity Net Gain Assessment [REP1-060] to be accurate.</p>	<p>The applicant has submitted a Biodiversity Net Gain Assessment Report (March 2026) [REP1-060] which presents the results of a Biodiversity Net Gain (BNG) Assessment. The biodiversity metric has not been provided and therefore a review of the calculations is not possible. Buckinghamshire Council would welcome the opportunity to review the calculations once the statutory biodiversity metric in Excel form has been provided as requested by the Examining Authority within Q1.7.2.</p> <p>Buckinghamshire Council has reviewed the methodology used for the Biodiversity Net Gain Assessment as presented within the Biodiversity Net Gain Assessment Report (March 2026).</p> <p>The baseline value has been informed by the results of UK Habitat Classification Surveys carried out between 2023 and 2025. We agree that the baseline habitats have been correctly identified.</p> <p>The post-development biodiversity value has been based on the Outline Landscape and Ecological Management Plan (Outline LEMP) [REP1-086] alongside other relevant documents. We agree that the post-development habitats as shown on the post development habitat plan are realistic and supported by the Outline LEMP.</p> <p>The applicant has used the Government’s statutory biodiversity metric which comprises an excel calculator (the biodiversity metric calculation tool), a user guide, and biodiversity metric condition assessments. The statutory biodiversity metric is considered to be the correct tool to calculate changes to biodiversity value and is proposed⁵ to be the tool used by NSIPs which are captured by the BNG Regulations when they are likely to come into effect in May 2026.</p> <p>There are some differences between the methodology used by the applicant and the methodology set out within the biodiversity metric user guide, discussed further below. We do not agree with the use of an alternative methodology to that set out within the statutory biodiversity metric user guide and therefore do not agree that the calculations are accurate. The Council may be able to comment further once it has seen the metric in Excel format.</p> <p>Trading Rules</p> <p>The applicant has entered the arable field margins into the metric as other neutral grassland to avoid needing to meet trading rules. The metric trading rules require that habitats are replaced on a like-for-like or better basis. This would require that arable field margins are replaced with either a medium distinctiveness cropland habitat or a</p>

⁵ OFFSEN FINAL Consultation on BNG for NSIPs May 2025.pdf

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			<p>higher distinctiveness habitat from another broad habitat type. This means that Rule 1 (Trading Rules) of the Biodiversity Metric has not been met. The metric user guide⁶ states 'You must follow the biodiversity metric rules set out in table 2. If you do not follow these rules, you cannot claim a biodiversity net gain.'</p> <p>Recording Individual Trees</p> <p>The applicant has not followed the methodology set out within the biodiversity metric user guide for recording individual trees. The user guide is clear that any medium or large trees to be removed need to be included within the baseline habitat value, even where they are also within a hedgerow or line of trees but that trees planted as part of a new hedgerow creation or enhancement must not be counted as individual trees within the post-development calculation. The applicant has included newly planted hedgerow trees within the post-development habitat value calculations, contrary to the user guide.</p> <p>Local Nature Recovery Strategy (LNRS)</p> <p>Buckinghamshire Council published its Local Nature Recovery Strategy⁷ (LNRS) in the autumn of 2025. The LNRS should now be referred to when assigning strategic significance within the biodiversity metric.</p> <p>Creation in advance</p> <p>The applicant has used the 'creation in advance' function within the metric for some of the woodland blocks and new hedgerows. Buckinghamshire Council require evidence that these habitats will be created a year ahead of construction as proposed. The Outline LEMP doesn't make any firm commitment to planting a year ahead of construction.</p> <p>Feasibility of creating species rich grassland</p> <p>The post-development habitats have included the creation of species rich grassland; other neutral grassland in good condition. However, the creation of species rich grassland requires low soil nutrient levels alongside suitable management. The Outline LEMP has stated that the farmland currently receives fertiliser and likely has high soil nutrient levels. No soil samples have been undertaken to inform whether species rich grassland could be achieved within the site. Soil stripping to remove nutrients is expensive and other techniques can take many years before the soils are suitable. Without evidence that the existing conditions are suitable for the creation of species rich grassland it should be assumed that only 'poor' condition could be reached.</p> <p>Buckinghamshire Council recommends that the above issues are addressed before the resulting BNG values are used in decision making.</p>

⁶ [The Statutory Biodiversity Metric](#)

⁷ [The Local Nature Recovery Strategy \(LNRS\) | Buckinghamshire Council](#)

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10. Cultural Heritage			
Q1.10.2	The applicant Buckinghamshire Council	<p>NPS EN-3</p> <p>Paragraph 2.10.110 of NPS EN-3 acknowledges that solar photovoltaic (PV) developments may have a positive effect on cultural heritage, for example archaeological assets may be protected by a solar PV farm as the site is removed from regular ploughing and the use of shoes, or low-level piling is stipulated as footings for solar pv modules. The ExA notes the references at paragraph 5.1.1 in the draft Archaeological Management Strategy (dAMS) [REP1-094] to the “Use of non-intrusive foundations for Solar PV modules in areas of sensitive archaeological remains...”. However, the paragraph also indicates that such mitigation “could” be included, “where allowed”. Should the dAMS provide a firm commitment to use non-intrusive foundations in areas of sensitive archaeological remains? If not, why not? To what extent has the order limits been subject to regular ploughing?</p>	<p>This should follow best practice and does not need to be secured through a firm commitment. The applicant’s overarching aim is to minimise the impact of the development on the archaeological resource and to preserve and record archaeological features as appropriate proportionally to the significance of the heritage assets (DAMS 3.1.1). As such non-intrusive foundations do not need to be secured as a firm commitment as they are one approach, as other measures may be following best practice as included in the updated DAMS and the solar farm good practice guide which.</p> <p>The Council understand that ‘where allowed’ in dAMS [REP1-094] paragraph 5.1.1 relates to where large infrastructure cannot be moved following consent then the archaeology could not be preserved. Significant archaeology can be found when not expected even though appropriate evaluation has been undertaken. Where this cannot be achieved then it is excavated. The current wording of the DAMS is considered appropriate at this stage and will be updated as appropriate. The Council considers section 3.1, and para 1.1.4 and 4.1.3 particularly useful in this regard.</p>
Q1.10.3	Buckinghamshire Council	<p>Scope of the assessment</p> <p>Paragraph 80 of Buckinghamshire Council’s relevant representation [RR-026] identified concerns regarding scoping in certain listed buildings that are within conservation areas. The applicant’s subsequent response [PDA-006] indicates that the list of assets scoped into ES Chapter 9 [APP-052] was agreed with Buckinghamshire Council’s built heritage advisor as noted in table 9.1. Confirm if the Council agree with the scope of the assessment. If not, why not?</p>	<p>The Council agree with the scope of the assessment in relation to which receptors require assessment. The meeting where the applicant agreed to assess the listed buildings in conservation areas individually took place on 12 August 2025. This is addressed in the Statement of Common Ground that is in the process of being issued. The council does not agree with the analysis of the contribution of the receptors’ setting to their significance in a number of instances.</p> <p>The comment in the relevant representation (paragraph 80) relates to the reasons mentioned by the applicant in their assessment as to why the council requested the inclusion of certain listed buildings in conservation areas, which was incorrect. The issue relating to the need to distinguish between different designations and individual heritage assets it is set out in that paragraph and relates both to policy requirements and differing aspects of the contribution of setting to significance for different heritage assets.</p>
