

**Planning Act 2008 – section 55**

**Application by Rosefield Energyfarm Limited for an order granting development consent for the Rosefield**

**Solar Farm (EN010158)**

**RESPONSE TO EXAMINING AUTHORITY QUESTIONS DEADLINE 2**

**on behalf of the**

**Claydons Solar Action Group (CSAG)**

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### Artificial Intelligence (AI)

AI has not been used in this submission.

CSAG has previously used AI only in Part 7 of CSAG's Written Representation for the image entitled View from Runts Wood / Coppice Lowhill Farm across to Botolph Claydon, which acknowledges that was generated using AI.

SECTION 1	RESPONSE TO EXAMINING AUTHORITY'S QUESTIONS TO CSAG
	<b>General and cross-topic</b>
<b>Q.1.1.6</b> <i>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.</i>	The government's Solar Roadmap sets out how the Clean Power Action Plan target of 45-47GW for all solar by 2030, 75 GW by 2035, will be delivered. These targets are described as an "upper end scenario", although they may be exceeded provided "sufficient network capacity is available... subject to system need." Fig. 2 of the Roadmap (copied below) shows the 2030 target for large scale solar is c.29MW. The latest deployment data from the DESNZ shows that in February 2026, total solar deployment was 22GW, up 12.6% on the previous year. This included the 323MW Cleve Hill Solar NSIP, but not subsequently approved solar NSIPs, including Gate Burton (500MW), Mallard Pass (350MW), Sunnica (500MW), Springhill (800MW), Heckington Fen (500MW), Fenwick Solar (240MW) or Stonestreet Green (165MW). With large numbers of sub-NSIP solar permissions and several NSIP proposals in the pipeline, the target for ground-mounted solar appears likely to be easily met. NESO data indicates that there is more solar and far more battery storage in the connection queue than required to meet the targets. (See Part 1 of CSAG WR REP1-127) Fig. 2 of the Roadmap demonstrates that exceedance of the solar targets is intended to be achieved through deployment of smaller schemes and rooftop solar, rather than utility scale ground

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mounted schemes. The Applicant in the Statement of Need (APP-036) argues that *“Any shortfall in the deployment of these schemes must be made up for by other technologies, including from large scale schemes, if the Clean Power 2030 range is to be achieved.”* However, the introduction of plug-in solar in the U.K. this year, along with a rise in demand for rooftop solar in the light of events in Iran has driven a rapid rise in domestic solar installations. (Recent newspaper headlines include: FT “UK households turn to solar panels as energy bills bite”). A key driver for solar growth in the Roadmap is the removal of barriers to rooftop deployment. The Roadmap is also clear that any deployment above the thresholds is subject to system need and strategic alignment. Although the solar element of the proposed development has been awarded Gate 2 status by NESO, the BESS component has been directed to Gate 1, indicating that it does not meet any strategic or system requirement. If permission is granted for the BESS, NESO may be obliged to provide a grid connection for battery storage that it has shown through the allocation of Gate 1 status does not meet its strategic requirements. (See also response to Q1.6.2 below and Appendix 1). In CSAG’s view, the Roadmap does not support the Applicant’s claim that the need for the development overcomes the many harms identified by CSAG and others.

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Figure 2: Breakdown of illustrative 2030 solar capacity by sub-group and scenario (GW)