Q1.10.12	Buckinghamshire Council	<p>Proposed East Claydon Conservation Area</p> <p>The Claydons Solar Action Group’s written representation [REP1-127] indicates that there is a proposal to designate a new conservation area at East Claydon. Provide details for the timescales of any such proposals and confirm any implications for the applicant’s assessment of cultural heritage.</p>	<p>The designation of East Claydon as conservation area is expected to to be at public consultation by late summer early autumn 2026.</p> <p>During the preparation of the ES, Buckinghamshire Council advised the applicant’s Historic Environment specialist that East Claydon was being considered as a potential conservation area and that it was of a similar age and level of significance to Botolph Claydon Conservation Area. The applicant’s Historic Environment specialist agreed that it was similar and would be treated as an area with the same level of significance in the assessment. The application assesses this in the Environmental Statement Volume 2 Chapter 9 - Cultural Heritage [APP-052] (Table 9.2, p.44, paragraphs 9.10.43, p.113,</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>9.10.97, p.126, and 9.10.151, p.138 and table 9.15, p.155) and in slightly more detail Volume 4 Appendix 9.1: Archaeological Desk-Based Assessment and Setting Assessment [APP-106], in section 2.42. The assessment is of “East Claydon Village (group of listed and non-listed buildings)”, and it is ascribed the same medium significance as the other nearest conservation areas. Its character, appearance and special interest and the nature of the contribution of its setting to its significance is not described in detail. This is also the case with other conservation areas. The applicant’s assessment assesses impacts on the setting of the ‘group’ in the same way as for other conservation areas.</p> <p>The Council feel that there are shortcomings in the conservation area assessments, which do not define the contribution of setting to significance in sufficient detail. In the case of East Claydon it is largely the rural character of its setting that the applicant identifies as making a contribution. The Council identify the prominence of the village, its church and the fringing trees form a landmark for a considerable distance, in views from the east and south east as well as its relationship with Botolph Claydon as contributory elements to its setting.</p>
Q1.10.13	The applicant Buckinghamshire Council	<p>Pond Farmhouse</p> <p>The ExA observed on its unaccompanied site inspection [EV1-001] that the setback between the proposed solar PV arrays and the listed building is reduced at the north-eastern corner of Field B4 as identified at appendix 1 of the oLEMP [REP1-086]. How was the extent of the setback determined and why does it narrow at the north-eastern corner of field B4? Could the north-eastern corner of Field B4 with the PV arrays be set further back from the farmhouse to provide additional embedded mitigation? If not, why not?</p>	<p>The extent of setback from the listed building was not determined in consultation with Buckinghamshire Council’s Historic Environment specialist. Buckinghamshire Council considers the impact of the solar PV arrays on the setting of Pond Farmhouse to be severe (leading to the Council’s view that there is impact at the upper end of the scale of less than substantial harm – see LIR para 4.5.6 and 4.5.56) and setting arrays further from the listed building would be welcomed. Excessive screening to the east of the Farmhouse (field B4 is to the west) may also cause harm, as the farmhouse’s role as a satellite farm of Claydon House and the relationship of Pond Farmhouse to the wider Claydon House estate would be partly severed and made less legible.</p>
Q1.10.14	Buckinghamshire Council	<p>dAMS</p> <p>Confirm if the updated dAMS [REP1-094] and related management plans adequately address concerns identified in the Local Impact Report [REP1-112], including the extent of pre-construction trial trenching and inclusion of related wording from the good practice guide referenced in your Local Impact Report?</p>	<p>The updated Draft Archaeological Management Strategy addresses the Councils and Historic England’s concerns and follows the good practice guide.</p>
11. Cumulative Effects			
Q1.11.2	Buckinghamshire Council Highways Authority	<p>ES Chapter 17 (Cumulative effects) - assessment methodology</p> <p>Do you consider the methodology used for assessment of the cumulative effects on the highways network to be acceptable and do you agree with the findings of ES Chapter 17 [REP1-044] regarding highways matters? If not, explain why.</p>	<p>The methodology is acceptable, however the Highways Authority does recommend that in locations where there are significant constraints on the network thresholds that percentage increases are not always appropriate, and in these instances any impact should be assessed. Based on the present information it is not expected that any additional locations are requiring additional assessment. The LIR has identified locations where greater information in the assessment has been requested and is required.</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>The ExA should consider the progress of the Oxfordshire Rail Freight Interchange DCO application at Ardley and its potential for cumulative impacts. At present it is considered that the scheme is not developed sufficiently to assess the cumulative impacts.</p>
Q1.11.30	Buckinghamshire Council	<p>ES Chapter 17 (Cumulative effects) In your Local Impact Report [REP1-112] you state that the applicant’s cumulative effects chapter “fails to provide a proportionate or accurate evaluation of the cumulative harm arising in this location”. Provide more information on this position – specify how the applicant’s assessment methodology, or the conclusions it draws are unacceptable, or fail to meet relevant guidance for example.</p>	<p>The Council’s concern is not that Chapter 17 fails to identify other development or follow a staged methodology. Rather, in respect of methodology, it primarily arises from the way in which cumulative effects are discounted on the basis that other existing or approved developments are assumed to be fully mitigated, with residual effects treated as not significant before any combined assessment is undertaken (for example paragraphs 17.7.18 and entries within Tables 17.11–17.13). In the Council’s view, this places reliance on anticipated mitigation outcomes for individual schemes, rather than robustly testing whether the combined presence of multiple developments gives rise to cumulative harm, and thus assessing the reasonable worst case. It should be noted; part of the Council’s disagreement is about how the Applicant has exercised judgment more generally in measuring the magnitude of cumulative effects.</p> <p>In addition, and as is reflected throughout the Council’s LIR, there are specific topic-based concerns that arise in respect of the scheme. See, for example, the detailed comments on cumulative arboricultural effects from para 4.3.151, or the consideration of cumulative landscape effects from para 4.4.70.</p>
Q1.11.31	Buckinghamshire Council	<p>Cumulative effects on soil and agriculture Provide additional justification for your position [REP1-112] that the proposed development would result in negative cumulative effects on soil and agriculture – do you consider the applicant’s assessment in this regard to be inadequate and if so, set out why? Do you consider any negative effects are likely to be significant, and if so, explain why?</p>	<p>The applicant has not provided sufficient project design detail to inform the direct and cumulative impact assessment for ALC and soils. The ES is based on the removal of 647.05 ha of agricultural land over 40 years without providing any limits or understanding of how much direct soil disruption will occur or how much agricultural production, if appropriate, will continue over the operational period.</p> <p>These are relevant factors in the ES assessment for soil and ALC and it is recommended that they be provided.</p> <p>The current cumulative impact assessment gives no weight to non-BMV land in spite of it likely supporting the majority of agriculture in Buckinghamshire and does not consider the loss of soil resources. Furthermore, the current assessment discusses the quality of agricultural land rather than the quantity affected. It would not be expected that one development would affect the quality of agricultural land at another site. On the other hand, multiple developments have an additive effect on the overall area of agricultural land affected by development within Buckinghamshire. A greater area of agricultural land and soil resources will be lost if several developments are granted planning permission.</p> <p>The lack of detail around the assessment of soil ecosystem services has raised questions on the cumulative impact on soil services. This is due, in part, to the</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>applicants' approach of generally downgrading all soil services found on non-BMV land. The BMV designation is specific to agriculture. Soil resources and soil ecosystem services are independent from ALC and a lower ALC grade (i.e. non-BMV land) is not necessarily an indication of lower quality soil.</p> <p>The necessary detail on cumulative effects on non-BMV land and soil ecosystem services is unlikely to result in the identification of a significant cumulative effect, but the outcome would be more than the negligible effect reported. Furthermore, the additional detail would establish the necessary baseline to inform both required mitigation and best practice options to protect soils and the ALC services they provide.</p>
Q1.11.33	Buckinghamshire Council	<p>Updated Outline Operational Environmental Management Plan</p> <p>Do the updates to the Outline Operational Environmental Management Plan [REP1-079] setting out the applicant's proposed operational phase noise complaints procedure satisfy the concerns you identified in your relevant representation [RR-026] regarding cumulative noise impacts? If not, set out why and what could be actioned to resolve this matter.</p>	<p>The updated OOEMP provides a framework for the monitoring and control of operational noise produced by the proposed development. This could assist with managing potential cumulative noise effects, however the Council consider that express provisions should manage the distinct issue of cumulative noise effect (and how the Applicant will go about engaging with other noise-emitting developments). Addition of such provisions would be welcome. The Council notes, however, that such provisions are unlikely to address the concerns that the Council has about the residual noise effects of the proposed development and current uncertainty about those effects on sensitive receptors.</p>
12. The draft development consent Order (dDCO)			
Note: questions/ comments below relate to dDCO Rev 2 [REP1-008] (clean)/ [REP1-009] (tracked)			
The Examining Authority's suggested changes or amendments to the dDCO are identified in red in the questions below.			