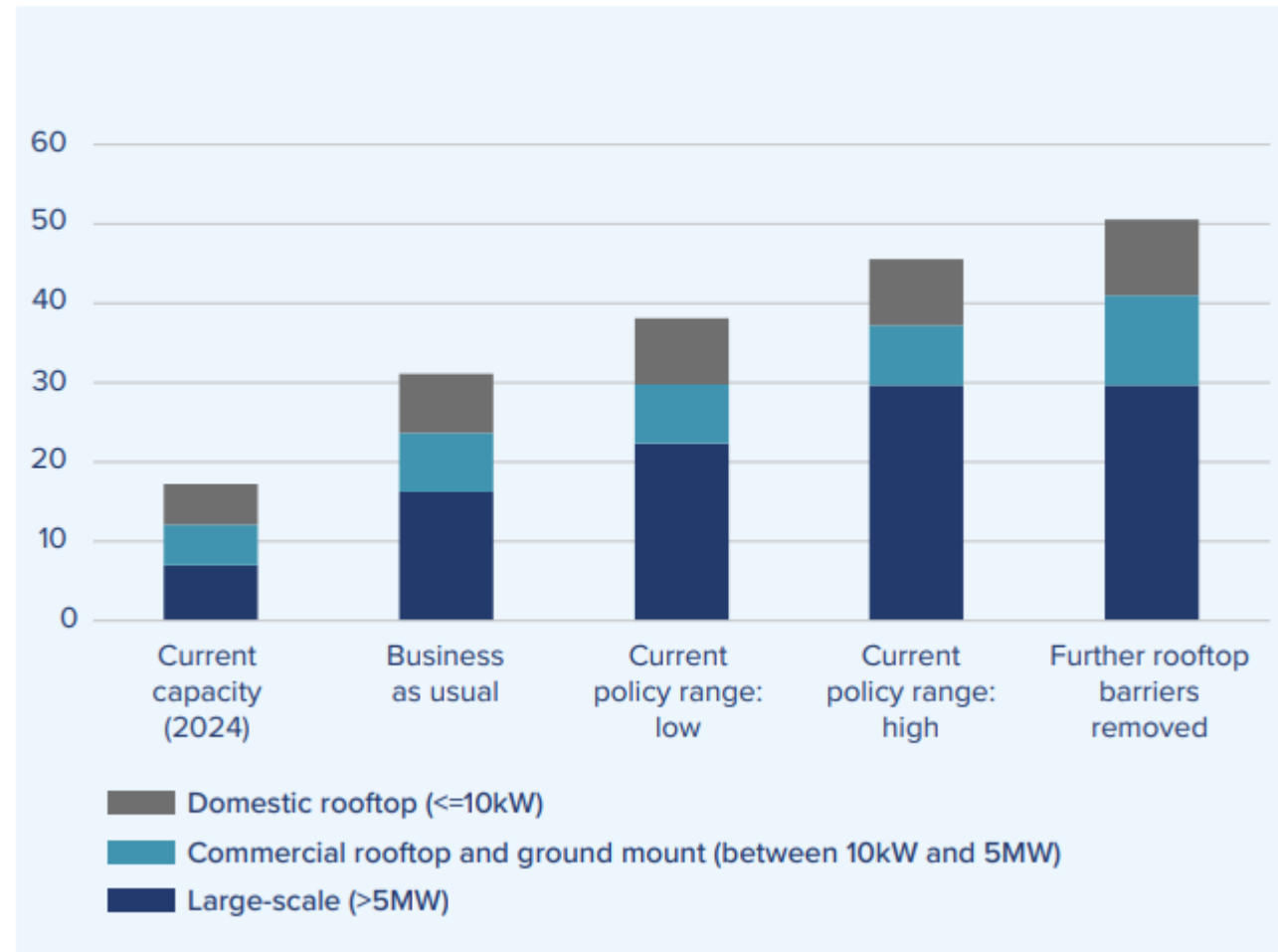


Fig. 2 of DESNZ Solar Roadmap

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	<b>Biodiversity and Ecology</b>
<p><b>Q1.7.1</b>  <b>Review of Deadline 1 Documents</b>  <i>“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</i></p>	<p>Bioscan have reviewed PDA-006 and the updated documents submitted at Deadline 1, and comment on each of those relevant to ecology and biodiversity here. Comments on updates in other areas are provided in section 3 below.</p> <p><u>PDA-006 (biodiversity comments therein):</u> Most of the Applicant’s responses in table 2-24 of this document are bland repetition of what is stated in the ES and/or generic statements that the applicant considers the ES to be robust. Analysis of the applicant’s habitat mapping and BNG assessment (see below) has shown that the figures quoted for habitat creation/enhancement and BNG at page 315 of the document are subject to error. Similarly, that the claims around buffering (in relation to bats, see e.g. p317 of the document) are overstated (again as returned to below). The Applicant’s claim of a precautionary approach being taken as regards bats (in particular Bechstein’s) is shown to be demonstrably incorrect by reference to its ongoing failure to respect the spatial extent of the paused Bernwood SSSI designation in its placement of PV arrays, and its acknowledgement that it has not designed the scheme to avoid significant effects on Bechstein’s, instead relying upon a non-precautionary and largely unevidenced assessment that a significant effect will not equate to significant harm on that species. The Applicant’s contentions at p.318 that it has fully considered the potential effects on birds are also demonstrably incorrect (see comments on skylark and lapwing in <a href="#">REP1-127</a>), as is the contention that adequate mitigation is provided for such species.</p> <p><u>REP1-044/45. Cumulative Effects.</u> Until such time as the Rosefield EIA can be regarded as providing an adequate assessment of the likely significant effects of the Rosefield project, there can be no confidence that cumulative effects have been assessed appropriately and with the correct amount of cumulative weight attributed to factors such as the cumulative displacement of ground nesting bird species including</p>

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*further updated to overcome them.”*

skylark, and wintering species such as lapwing. We will be happy to review the position as regards cumulative effects once fundamental issues with the Rosefield EIA (as detailed below) are remedied and/or, alternatively, a position is reached where it is clear that the Applicant is not prepared to make further corrections (in which instance Bioscan/CSAG has to substitute its own assessment weighting for that of the applicant).

REP1-059 - Wintering bird survey: The minor amendments made to this document do not respond to Bioscan’s/CSAGs specific concerns. We await the Applicant’s response to those concerns, as directed by the ExA in its Q1.7.2, at Deadline 2.

REP1-061 – Amended BNG assessment: This document has been amended to respond to comments from BBOWT and the EA. The amendments comprise minor adjustments to BNG scores related to watercourse crossings. On this specific issue, the ExA is invited to note that the amendments recognise the need for the construction of outfalls into the Claydon Brook, which support our concerns about the Applicant’s decision to scope out fish and aquatic invertebrates (see our Scott Schedule within [REP1-127](#) submitted at Deadline 1 (pdf page 65, row three of the table on that page))

Beyond this, the amended BNG Assessment does not address the more fundamental concerns about the accuracy of the applicant’s BNG assessment that we set out in our contributions to CSAG’s Written Representation ([REP1-127](#)). In ExQ 1.7.2, the Examining Inspectors directed the applicant to provide its full Metric Calculation, including direct to CSAG. This has now been duly received from the applicant, and it corroborates our concerns about substantive error. We expand on this in response to Q 1.7.2 in the next row down. Once the Metric calculation is corrected to address these and other errors, the overarching BNG Assessment (REP1-061) will self-evidently need to be updated.

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REP1-063 – Amended bat roost assessment: Bioscan note that this only amends “*minor errors in tree species identification*”. It therefore does nothing to address Bioscan’s/CSAG’s concerns over bats. The Bat Technical Report (REP1-105) is more relevant to those concerns and we review this below.

REP1-087 – Amended LEMP: the amendments to this document comprise a new/revised appendix to the LEMP to address specific queries raised by BBOWT, NE, the EA and Bucks Council. Specifically, the applicant states “*This document has been updated at Deadline 1 to clarify terminology for legume rich grassland in response to comments from the Wildlife Trust; include a new figure showing offset widths and grazing areas, and further information on bat monitoring in response to comments from Natural England; to clarify the maintenance requirements for hedgerow trees in response to comments from Buckinghamshire Council; and to clarify pre commencement surveys and considerations relating to bridges over watercourses in response to comments from the Environment Agency.*”

In respect of the amendments to clarify ‘legume rich’ grassland, we note that Para 5.2.11 of the document states: “*Minimum 30m offset from the fence line to existing statutory and locally designated wildlife sites, existing woodland and hedgerows located along the boundaries of Field D29, and partially in Field D28 and existing ancient woodlands. Minimum 20m offset from the fence line to all other existing woodlands, including HS2 planting.*” And at para 5.2.15: “*Minimum 15m offset from the fence line to existing hedgerows located within Fields B3 and B7, between Fields B7 and B8/B10 and between Fields B8/B10 and B9/B11. Minimum 10m offset from the fence line to all other existing hedgerows (with the exception of where the Internal Access Corridor and/or Interconnecting and Grid Connection Cable Corridors are required to cross an existing feature).*”

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What is striking from these paragraphs is that it is still not clarified whether these stand-offs/buffers are being measured from outer edge of existing woodland/hedge canopy or from the centre-line. The Applicant's Green and Blue Infrastructure plans and the buffer width plans clearly suggest that it is centre-line, not outer canopy extent. The qualifying statement at end of both of the above paras: *"Principal components of the Proposed Development will avoid root protection areas of trees and hedgerows as far as reasonably practicable"* also does not suggest it is the latter.

Paras 6.2.9-6.2.10 of the document are concerned with a post-development bat monitoring study. The commitment to this is no more than a means to avoid the 'avoidance' tier of the mitigation hierarchy. Bioscan/CSAG's concerns about the applicant's failure to seek to avoid significant impacts on Bechstein's and other bat species ahead of seeking to mitigate them, in accordance with the mitigation hierarchy, are therefore not alleviated.

REP1-105: Bat Technical Study. This document responds to a number of issues raised specifically by Natural England in pre-Examination correspondence and in their Written Representation. Specifically:

- 1) Potential noise impacts on bats from construction and decommissioning, and the operation of transformer and inverter stations;
- 2) Effects of loss and/or changes in foraging habitat in Fields B6, B7 and B8 due to displacement or change in grazing;
- 3) Queries over the conclusions drawn by the applicant from paired static detectors, especially as regards the assumptions around the value of open-field habitats for foraging;
- 4) The accuracy of barbastelle identifications from acoustic data.

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The Examining Inspectors will note that (2) and (3) above mirror similar concerns raised by Bioscan on behalf of CSAG at Deadline 1 (see e.g. pdf page 68 of [REP1-127](#)).