Q1.12.6	The applicant, Buckinghamshire Council	<p>EM</p> <p>Paragraph 5.2.3 of the EM [AS-012] refers to the need for the Local Planning Authority, rather than the applicant needing to consult third parties to discharge some of the proposed requirements in the dDCO. Can the applicant confirm whether this approach has been accepted in any previously made DCOs and can Buckinghamshire Council confirm whether it would accept this arrangement.</p>	<p>In principle, the Council finds such an approach acceptable within appropriate limits. The Council will engage with the Applicant in respect of such DCO provisions. The Council consider that any duty on it should not obviate obligations on the Applicant to consult with relevant bodies where appropriate, and this should be recorded in the DCO. The Council has previously raised concerns about Schedule 16, and, if such requirements are to be included in the DCO which require the Council to consult other parties, this must be taken into account in that Schedule. As indicated in the LIR, discussions are yet to occur in relation to Schedule 16, and the Council would welcome the opportunity to have those with the Applicant.</p>
Q1.12.9	Buckinghamshire Council	<p>Additional provision within the dDCO</p> <p>In your Local Impact Report (LIR) [REP1-112] you requested a provision which allows for a bond to be taken through a section 278 Highways Authority 1980 agreement, which would allow the Highway Authority to safeguard against works that do not meet adoptable standards. Provide wording which you consider would suitably address this point and set out where in the dDCO you would wish to see this included, with justification for its inclusion.</p>	<p>Modify Article 16(2) so that it provides:</p> <p>(2) Such an agreement may, without prejudice to the generality of paragraph (15)-</p> <p>(a) make provision for the street authority to carry out any function under this Order which relates to the street in question;</p> <p>(b) specify a reasonable time for the completion of the works; and/or</p> <p>(c) contain such terms as to payment and other matters as the parties consider appropriate, including such matters as may be included in agreements made pursuant to section 278 or section 38 of the 1980 Act.</p> <p>(3) The undertaker will not commence Works 9 (or associated development works (j), insofar as they fall within the scope of Article 11) to the extent that they involve works to a highway, prior to entering into an agreement pursuant to paragraph (15) which provides details of the specification of the works which will reasonably satisfy the</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			highway authority for the purpose of Article 11(10), and related provisions in relation to the maintenance and adoption of such works pursuant to that article.
12.1 Articles			
Q1.12.10	The applicant	<p>Article 2. Interpretation</p> <p>Should the definition of ‘maintain’ be amended to include reference to the development not giving rise to any materially new or materially different effects to those set out in the Environmental Statement (ES)? The ExA notes that similar wording which captures this point has been included in The Tillbridge Solar Order 2025 and The Oaklands Farm Solar Park Order 2025. If not, explain why you do not consider this to be necessary.</p>	While the Council will comment on the replies provided by the Applicant on the Articles of the DCO, at this stage the Council considers this addition would be appropriate to ensure that such effects outside those assessed in the ES do not eventuate.
Q1.12.12	The applicant	<p>Article 2. Interpretation</p> <ol style="list-style-type: none"> 1. The ExA has concerns regarding the extent of works included under the definition of ‘permitted preliminary works’ and whether it has been adequately demonstrated that they would not have environmental impacts which would need to be controlled by requirements. The ExA also draws the applicant’s attention to recently made DCOs which do not contain the same extent of ‘preliminary permitted works’ (or works of a similar description) to those which are proposed in the dDCO, such as the The Helios Renewable Energy Project Order 2025, The Stonestreet Green Solar Order 2025 and The Tillbridge Solar Order 2025. For example, how could the applicant ensure that access works ((i) Work No. 9) or diversions of public rights of way (j) would not have environmental impacts which would need to be controlled? 2. Provide further justification for the extent of the works included in the definition of ‘permitted preliminary works’ in the EM [AS-012] and review the definition to reduce the extent of the ‘permitted preliminary works’ if possible. The ExA draws the applicant’s attention to section 5.7.21 of PINS Advice Note 15: drafting development consent orders. <p>The ExA also notes that there is no reference in the definition of ‘permitted preliminary works’ for advance planting or screening mitigation to be planted. Paragraph 4.3.15 of the Outline Landscape and Ecological Management Plan (oLEMP) [APP-145], table 10.9 of ES Chapter 10 (Landscape and Visual) [APP-053] and table 9.8 of ES Chapter 9 (Cultural Heritage) [APP-052] propose advance planting mitigation – explain how it is envisaged that the proposed development could deliver advance planting in practice and at what stage of the proposed development with the wording of dDCO at present?</p>	The Council notes these comments which accord with its own concerns prefaced in Table 5-1 of its LIR.

ExQ1	Question to:	Question	Buckinghamshire Council Response
Q1.12.14	Buckinghamshire Council	<p>Article 7. Defence to proceedings in respect of statutory nuisance</p> <p>Are you satisfied with the wording of article 7 of the dDCO and satisfied that controls on noise elsewhere in the dDCO are sufficient to justify the defence being provided by this article to statutory nuisance claims relating to noise? If not, explain why not and what changes you suggest could be made to overcome any concerns you have.</p>	Assuming the concerns that the Council raise about noise in its LIR are satisfactorily resolved, the Council consider article 7 appropriate.
Q1.12.17	Buckinghamshire Council	<p>Article 12. Temporary prohibition or restriction on use of streets and public rights of way</p> <p>In your LIR [REP1-112], you express concerns that there is insufficient security to ensure that the applicant would be required to return the streets and/ or public rights of way to the same condition as prior to their use for temporary works purposes. You consider that a provision in article 12 to achieve this may be appropriate. Provide wording which you consider could suitably address this concern.</p>	<p>Buckinghamshire Council suggest the following wording:</p> <p>Where any power under this article ceases to be used in respect of a street or public right of way, the undertaker shall return that street or public right of way to its original condition at the earliest opportunity, unless agreed otherwise with the relevant planning authority.</p>
Q1.12.19	The applicant, Buckinghamshire Council	<p>Article 17. Traffic regulation measures</p> <p>17(6): should this article also include a requirement to display a site notice prior to the provision taking effect? If not, why not?</p>	The Council consider such a requirement should be included, as is typical for making such orders.