Comment is provided on the applicant's response to each of these matters below:

### **Noise impacts**

The applicant provides some limited data on noise generation from other sites and situations, duly recognising that some construction operations (e.g. piling) do have the potential to impact on proximal bat roosts. The applicant contends that in all instances, the effect of designed-in stand-offs and buffers from hedgerows, woodlands and individual trees will result in elevated noise generation from construction operations or from the operation of inverters and transformers being attenuated to around or below ambient levels by the time it reaches potential bat roosting sites and/or habitat interfaces that are likely to be of value as bat foraging corridors. Whilst the theory is probably fair, there are various locations on the site where the buffer distances relied upon by the applicant in support of its contentions may not be met or patently will not be met. In part this is because of an ongoing issue around where, precisely, the applicant has measured buffers from (i.e. whether it has measured from the centre-line of a boundary hedgerow, as opposed to the outer edge of the hedgerow canopy spread). Uncertainty over this issue is compounded by two further factors: the first is that in very many cases the applicant has also under-estimated (and incorrectly measured) the width of non-cropland field margin vegetation (this matter is discussed in more detail in our response to Q1.7.2 on the applicant's BNG calculation below) and secondly that there are a number of instances where habitat features have been incorrectly classified and/or completely omitted – the latter including examples of where hedgerows with trees have been mapped as hedgerows without trees, and where free-standing in-field mature trees have been completely disregarded. Without the applicant's habitat mapping being corrected, and any necessary

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adjustments made to its buffers, the applicant's conclusions on this matter should not be viewed as a complete answer to Natural England's concerns around noise.

### **Grazing**

Natural England's concerns around potential impacts to bats from loss of or changes to grazing apply to Fields B6, B7 and B8 in particular, but it should be noted that they have greater or lesser relevance to many other fields within the proposed order limits. In Bioscan and CSAG's view, such concerns apply in particular to other livestock grazed/permanent grassland fields within the mapped Home Range of Bechstein's, which includes other parts of Parcel 1 and Parcel 2 (e.g. fields B3, B1, D29)

The Applicant evidently accepts the strong correlation between cattle grazed pasture and high-quality foraging habitat for bats, including Bechstein's. The Applicant also accepts that cattle grazing is not a compatible use for fields with solar arrays and that by extension the use of a field for solar arrays will displace and prevent any further use for cattle grazing. Finally, the Applicant accepts that there is no substantive or robust research science to be able to draw upon in relation to the relative value of sheep grazing versus cattle grazing as regards bat foraging habitat and its value.

The Applicant seeks to bridge this knowledge gap with little more than conjecture. It takes uncontroversial premises such as the fact that sheep dung will also attract coprophagous insects and seeks to present them as evidence that there's little to choose between cattle grazed pasture and sheep grazed pasture in terms of value to foraging bats. At 3.7.1 of the report it suggests the wholly unevicenced conclusion that "*the effect of sheep in a landscape on the abundance of Myotis bat species would echo that of cattle*". This is tantamount to suggesting that because both woodland and grasslands generate a significant insect biomass, the species of birds that use these two habitats will be the same.

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Leaps of faith and baseless conjecture have no place in a robust ecological impact assessment and the applicant's contention provides no answer to NE's or indeed CSAG's concerns about the *de facto* degradation of foraging habitat in key areas of the Home Range of the Bernwood Bechstein's population due to the displacement of cattle grazing.

In any event, we must also repeat the concern expressed in our submissions at Deadline 1 that the applicant provides no certainty that sheep grazing is deliverable, or would be delivered, in the PV fields. This is reinforced by the caveat in 3.7.2 of the Bat Technical Study that sheep grazing in PV fields (and indeed cattle grazing in 'mitigation' areas) are no more than "preferred options" with the clear intention of the applicant to be to reserve its position and retain a default to mowing if use of livestock is too awkward. The applicant's claim that "*there is likely to be more grazing across the entire site than is currently present*" must therefore be viewed with scepticism in the absence of any concrete commitment towards realising that outcome.

### **Paired detector study**

Here again, Natural England's concerns mirror those of Bioscan and CSAG. For example, in our Scott Schedule issued at Deadline 1, we stated in response to para 7.5.100 of the ES (p.9 of the schedule) that "*A differential between activity recorded on hedgerow and in-field detectors is unsurprising, but it cannot be taken from it (as the applicant appears to seek to do) that field units within the Order Limits are generally of low value for bats such that significant changes to them via the installation of PV arrays will have no significant effect. There are a number of reasons why such a premise is flawed. A key technical one is that 'in-field' detectors are inherently less likely to record activity due to their sampling only a small segment of in-field habitat, meaning they are likely to only pick up a proportion of bats using that field. By contrast, hedgerow-placed detectors are very likely to pick up most bat activity (commuting or*