Q1.12.24	The applicant	<p>Article 40. Felling or lopping of trees and removal of hedgerows</p> <p>40(4): this article refers to the "...the landscape and ecology management plan approved pursuant to requirement 8 in Schedule 2 (requirements)...". The ExA assumes that this is an error and should refer to requirement 7, rather than requirement 8 which relates to the provision of details for fencing and means of enclosure?</p> <p>The dDCO as drafted does not provide a schedule of trees which are likely to be affected, why is this? Could this be included?</p>	<p>The Council agrees that Article 40(4) appears to contain an error and should refer to Requirement 7 rather than Requirement 8, given that the relevant approved document is the landscape and ecology management plan rather than the fencing requirement.</p> <p>The Council considers that Article 40 remains broadly drafted. As currently worded, Article 40 would allow the undertaker to fell or lop any tree or shrub within or overhanging land within the Order Limits, or cut back its roots, where it reasonably believes this is necessary to prevent obstruction or interference with the construction, maintenance, operation or decommissioning of the authorised development, to address danger, or to facilitate the passage of construction vehicles. It also allows removal of hedgerows identified in Schedule 12 to the extent approved through the LEMP.</p> <p>The Council recognises that such provisions are not uncommon in DCO drafting. However, the exercise of such powers depends on the underlying arboricultural baseline and protection strategy being sufficiently robust to ensure that important trees and hedgerows are properly identified and safeguarded. In this case, the Council remains concerned that:</p> <ul style="list-style-type: none"> • the arboricultural baseline is not yet demonstrated to be sufficiently robust in all areas; • woodland classification and buffer derivation remain uncertain in places; • there is still no Outline AMS demonstrating how impacts would be avoided in practice; and • some works, including vegetation removal and highway-related preliminary

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>works, may arise at an early stage, increasing the importance of clear pre-works protection and method principles.</p> <p>For those reasons, the Council considers that Article 40 should be more tightly tied to the evidence base and protection strategy. In particular, the Council considers that it would be preferable for tree and hedgerow works to be more clearly linked to identified features, assessed impacts, and approved arboricultural protection / method documents, rather than relying solely on a broad “reasonable belief” test.</p> <p>The Council therefore remains concerned that, as currently drafted, Article 40 gives insufficient certainty that important arboricultural features will not be removed or adversely affected on an overly broad or precautionary basis.</p>
Q1.12.25	The applicant	<p>Article 41. Trees subject to tree preservation orders</p> <p>PINS Advice Notice 15: drafting Development Consent Orders section 15.8.22 states trees subject to a tree protection order (TPO) and/ or are otherwise protected (and likely to be affected) should be specifically identified and it is not appropriate for this power to be included on a precautionary basis. However, the EM [AS-012] effectively states that this article has been added on a precautionary basis, in the event that a TPO has been made since the submission of the application for the proposed development. Explain how this article meets the requirements of the aforementioned guidance in this regard.</p> <p>41(1): update the wording in this part of the article to provide a more defined date after which the powers would apply to (i.e. the day in September 2025). Explain why this power is necessary for decommissioning – the ExA notes that in other recently made DCOs, similarly worded articles did not include the decommissioning phase.</p>	<p>The Council agrees that powers affecting TPO trees should not be included on a purely precautionary basis where the trees likely to be affected have not been specifically identified. Article 41 would allow the undertaker to fell, lop or cut back the roots of any tree subject to a TPO made after the submission period identified in the draft article, provided the undertaker reasonably believes this is necessary to prevent obstruction or interference with the construction, maintenance, operation or decommissioning of the authorised development. It would also disapply the normal replacement duty and treat the power as a deemed consent under the relevant TPO.</p> <p>The Explanatory Memorandum explains that this provision is included because there are currently no TPOs affecting the site, but there are trees within or overhanging the Order Limits that could attract TPO protection in future.</p> <p>However, the concern remains that Article 41 is framed as a general precautionary override applying to any future TPO tree within or overhanging the Order Limits, rather than being tied to specifically identified trees likely to be affected. In the Council’s view, where the Applicant maintains that the arboricultural baseline is robust and tree impacts are known, there should be greater precision as to the trees or circumstances genuinely requiring such a power.</p> <p>That is particularly important given the sensitivity of the site, the presence of mature and veteran trees, and the Council’s continuing concerns regarding survey robustness, buffers and absence of an Outline AMS. The Council therefore considers that Article 41 should be tightened so that it is more clearly evidenced, proportionate and limited in scope, rather than operating as a broad precautionary override in relation to any future TPO tree that may later come to be protected within or overhanging the Order Limits.</p>
12.3 Schedule 2 – Requirements			
Q1.12.36	The applicant	<p>13. Construction traffic management plan (CTMP)</p> <p>13(4): as drafted, requirement 13 would allow for the following preliminary permitted works to commence prior to the submission of the detailed CTMP: (a) –</p>	<p>The applicants have not provided any information on the permitted preliminary works, or how extensive those works are to be. As such, the Council has concerns about achieving such controls. The Council will consider the applicant’s reply on this issue.</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
	National Highways Buckinghamshire Council	(h) and (j) – (k). Explain how these preliminary works would not have effects which should be controlled through the detailed CTMP. Should the requirement include the need for the relevant planning authority to consult with National Highways prior to approving relevant parts of the construction traffic management plan? If not, why not?	With regards to consultation of the CTMP with National Highways, the highways authority considers that the impacts of construction traffic will be dispersed and negligible by the time that it reaches the SRN, and therefore if the CTMP is in accordance with the Framework Travel Plan that further consultation is unlikely to be necessary.
12.8 Schedule 16 - Procedure for discharge of requirements			
Q1.12.44	Buckinghamshire Council	General The ExA notes your comments in the LIR [REP1-112] regarding schedule 16 of the dDCO and the concerns identified. The ExA also notes that you intend to liaise with the applicant to attempt to reach an agreed position on the matter - provide an update on these negotiations. If you have not been able to progress this matter to a satisfactory outcome with the applicant, set out how you would wish to see the wording of schedule 16 amended and justification for these changes.	The Council is in the process of arranging such engagement with the Applicant. On that basis it proposes to provide an update at Deadline 3. This will also allow parallel discussion of the points raised in Q1.12.6 above.
Q1.12.46	Buckinghamshire Council, the applicant	2. Applications made under requirement Buckinghamshire Council 2(1): would you be satisfied to accept applications for discharge of requirements by email? the applicant 2(2): provide justification for the inclusion of this wording in the dDCO - if the details submitted to discharge a requirement resulted in materially different environmental effects, would this mean that details would be in conflict with the approved information? 2(5): have the relevant consultees captured by this wording confirmed their agreement to accept notification via email? If not, this should be obtained.	Buckinghamshire Council would be satisfied to accept applications for discharge of requirements by email, however this would need to be subject to an agreed established procedure with the Applicant.