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*foraging) that takes place in a linear fashion along that hedgerow. Direct comparison of the two datasets in the manner set out and relied upon by the applicant is therefore inherently unreliable as such comparison will be subject to a significant margin of sampling and detection bias. The suggestion that hedgerow activity levels may be up to 120 times more than in-field activity levels is not therefore a robust or safe one and is very likely to misrepresent the true position, particularly where concerning livestock-grazed grassland. This limitation is not apparently recognised by the applicant.”.*

We have noted that the Examining Inspectors have directed the applicant to respond to the matters raised in our Deadline 1 submission, including the above. We will review the applicant’s response in due course, but on the question of whether section 4 of the Bat Technical Study provides any pre-emptive answer or response, we note the following:

- 1) The further analysis of the data from the paired detectors presented in Section 4 of the Bat Technical Study perpetuates the ‘apples with pears’ approach to comparison of datasets from hedgerow and open areas that precipitated our comments at Deadline 1.
- 2) Many of the methodological issues we raised at Deadline 1 are touched upon in the (appropriately lengthy) ‘Limitations’ section at pp.23-26 of the Bat Technical Report, however the applicant persists with drawing conclusions that are presented as robust or definitive from a methodology it now appears to recognise as having fundamental constraints and limitations.
- 3) We therefore advise that little to no weight can be placed on the various conclusions presented at 4.5 of this report, in particular as regards what the paired static detector dataset says about Bechstein’s use of Fields B6, B7 and B8 (or any other). At their highest, the conclusions simply present

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	<p>generalisations about expected patterns of bat activity in a landscape: these offer no revelatory or site-specific advancement of understanding relevant to the disposal of this application. At their worst, the conclusions are based on pure conjecture and an ‘absence of evidence equals evidence of absence’ approach, at best upon unevidenced leaps of faith and a reliance on a future uplift in grazing locally, due to the development, that for the reasons discussed above has not been committed to and upon which no such reliance can be placed.</p> <p>4) Given the rarity of this species and the acknowledged vulnerability and national importance of the local metapopulation, it would be a desertion of the precautionary principle to accept impact assessment conclusions based on such flimsy pretexts as are advanced by the applicant in the Bat Technical Study.</p>
<p><b>Q.1.7.2</b>  <b>(Biodiversity Net Gain metric)</b>  <i>“Provide the completed Biodiversity Net Gain metric in Excel form as requested by CSAG [REP1-127]. For expediency this should also be provided directly to CSAG to review at the earliest opportunity and at deadline 2 to the examination.”</i></p>	<p>The applicant was reminded of this request from the ExA by e-mail from Helen Hamilton dated 13<sup>th</sup> April and the full Biodiversity Metric was received by Bioscan directly from the Applicant the following day. Some clarifications were then sought direct from the Applicant by Bioscan - about the date of completion, the calculation iteration and the cross referencing to polygon numbers. The answers suggest some slight procedural anomalies or errors, but in general the receipt of the Excel version does allow Bioscan/CSAG to now perform a level of independent review which was not practical from the Applicant’s overarching BNG Assessment report (i.e. REP1-061) alone. However, in the week available between receipt of the Excel Metric and Deadline 1, only a limited scale review has been possible. However, this has been sufficient to identify a number of clear errors, as follows:</p> <p>In the first instance, field boundary vegetation continues to be disregarded. In nearly all cases, uncropped field margins extend further into the field than mapped by the Applicant, even where field margins are mapped at all. Indeed, over large swathes of the application area/proposed Order Limits, the very low-</p>

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scoring habitat 'cropland' is mapped as continuous across field units - i.e. extending beneath the linear notation depicting a hedge. Common sense, and/or even a cursory look at satellite photography on Google Earth readily confirms that not to be the case. One of many examples is given below – the left-hand image shows a measurement of 8.82m of non-cropland habitat between fields 478 and 479, and the right-hand image shows how the boundary is mapped as continuous cropland, other than a linear notation for the hedgerow in the Biodiversity Net Gain Assessment maps [REP1-060](#). It will also be noted that the broad grassed field margin along boundary 203 has also been significantly underestimated. This pattern of omission is repeated across much of the site.



In fact, even the narrowest bands of non-crop habitat at individual field margins are generally in the order of 2.5-3.5m. This means that straddling each field boundary is a minimum strip of generally some 5-7m

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of non-cropland habitat in total. In many cases it is significantly wider. While much of this non-cropland strip may be overshadowed by a hedge or ditch, it is in any event not cropland but a higher scoring habitat.