13. Health and wellbeing			
Q1.13.1	Buckinghamshire Council and any other interested party	Health Effects Report Provide a view on the Health Effects Report at annex A of the Health and Wellbeing Summary Statement [REP1-056] submitted at deadline 1.	Air Quality - Section 3.3 of the Health Effects Report (Annex A of the Health and Wellbeing Summary Statement [REP1-056]) concludes that, with the implementation of the mitigation measures set out in the outline CEMP and outline DEMP, the risk to human health during the construction and decommissioning phases would be negligible, resulting in no significant residual effects. This conclusion is broadly agreed. However, given the extended timescale to decommissioning, the Council considers that a new air quality assessment should be undertaken immediately prior to decommissioning to inform the final Dust Management Plan. During the operational phase, the report states that the air quality assessment indicates the Proposed Development would not generate traffic flows exceeding the Design Manual for Roads and Bridges (DMRB) LA105 air quality screening criteria. On this basis, it is concluded that potential effects from road traffic exhaust emissions during operation would not be significant for human receptors and that adverse effects

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>on human health would be limited. The Council seeks clarification on the assessment criteria applied in reaching this conclusion, in particular why the screening criteria set out in the Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) guidance <i>Land Use Planning and Development Control: Planning for Air Quality</i> have not been referenced or considered. In addition, the Council has requested further clarification from the applicant regarding the operational traffic movements assumed within the air quality assessment, including the proposed staff minibuses arrangements and how these will be secured and enforced, to ensure that traffic related air quality impacts remain within the parameters assessed.</p> <p>Human Health: - The Health Effects Report at Annex A of the Health and Wellbeing Summary Statement [REP1-056] represents a clear improvement compared to the earlier submission and partially addresses the concerns previously raised by Buckinghamshire Council [RR-026] and the Examining Authority [PDA-006]. The introduction of Annex A now brings together, in a single location, the health-related conclusions drawn from the Environmental Statement topic chapters, identifies relevant health determinants and pathways, and provides a clearer audit trail of how health significance judgements have been reached.</p> <p>Buckinghamshire Council accepts, in principle, the overall structure and intent of the Health Effects Report [REP1-056] and recognises that the Applicant now demonstrates alignment to ISEP industry best practice in assessment of human health. However, Buckinghamshire Council would welcome further clarification of how the ISEP Social Impact Assessment in EIA guidance has been applied (Cited as Ref 31 in Annex A [REP1-056]), noting this has not been explicitly cited as underpinning the social cohesion assessment ([REP1-056] Section 7.5 (7.5.37 onwards)).</p> <p>Annex A [REP1-056] improves clarity of health assessment reporting, however, the presentation of the assessment as an Annex to an Appendix within the ES fails to afford the assessment equivalent prominence within the ES as other topics that also feature as named topics in the relevant EIA legislation. Buckinghamshire Council remains of the opinion that the material would be better presented as a standalone Environmental Statement chapter. Buckinghamshire Council also notes that the Non-Technical Summary [APP-077], as originally submitted, did not include conclusions on health and wellbeing effects of the Proposed Development, and therefore did not report the significance of health effects. [APP 077] does not appear to have been updated by the Applicant since submission and therefore does not reflect the updated health assessment material now provided in Appendix 5.5 [APP-6.4.2] and Annex A (Health Effects Report) [REP1-056]. The Council considers that the ES Non Technical Summary [APP 077] should be updated to include a clear summary of the health and wellbeing assessment conclusions, including the significance of health effects. This is necessary to ensure that health assessment findings and the reporting of significant residual effects is appropriately and consistently reflected within the ES wide summary documentation.</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>Buckinghamshire Council broadly agrees, on the basis of the Health Effects Report at Annex A [REP1-056], that for the regulated physical health pathways of air quality, noise and vibration, traffic and access, land contamination and operational safety, no significant residual adverse effects are predicted following mitigation, subject to the delivery of the proposed design measures, DCO requirements and management plans (as amended).</p> <p>Buckinghamshire Council is satisfied that the majority of the mitigation relied upon in Section 6 of the Health Effects Report as currently drafted [REP1-056] is adequately secured through the Commitments Register, Draft DCO provisions, Design Commitments and the suite of outline management plans (including the CEMP (APP 7.2.2), CTMP (APP 7.5.2), RoWAS (APP 7.8.2), LEMP (APP 7.6.2), OEMP (APP 7.3.2), DEMP (APP 7.4.2) and BSMP (APP 7.9.2)). However, Buckinghamshire Council considers that the Applicant should review the accuracy of the cross-referencing in [REP1-056] (Appendix 5.5), as in some cases the Health Effects Report appears to describe mitigation outcomes more specifically than they are currently expressed in the relevant outline management plans. This is most evident where the Health Effects Report [REP1-056] appears to attribute detailed commitments to the Outline CTMP [REP1-084] and Outline CEMP [REP1-078] that are not always stated expressly in those documents, and where certain matters in the Outline RoWAS [REP1-090] and Outline LEMP [REP1-086] are secured only at outline level or are expressed in broader target terms in the underlying plans. Buckinghamshire Council is of the view that the Applicant should therefore check that commitments relied upon in the Health Effects Assessment [REP1-056] are appropriately secured within the certified documents and, where necessary, update the relevant plans.</p> <p>Buckinghamshire Council is not satisfied that sufficient mitigation and controls have been identified to address all substantive health and wellbeing issues. There are three inter-related matters that persist as significant adverse residual effects (i.e. after mitigation), which Buckinghamshire Council wishes the Applicant to explore further through robust assessment:</p> <ul style="list-style-type: none"> • Landscape and visual change, including cumulatively • Effects on PRow • Insufficient focus on high-exposure geographical sub-populations as specific receptor groups for health and well-being effects <p>The Health Effects Report [REP1-056] states that significant adverse effects for people remain after mitigation, primarily associated with landscape and visual change and effects on Public Rights of Way. These include significant major or moderate adverse effects on specific PRow routes, landscape character areas, cultural and recreational receptors, and a small number of residential properties (notably Bernwood Farm and</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>Sion Hill Farm). The Applicant asserts that effects on residential receptors are not overbearing, however, Buckinghamshire Council notes with concern that these residual effects are experiential and spatially specific, are acknowledged as not fully mitigable, and are capable of affecting mental wellbeing, enjoyment of place and quality of life. These residual effects therefore remain material to the assessment of health and wellbeing. Buckinghamshire Council therefore seeks a specific place-based approach to assessment for these high-exposure geographic sub-populations.</p> <p>This suggested place-based approach is aligned with the policy framework quoted by the Applicant in Appendix 5.5 / Annex A [REP1-056]. In particular, Annex A para. 2.2.1 quotes NPS EN-1 para. 4.3.4 as requiring the Applicant to show how likely significant negative effects would be “avoided, reduced, mitigated or compensated for, following the mitigation hierarchy”, and quotes NPS EN-1 para. 4.4.4 as requiring identification of measures to “avoid, reduce or compensate” for adverse health impacts as appropriate. Annex A [REP1-056] para. 2.2.1 also quotes NPS EN-1 para. 4.4.6, which states that “opportunities should be taken” to mitigate indirect impacts by “promoting local improvements to encourage health and wellbeing”. Buckinghamshire Council therefore considers that, where the Health Effects Report [REP1-056] properly identifies residual significant adverse effects that are not fully mitigable, it may be consistent with the above NPS EN-1 approach for the Applicant to consider a proportionate package of further local improvement / enhancement measures and an appropriate monitoring and review framework focused on the most affected receptors. This is also consistent with Appendix 5.5 itself, which confirms that enhancements have been provided to long-term accessibility in order to promote and enhance physical and mental wellbeing (para. 5.6.1) and that the securing of enhancement measures is relevant to addressing potential effects on mental health and wellbeing (para. 5.6.2). This would, however, turn on the nature of the residual significant adverse effects, and the improvement / enhancement measures offered.</p> <p>The Health Effects Report [REP1-056] also identifies significant adverse cumulative landscape and visual effects at certain receptors when the Proposed Development is considered alongside other schemes. Buckinghamshire Council is not satisfied that the implications of these cumulative effects on wellbeing, particularly for PRow users and nearby residents, have been afforded sufficient weight within the reporting. Buckinghamshire Council considers that the Applicant should propose further steps to avoid and mitigate these effects, including through commitments to seek to collaborate with other project developers, to pro-actively identify and manage the magnitude of cumulative impacts to reduce residual effects to a non-significant level. Such an approach could be supported through a coordinated framework or collaborative working group, potentially facilitated by Buckinghamshire Council, to enable information-sharing, alignment of mitigation assumptions and discussion of cumulative effects affecting shared receptors amongst developers. In this context, Buckinghamshire Council is also supportive of the ExA Q1.4.10 which asks the Applicant to describe any engagement (or otherwise) with promoters of nearby energy</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>generation and storage projects to consider the scope for consolidation of infrastructure – Buckinghamshire Council considered that this should be reflected in further reporting of the cumulative human health effects assessment by the Applicant.</p> <p>The Health Effects Report [REP1-056] identifies general categories of vulnerable populations; however, Buckinghamshire Council remains concerned that geographically defined higher-exposure sub-populations are not clearly differentiated, nor assessed as discrete health receptors. Vulnerability arising from proximity to the Site, construction activity, traffic routes or intervisibility is recognised in principle, but is not consistently carried through the assessment. Consequently, mitigation measures are not sufficiently targeted to fully address the magnitude of impacts, including cumulative impacts, that the Applicant notes will be experienced in proximity to the Proposed Development.</p> <p>In particular, Buckinghamshire Council considers that the following receptors require specific assessment and further evidence to underpin mitigation approaches, which should prioritise avoidance:</p> <ul style="list-style-type: none"> • Preston Farms/TCS Biosciences, as a business that supports UK-wide healthcare services (based on evidence supplied in [REP1-133], see Q1.17.1 below). It is noted that measures set out in para 6.1.5 of [REP1-056] assume to be referring to this business; however these are not considered sufficient by either the business or Buckinghamshire Council to address the magnitude and nature of the potential impacts, which could indirectly lead to adverse public health effects. It should be noted, the Applicant has made a numbering error and there are two sets of paragraph number 6.1.5. Buckinghamshire Council’s comments above, relate to paragraph 6.1.5 on page 74. The Applicant should seek to amend the numbering in the next version of this document. • Residential/farm receptors already highlighted within [REP1-076] in relation to heightened potential effects (notably operational noise receptor screening/LOAEL considerations and/or residential visual amenity and/or cumulative landscape/visual discussion): Bernwood Farm; Sion Hill Farm; Catherine Cottages; Blackmore Hill Farm Cottages; Hogshaw Farm; Borshaw Farm; and Station House. • Residential communities/settlements nearest and adjacent to the Proposed Development — East Claydon; Middle Claydon; Botolph Claydon; Calvert / Calvert Green; Winslow; Quanton; Steeple Claydon; and Granborough together with residential properties and groups of dwellings along/adjacent to key routes and access corridors referenced within the ES documentation (including PRow/permissive paths and local roads), where residents may experience changes in amenity and access during construction and operation. These receptors should be clearly identified and treated as community-level receptors within the evidence base for health and wellbeing, particularly given

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>that the ES scopes “private property and housing” as a receptor (community scale) and REP1-076 relies on topic-based treatment of residential properties (as sensitive receptors) alongside other sensitive receptors such as schools/hospitals/residential care homes; Buckinghamshire Council seeks clearer signposting of how the assessment conclusions apply to the communities and residents closest to the Order Limits.</p> <p>In summary, Buckinghamshire Council acknowledges the methodological improvements made through the submission of the Health Effects Report Annex A [REP1-056] and is satisfied that it demonstrates that most regulated health pathways are unlikely to result in significant adverse effects following mitigation. Buckinghamshire Council maintains that the material should be presented as an integral part of the ES, rather than an Annex to an Appendix. Further, the findings of the health and wellbeing assessment, including the reported significance of health effects (i.e. whether effects are significant or not significant), should be explicitly reported within the Environmental Statement’s overall conclusions through an update to the Non Technical Summary [APP-077], with clear signposting to ES Appendix 5.5 [REP1-056] and Annex A (Health Effects Report) [REP1-056].</p> <p>Buckinghamshire Council is not satisfied that residual significant landscape related and cumulative wellbeing effects have been addressed, nor that the assessment adequately distinguishes geographically higher exposure sub populations who may be more likely to experience those effects due to their higher sensitivity to change than the wider population. These issues remain central to Buckinghamshire Council’s health and wellbeing position on the Proposed Development, which is that the Applicant should propose further avoidance and targeted mitigation to address the significant residual effects reported; and complete and report the assessment of human health effects for the geographically sensitive sub-populations, as specific receptors, leading to further targeted mitigation as appropriate. As currently drafted, Buckinghamshire Council does not support the Applicant’s concluding statement at [REP1-056 para 9.1.23] and instead considers that there are further mitigation routes that should be explored, through further assessment work.</p>
14. Land and groundwater			
Q1.14.5	Buckinghamshire Council	<p>Battery energy storage systems (BESS)</p> <p>Paragraph 4.10.21 of your Local Impact Report [REP1-112] indicates that you consider that amendments may be required to the oOEMP [REP1-080] to control firewater containment, spill pathways, emergency response procedures, and management of hazardous substances associated with the proposed BESS. Set out what updates you seek to the oOEMP and why you consider that they are required.</p>	<p>Paragraph 4.10.21 of the LIR states that “<i>The OEMP must clearly secure operational phase controls including firewater containment, spill pathways, emergency response procedures, and management of hazardous substances.</i>”</p> <p>The updates to the outline OEMP and reference to the Outline Battery Safety Management Plan provided at Deadline 1 have now included those aspects that we were seeking to be included. These were to ensure that the risk of contamination of the shallow groundwater around the BESS would be low and would be appropriately mitigated if it did occur in suitable emergency responses.</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>Air Quality: The Strategic Environmental Protection team did not raise this matter directly, and therefore no specific additional mitigation measures were identified by the team for inclusion within the outline OEMP.</p> <p>Notwithstanding this, a review of the updated outline OEMP (Tracked) (Rev. 2) [REP1-083] confirms that additional measures have been incorporated. In particular, Table 3.5 (Land and Groundwater – Water Pollution, page 28) now includes the transformers will be bunded and placed on an impermeable base and will have separate oil interceptors and an emergency shut off system to prevent fire risk and the contamination of firewater and surface water runoff. All bunds will have 110% capacity of oil in the transformers as per the relevant requirements. These measures address, in part, the concerns set out in paragraph 4.10.21 of the Council’s Local Impact Report. In addition, a comparison of the mitigation measures within the outline DEMP and outline OEMP has identified one measure included in the outline DEMP that does not currently appear in the outline OEMP, namely the BESS site protection for firewater segregation will remain in place until the BESS units are removed so that the risk is managed throughout the decommissioning phase.</p>
Q1.14.7	EA, Natural England, Buckinghamshire Council	<p>Finemere Wood Site of Special Scientific Interest</p> <p>Review the applicant’s updates to ES Chapter 11 (Land and Groundwater) [REP1-038] regarding the effects on groundwater dependent terrestrial ecosystems at Finemere Wood Site of Special Scientific Interest – do you agree with the applicant’s conclusions regarding the likely effects? If not, why not?</p>	<p>Yes, the Council agrees with the applicant’s conclusions regarding likely effects on the GWDTE from contamination given the applicant’s statement that additional mitigation would be implemented, including adhering to procedures that are secured by the Outline CEMP, which comprise the completion of additional site investigation works and remediation where contamination is identified, the safe storage and use of fuel and hazardous materials/substances; the managing of spillages and leaks, and procedures for the discovery of unexpected contamination.</p>
15. Landscape and visual (including good design)			
Q1.15.4	Buckinghamshire Council	<p>NPS EN-1</p> <p>Having regard to NPS EN-1 paragraph 5.10.30, is the Council satisfied that sufficient design content would be secured through the draft Development Consent Order [REP1-008] and related control documents, including the Design Commitments [REP1-020], to ensure that any future consenting would meet landscape, visual and good design objectives? If not, what further details should be added to the control documents at this stage?</p>	<p>The Draft Development Consent Order [REP1-008] and Design Commitments [REP1-020], sets out the requirement for the Landscape and Ecology Management Plan (LEMP) to be submitted to and approved by the relevant planning authority and that no part of the authorised development may commence until this has been approved. It is important to note that where permitted preliminary works are identified within the DCO then these would also require the LEMP to be approved prior to commencement of these works to ensure that appropriate management and establishment criteria have been set out to ensure that these works will establish successfully and be maintained accordingly to ensure they continue to mature in line with the requirements set out in the LEMP. The LEMP together with the environmental design information presented within the LVIA are subject to our landscape and visual concerns being addressed.</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