It is accepted that an artefact of the BNG system is that (other than where qualifying as 'watercourse' habitat) linear habitats "do not count" in area terms. However, it is important for proper representation of baseline and future value that field margin habitats (which can include 'Priority' arable margin habitat) are not disregarded or otherwise left out of account. In any event, the linear strips of habitat left out of account either side of a mapped hedgeline are well in excess of the 'minimum mapping unit' applicable via the UKHab mapping and classification technique. They should have been duly identified and mapped.

This might be perceived as a trivial mapping anomaly or error, and at the scale of a single field perhaps it might indeed be inconsequential. But across the proposed Order limits, the amount of habitat misclassified as a consequence adds up cumulatively to around 8.2ha, even taking a conservative approach. This is equivalent to a housing development site of around 300 units – i.e. a significant land-use change in its own right.

The effect of such error suppresses both the baseline calculation of BNG Units (by over-estimating the amount of cropland/cultivated land relative to other habitats) and it further compounds that error by over-inflating the post-development enhancement score (because it suggests more cropland will be converted to permanent grassland than will actually be the case).

This error also bears upon the veracity of the Applicant's claims around significant stand-offs from hedgerows and other field boundary features, and conversion of cropland to grassland, because in many instances these stand offs and grassland areas are in large part already there. This applies particularly to

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parts of Parcel 2 where the width of non-cropland vegetation at field edges and encompassing field boundaries is generally >5m and commonly >10m. An example is given below where existing woodland buffers of up to 22m at the western edge of field 519 have been mapped as narrower than they are in reality and the whole of parcel 425 has been mapped as cropland when it is grassland:



Consequently, a significant area of non-cropland vegetation is not mapped on the applicant's habitat plans and consequently has not made it into the BNG calculation. By extension, this existing field margin vegetation and buffers have been double counted in the claims made by the applicant around enhanced buffers. Where buffers of 10 or 20m from a hedgerow centreline are claimed, in many cases only around half of this will actually be new buffer (i.e. land taken out of arable cultivation). Many further examples can be provided on request.

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Put another way, while the Applicant claims that a consistent 10m or 20m buffer will be designed in to protect existing hedgerows, in many or even most instances, the reality is that the scheme will only deliver additional buffering of a few metres additional to the present situation, where it delivers anything additional at all. The Examining Inspectors will note that we made a similar point in pre-application consultation (our letter of 3<sup>rd</sup> December 2024, as referred to at pdf page 83 in [REP1-127](#)). Whilst in response to this, the Applicant moved to correct some such errors in Parcel 1 prior to formal submission of the DCO application, now the Excel Metric has been received it reveals that many still remain.

On top of this issue with field margins and buffers, there also remain a further number of more simple and straightforward omissions from the habitat mapping, including:

a) missing mature, non-woodland trees in the middle of fields (e.g. field 483):



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b) persistent areas of non-cropland (likely tall ruderal) habitat in the middle of fields (e.g. field 496):



We also have some concerns that the BNG ‘degradation rules’ may not have been applied where higher scoring habitats that appear to have been more extensive in 2020 were reduced in extent (e.g. by ploughing up) by the time of the applicant’s surveys in c.2023).

The cumulative effect of all these mapping and classification errors is unknown at this stage, but overall, it is evident that the applicant’s BNG calculation and assessment clearly remains subject to significant error and needs to be re-run to correct these and other mapping and classification errors before any weight can be attached to the applicant’s claimed BNG output figures. While correction of these errors may not have the effect of putting the scheme in a position of non-compliance with policy (i.e. net loss in habitat terms, at least whilst NSIPs continue to be exempt from mandatory BNG), the weight to be

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	<p>attached to any positive BNG figure must be founded on something more precise than is currently in front of the Examination.</p> <p>The applicant's quantified claims about enhanced buffering of field boundaries and woodland (and by extension the ameliorative effect of this in terms of potential impacts on bats and other species) must equally be considered with caution in the absence of such corrections to the base habitat mapping being made.</p>
<p><b>Q.1.7.10</b>  <b>Surveys of Bechstein's bats</b>  <i>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?</i></p>	<p>We provide comment on each of the cited documents in turn:</p> <p><u>RR-203</u>: (re: monitoring) NE state “...if surveys are using acoustic methodology (as per those informing the application) it will not be possible to understand the effects on the development on Bechstein's specifically.” This underlines the point we make at pdf pages 70-71 of <a href="#">REP1-127</a> and emphasises the residual uncertainty around the scope for impact, particularly in the key fields south of Shrubs Wood (Parcel 1), and reiterates the importance of considering avoidance in advance of and in preference to mitigation or here, simply monitoring.</p> <p>We do not agree with the premise advanced by NE that it may be acceptable to rely upon mitigation that is “entirely novel” (to use NE's words) and further dependent, if unsuccessful, on ‘adaptive management methods’ (which do not appear to extend to removing panels and reinstating grazing in key fields), to avoid significant impacts on this rare and vulnerable species (Bechstein's). Nor does this accord with the mitigation hierarchy. We consider it is instructive to consider whether NE would take the same approach if these fields had already been designated as part of the expanded Bernwood SSSI.</p>