Q1.15.9	The applicant Buckinghamshire Council	<p>Embedded mitigation</p> <p>To the applicant and Buckinghamshire Council:</p> <ol style="list-style-type: none"> 1. Table 10.9 of ES Chapter 10 [APP-053] identifies embedded mitigation, including hedgerow planting and management. ES paragraph 10.9.5 states that the Outline Landscape and Ecological Management Plan (oLEMP) [REP1-086] ensures that all new planting would be successfully established by year 10 of operation. However, table A4.1 of the oLEMP indicates monitoring and replacement of planting to ensure establishment would not continue beyond year 5. Given the reliance on the establishment of hedgerow planting by year 10 as embedded mitigation, should the period for monitoring and management identified in the oLEMP be extended? If not, why not? <p>To the applicant:</p> <p>In addition, the ExA notes the applicant’s explanation of why 10 years has been assumed for landscape mitigation to establish, rather than 15 years or a longer period as set out in its response to the Claydons Solar Action Group’s relevant representation [PDA-006]. Provide further justification for this approach drawing comparison with specific comparable consented Nationally Significant Infrastructure Projects (NSIPs).</p>	<p>Having reviewed Table 10.9 of ES Chapter 10 [APP-053] together with ES paragraph 10.9.5, it would be appropriate for the hedgerow management prescription requirements within Table A4.1 of the oLEMP to include ‘Year 4 and Year 5 onwards (annually)’ as this would properly aim to ensure that sufficient management requirements are identified to allow hedgerows to achieve the desired establishment rate at year 10.</p>
Q1.15.10	The applicant Buckinghamshire Council Claydons Solar Action Group	<p>BESS mitigation</p> <p>Buckinghamshire Council’s Local Impact Report [REP1-112] identifies concerns regarding the BESS and related fencing. Would the provision of additional hedgerow and/ or tree planting in the vicinity of the BESS serve to reduce landscape and visual effects, having regard to the topography? If not, why not? If so, should this be reflected in the oLEMP [REP1-086]?</p>	<p>The introduction of additional hedgerow and/or tree planting within the vicinity of the BESS would increase the amount of mitigation vegetation but would not on its own sufficiently reduce the impact that arises from the introduction of the BESS fencing. The proposed fencing would still introduce an element that would be out of character despite the introduction of additional hedgerow and/or tree planting.</p>
Q1.15.11	The applicant Buckinghamshire Council	<p>Defining the Special Qualities of Local Landscape Designations in the Aylesbury Vale District Report</p> <p>To the applicant:</p> <ol style="list-style-type: none"> 1. Provide further commentary on how the applicant has applied the ‘Defining the Special Qualities of Local Landscape Designations in the Aylesbury Vale District Report’ (2016) in identifying effects and necessary landscape and visual mitigation, including in the oLEMP [REP1-086]. Whilst the oLEMP references the report, it is not always clear how it has shaped specific and locally appropriate mitigation measures. <p>To Buckinghamshire Council:</p> <p>Submit a copy of the ‘Defining the Special Qualities of Local Landscape Designations in the Aylesbury Vale District Report’ for consideration in the examination.</p>	<p>The document: Defining the Special Qualities of Local Landscape Designations in the Aylesbury Vale District Report, was prepared to enhance the Council’s landscape evidence base and to inform the Local Plan by defining the landscapes special character and qualities. The following key criteria’s have been highlighted as being relevant to the study area and provide context to the qualities of the area:</p> <ul style="list-style-type: none"> • Distinctiveness: Distinctive band of low, generally open limestone hills, ridges and plateau to the north of Aylesbury Vale. Strong character and sense of place as a result of the coherent character of the landform, consistent land use of agricultural fields (pastoral and arable) and the scattering of attractive villages. • Perceptual character: Strong sense of rural tranquillity, openness and sense of the dominance of landscape. The dominance of landscape and sense of openness – particularly on the plateau in the east of the area, provides

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p>opportunities to appreciate the landscape from roads and public rights of way. Frequent attractive views of the undulating hills from the many vantage points. Views to the Vale of Aylesbury to the south from vantage points and many of the villages perched on the ridge– e.g. Quainton Hill, Wingrave, Aston Abbots – with the landscape providing an attractive setting to villages. Wheat fields provide attractive tones of yellowy-orangey colour in summer that glints in the sunshine.</p> <ul style="list-style-type: none"> • Landscape and scenic quality: High scenic quality of the undulating hills and ridges from within the area and within views from outside the area (e.g. Middle Claydon Conservation Area; refer to other relevant Conservation Area Appraisals for specific views)... Some very old and characterful historic buildings – e.g. in Aston Abbots, Whitchurch and Oving. Picturesque villages present a smaller scale, and the landscape is usually visible from vantage points within them (e.g. from Wingrave). Church towers are local landmarks. Mature trees and hedgerows nestle buildings and structures into the landscape. • Natural character: Ancient woodlands, with a particular concentration in the west of the area – many of which are also SSSI/ LWS. • Cultural character: Strong sense of history – remaining ancient woodland in the west of the area that was once part of the medieval hunting forest of Bernwood, irregular and assart fields; Large number of Scheduled Monuments, concentrated within the medieval villages; Large number of Conservation Areas – .., containing characterful listed buildings, many of them timber framed; Earthworks of well preserved ridge and furrow e.g. North Marston, and at Quainton Hill are amongst the finest surviving examples to be found in England. <p>Function: Good network of public rights of way including long distance trails – e.g. the Bernwood Jubilee Way, North Buckinghamshire Way, Outer Aylesbury Ring, Matthew’s Way.</p>
Q1.15.13	The applicant Buckinghamshire Council Claydons Solar Action Group	<p>“LVIA Visualisations Summer”</p> <p>At deadline 1, the applicant provided additional summer photography visualisations [REP1-050, REP1-051, REP1-052, REP1-053, REP1-054, REP1-055].</p> <p>To the applicant:</p> <ol style="list-style-type: none"> 1. Should ES Chapter 10 [APP-053] be updated to provide commentary on how the visualisations have informed the LVIA and its conclusions? If not, why not? <p>To Buckinghamshire Council and the Claydons Solar Action Group:</p> <p>Do the visualisations have any implications for your respective positions in relation to the applicant’s LVIA?</p>	<p>These visualisations do not have any additional implications on the respective position in relation to the LVIA, these are purely annotated existing summer photography.</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
16. Noise and vibration			
Q1.16.14	Buckinghamshire Council, Preston Farms Limited, TCS Biosciences Limited, Hogshaw Farm and Wildlife Park, Claydons Solar Action Group	<p>Mitigation and monitoring</p> <p>To what extent do the applicant's updated Outline Construction Environmental Management Plan [REP1-078], Outline Operational Environmental Management Plan [REP1-080] and Outline Decommissioning Environmental Management Plan [REP1-082] address your respective concerns regarding mitigation measures or monitoring for noise? Identify any further amendments to these documents that you consider to be necessary and explain why they are needed.</p>	<p>The updated documents provide greater detail and confidence in respect of regular monitoring, both proactively and reactively in the event of complaints being received. However the detail of mitigation is still lacking and therefore the Council's uncertainty on this matter remains.</p>
17. Population			
Q1.17.1	The applicant Buckinghamshire Council	<p>Critical National Priority (CNP)</p> <p>Provide comments on the written representation submitted by Preston Farms Ltd and TCS Biosciences Ltd [REP1-133] regarding the application of CNP. Could the potential impact on these businesses fall under the exceptions to CNP as described at paragraph 4.2.15 of National Policy Statement (NPS) EN-1 as an 'unacceptable risk to, or unacceptable interference with, human health and public safety', in light of the role of the businesses in supplying the National Health Service and wider medical sector? If not, why not?</p>	<p>In principle, the Council considers that effects on Preston Farms Ltd and TCS Biosciences ("the businesses"), and thus the NHS and wider medical sector, potentially meet the test in para 4.2.15 of NPS EN-1. The evidence that has been provided by the businesses suggests that they may suffer considerable negative effect as a result of the Proposed Development, and that those effects would materially impact upon their supply to the NHS and wider medical sector. The supplies provided by the businesses except for one business in Scotland, appear to be unique in the UK. They may thus, constitute significant effects such as to constitute an unacceptable risk to, or interference with, human health and public safety.</p> <p>The Council is not in a position to verify the scientific and supply chain evidence itself. A reply from the Applicant and any further information from the businesses may assist. However, as matters stand it is clear that the evidence raises important questions about the supply chain for medications for UK public health services, and it is important that the issue be considered carefully and on a precautionary basis. Buckinghamshire Council also notes that [REP1-133] includes suggestions for ways in which the Proposed Development might be amended such that 'interference' may not be unacceptable and that the business may continue to operate, employing suitable biosecurity risk controls. What these involve and how effective they would be are really a matter for the businesses. These matters should be explored fully, given the existing proposals for mitigation do not appear to address the matters identified.</p> <p>In summary, the Council considers that, at this stage, it is important that these effects are properly assessed. In this regard, Buckinghamshire Council response to Q1.13.1 highlights that the Health Effects Report [REP1-056] does not provide satisfactory assessment of sensitive geographic sub-populations as receptors. This cites Preston</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			Farms/TCS Biosciences as a relevant human health receptor for which further assessment is considered necessary, leading to targeted mitigation, underpinned by appropriate evidence. The completion of this assessment will provide the opportunity for the Applicant to engage fully with the mitigation hierarchy, including avoidance. When this assessment becomes available the Council will comment on it.