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AS-038: In this document, NE state (of the survey work in Fields B6-B8) *“Some minimal acoustic survey of this area has been carried out, but only very few statics detectors were deployed to cover this area and a transect route only very partially bisected it. Myotis bats were recorded during these surveys. However, it is not possible to specifically survey for Bechstein’s bat using acoustic methods as they are a very quiet bat (and therefore not representatively recorded acoustically) and their calls are not readily distinguishable from other Myotis species with any level of certainty. Where acoustic survey is used, it can only be considered alongside more appropriate methods (such as radiotracking) and be assumed that all Myotis calls have the potential to be Bechstein’s bats and that a proportion of calls will inevitably be missed by detectors. This would be especially true where bats may be utilising open space and detectors are located along field boundaries.”*

This further confirms that the surveys for Bechstein’s undertaken by the Applicant and relied upon them for impact assessment purposes as regards this area are ‘less appropriate’ than advanced techniques such as radio-tracking and by extension that any impact assessment conclusions reliant upon such survey work will be less robust. We agree that this is a major failing of the ES and a major problem with the Applicant’s impact assessments, and the confidence that can be placed on them. We also note that NE’s comments here directly mirror our own about the ineffectiveness of relying upon static acoustic detectors to provide a representative baseline of use of open fields for foraging. See our comments against ES para 7.5.100 at pdf page 68 of [REP1-127](#).

We agree with NE’s statement that there is evidence that these fields (and the area south of Shrubs Wood generally) is important to Bechstein’s, and that the Applicant’s surveys have not disproved this. We also agree that the quantum of acoustic data that has been gathered for this area is insufficient to base impact assessments upon, even setting aside that the data was collected when livestock were not present. We

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agree that the potential value of these grazed and rough grassland fields has not been adequately recognised or assessed in the ES, and that in the absence of better data, the precautionary principle and mitigation hierarchy should apply to any land-use changes in this area if potentially significant impacts on Bechstein's are to be safely avoided.

We note and largely agree with NE's comments about the risks of subjecting the local Bechstein's population to further disruption and disturbance through further radio-tracking surveys. Whilst that is a matter of common sense and good conservation practice, it does not justify a lower standard of information or impact assessment in situations where the available data points to risk. That is the position here and it is disappointing that the Applicant has not responded to this by seeking to design-out risk by avoiding placing panel arrays in fields of acknowledged or likely elevated value to Bechstein's.

In this context we agree with and fully support NE's concluding comments that *"...everything possible should be done to avoid this impact, such as retaining areas of value, including both woodland, hedgerow and open areas, and locating measures to mitigate for loss of lower value or less used habitats/areas in the best possible locations..."* and specifically that *"...panels are removed from B6, B7 and B8, which would not only avoid impacts of loss of this area, but also provide a suitable grazed, sheltered and connected location where habitat enhancement measures could be used to mitigate/compensate for impacts elsewhere. Given the National importance of the population, the unknown efficacy of the mitigation measures proposed and the existing pressures on this population from development, our recommendation is for avoidance as opposed to additional surveys."* We would go further and suggest that solar PVs should also be removed from all fields within the mapped Home Range of Bechstein's bat and/or the intended boundaries of the Bernwood SSSI notification and such areas should instead be used for compensation and enhancement.

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	<p>Consistent with that, we agree with NE’s comments in <a href="#">REP1-124</a> reiterating their request that “<i>Removal of panels from B6, B7 and B8 would therefore not only avoid impacts of loss of this area, but, with appropriate management, would also provide a suitable grazed, sheltered and connected location where habitat enhancement measures could be used to mitigate/compensate for impacts elsewhere. Given the National importance of the population, the unknown efficacy of the mitigation measures proposed and the existing pressures on this population from development, our recommendation is still that development is reduced in this area.</i>”</p> <p>Overall, we agree with NE that there is a balance to be struck between permitting or encouraging intrusive survey work upon a species already subject to significant development pressures (e.g. from HS2 and other local schemes) and reaching a robust position on parts of the site which the background survey data from radio-tracking studies suggests is important to Bechstein’s bats, but which is disputed by the applicant. We think that NE’s suggested approach, to avoid further disturbance and disruption to the rare and vulnerable Bechstein’s population from intrusive survey work, and instead to apply the fund of accumulated local knowledge to inform application of the precautionary principle, and seek to avoid likely significant effects, is sensible and robust. The Applicant has not given any robust reasoning that we are aware of as to why it is essential for the viability of the scheme (or any other reason) that solar arrays continue to be proposed in the particularly high-risk fields B6-B8.</p>
	<p><b>Health and Wellbeing</b></p>
<p><b>Q1.13.2: Effects on health and wellbeing</b> <i>In paragraph 6.39 in part 3 of your deadline 1</i></p>	<p>Regarding the question as to whom specifically this opinion relates, <b>significant</b> adverse effects on health, wellbeing, and quality of life, would be experienced by the <b>highest</b> sensitivity receptors. These are predominantly residents living in the study area who, for the <b>main purpose</b> of maintaining / enhancing</p>