19. Transport and access			
Q1.19.4	The applicant Buckinghamshire Council	<p>Operational (including maintenance) phase of the proposed development</p> <p>ES Chapter 15 [APP-58] scopes out the operational (including maintenance) phase from the assessment due to the low-level of traffic expected to be generated. Section 2.11 of the Outline Operational Environmental Management Plan (oOEMP) [REP1-080] commits the applicant to submit a planned maintenance schedule every 12 months from the date of final commissioning to the relevant local planning authority. Paragraph 2.11.7 lists details that must be included in the statement including “Confirmation that the environmental effects that are likely to arise as a result of such maintenance and the environmental controls to be implemented are not materially worse than those reported in the ES.”</p> <p>Should the applicant’s conclusions on this matter be subject to approval by the relevant local planning authority? If not, why not?</p>	Specifically in circumstances where such a schedule is to be provided to the Council in any event, the Council consider it appropriate that the schedule is subject to approval by it given the matters to be included therein.
Q1.19.12	Buckinghamshire Council	<p>oCTMP amendments</p> <p>Please confirm if the suite of amendments made by the applicant at deadline 1 to the oCTMP [REP1-084] address any outstanding concerns of Buckinghamshire Council. If not, confirm what further changes may be necessary.</p>	At the present time, the Council does not believe that any further amendments are required to the oCTMP. However dependent on the applicants response Q1.19.12 the oCTMP may be required to be subject to a further review.
Q1.19.15	The applicant Buckinghamshire Council	<p>Outline CTMP – wear and tear agreement</p> <p>To the applicant and Buckinghamshire Council:</p> <p>What form of legal agreement would the wear and tear agreement as refenced in section 4.7 of the oCTMP [REP1-084] take? Has any progress been made on this to date?</p> <p>To the applicant:</p> <p>Is a corresponding agreement being sought with other local authorities on the construction traffic route? If not, why not?</p>	<p>At present the agreement has not been submitted to the Highway Authorities knowledge. It would be expected to be modelled on similar agreements reached with HS2 Ltd and EWR Connection Stage 1. Further engagement is required with the applicant to understand their proposals for the form of this legal agreement.</p> <p>The applicant should propose a first draft to base negotiations between the council and the applicants on this.</p> <p>The Council is concerned to ensure that it is secured in such a way as to allow expedient facilitation of works when required and minimal delays in ensuring funds are made available.</p>
Q1.19.18	The applicant Buckinghamshire Council	<p>Outline CTMP – AIL traffic management measures</p> <p>Paragraph 2.2.3 of the oCTMP [REP1-084] appears to indicate that the AIL Route Survey [APP-131] was prepared following the production of the oCTMP. Should section 5 of the outline CTMP (AIL Traffic Management Measures) be updated to include relevant details of the AIL Route Survey? If not, why not?</p>	The results should be made available to the council as a supplement to the oCTMP
Q1.19.21	Buckinghamshire Council	oRoWAS – replacement of stiles	Yes. For all standard public path order diversions under s119 Highways Act 1980 and s257 TCPA 1990 there is a requirement for any field boundary treatments (gates or

ExQ1	Question to:	Question	Buckinghamshire Council Response
		<p>The applicant's response [PDA-006] to Buckinghamshire Council's request for the removal of stiles within the order limits and replacement with British Standards: 5709 compliant gates or gaps states that "...any new or diverted routes to be designed in accordance or with regard to design standards adopted by Buckinghamshire Council, which would include in relation to stiles and gates...".</p> <p>Do Buckinghamshire Council's adopted design standards require replacements with British Standards: 5709 compliant gates or gaps?</p>	<p>gaps, according to the need for stock control under s147 Highways Act 1980), to comply with BS 5709 2018. The policy set out on p.15 of the Buckinghamshire Rights of Way Improvement Plan 2020-2030 states all new structures should conform to BS 5709 2018. The relevant extract is copied below for ease of reference. Although not stated specifically, this would be extended to diversions as part of DCOs.</p> <p>Additionally, for the avoidance of doubt, there is a request for stiles and gates within the DCO boundary, currently not compliant with BS 5709 2018, to be replaced with gaps or gates as part of the applicant's package of access improvements (which includes a new permissive path network, for example). This is supported by statement on p 34 of the Buckinghamshire Rights of Way Improvement Plan 2020-2030.</p>
20. Water environment			
Q1.20.6	EA, Buckinghamshire Council Local Lead Flood Authority (LLFA)	<p>National Policy Statement (NPS) EN-1</p> <p>Are you satisfied that sufficient information on flood risk management regarding safe access and escape routes as part of an agreed emergency plan has been provided by the applicant, and that any residual risk could be safely managed over the lifetime of the development?</p>	Based on the submitted Flood Risk Assessment (Appendix 16.1 of the Environmental Statement [PDA-004]), the Council is satisfied that sufficient information has been provided to demonstrate how flood risk to the development would be managed, including arrangements for safe access and egress and the management of residual risk over the lifetime of the scheme.
Q1.20.7	EA, Buckinghamshire Council LLFA	<p>NPS EN-1</p> <p>Are you satisfied that the proposed drainage system complies with any National Standards published by Ministers under paragraph 5(1) of schedule 3 of the Flood and Water Management Act 2010, including during the construction period?</p>	Yes, the proposed drainage system meets the minimum requirements as set out in the National Standards.
Q1.20.14	EA, Buckinghamshire Council LLFA	<p>Sequential test</p> <p>Do you consider that the applicant has been able to demonstrate that the sequential test has been applied and satisfied as part of the site selection process? Explain your answer.</p>	The Council does not object to the Applicant's application of the Sequential Test, nor to the conclusion that it has been satisfied. That position is limited to the manner in which the Sequential Test has been applied and does not amount to an endorsement of the Proposed Development as a whole.
Q1.20.17	Buckinghamshire Council LLFA	<p>Outline drainage strategy</p> <p>In your Local Impact Report [REP1-112] you confirm that principles set out in the Outline Drainage Strategy [REP1-096] to manage surface water flood risk arising from the proposed development are satisfactory. However, in your relevant representation [RR-026] you identified a number of concerns regarding surface water drainage, including infiltration testing and groundwater risk, use of underground tanks, lack of hydraulic calculations and exceedance flows, use of pumping, water quality management and missing information. Confirm if the any of these matters remain outstanding and if so, explain how the applicant could address them.</p>	No matters remain outstanding.