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submission [REP1-127] you state that “In my opinion, the proposed development would significantly adversely affect people’s health and wellbeing, and the quality of their lives”. Provide additional clarity on this statement – who specifically does this relate to and justify why you consider that there would be significant adverse effects on health and wellbeing?

their mental and physical health, wellbeing, and quality of life, **regularly** use the local lanes and PRoWs which would be **most adversely** affected by the development, whether directly (for example during construction), and / or indirectly (in terms of the changes to the contextual landscapes resulting from the industrialisation of the rural landscape, as described in CSAG’s WR.

Regarding the justification for this opinion, the first point is that health, wellbeing, and quality of life are integral to many aspects of ‘landscape’, and are important considerations in planning and the assessment of landscape, visual, amenity, social, and other effects.

The reasons for CSAG’s landscape WR’s conclusions are set out in the paragraphs preceding 6.39, but additional information can be provided if helpful.

For example, GLVIA3 deals with the subject. Figure 1 shows LVIA ‘discussion areas’, which under the heading ‘human beings’, includes **social impacts**. Furthermore, the importance of the issues is made very clear in the Landscape Institute’s policy on public health, which states, ‘**We want public health professionals, planners and landscape architects to promote and act upon the idea that high quality landscape increases wellbeing**’. See also the associated position statement *Public Health and Landscape: creating healthy places*.

Both policy and position statement are derived from the European Landscape Convention (ELC), which states (emphasis added):

*‘Signatories acknowledge that **‘the landscape is an important part of the quality of life for people everywhere: in urban areas and in the countryside, in degraded areas as well as in areas of high quality, in areas recognised as being of outstanding beauty as well as everyday areas’** and that **‘the landscape is a key element of individual and social well-being.’***

*‘The landscape also bears within it a system of **social values**, which sometimes have to be highlighted through awareness-raising activities. **The landscape’s social values are tied to its importance for quality of life, health, and to its contribution to the creation of local cultures. Landscape identification,***

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*characterisation and assessment underlie landscape quality objectives. This is why such assessment should be done with the interested parties and population concerned, and not just with specialists in landscape appraisal and operations’.*

The second point relates to the matter of whether the adverse effects would breach the significance threshold. In CSAG’s expert’s opinion, they would. The adverse effects would be visual and non-visual, and different effects would be experienced at different stages of the development, at different locations, with levels depending on the nature, intensity, extent, and duration of the effect. As noted in CSAG’s landscape WR, the worst-case scenario – where adverse effects are at the highest levels – occurs within the Order Limits and the landscapes closest to them, gradually diminishing with distance.

Also as explained in CSAG’s landscape WR, notwithstanding that CSAG’s landscape expert considers that levels of adverse effects are underestimated in the Applicant’s LVIA, CSAG’s expert **agrees** with the LVIA’s conclusion that during all phases of development, the direct overall effects on the character of the developed areas, and indirect effects on the character of landscapes within 1km of the Order Limits, would be **significant** adverse, and the effects could not be mitigated.

CSAG’s expert also **agrees** with the LVIA’s conclusion that at the majority of the public VPs, and along most of the public view routes identified, visual receptors would experience **significant** adverse visual effects during construction, operation, and decommissioning. In addition, there would be very high levels of adverse non-visual effects, including on tranquillity (which includes ‘the presence of nature, feeling safe, visually pleasing surroundings and a relaxing atmosphere’): effects on **safety**, whether real or perceived, are a real concern here.

High sensitivity receptors travelling along the local lanes and PRoWs would experience these **significant** adverse effects on their visual, recreational, and social amenity, within landscapes which provide a very important and highly valued local recreational resource. Therefore, those who regularly use the routes for the main purpose of maintaining / enhancing their mental and physical health, wellbeing, and quality

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	<p>of life, would experience <b>significant</b> adverse effects on their amenity, which for many would result in <b>significant</b> adverse effects on their health, wellbeing, and quality of life.</p> <p>Of course, how each individual would be affected and to what degree would depend on numerous factors – not just the nature, intensity, extent, and duration of the effect, but also the current state of their mental / physical health, and which aspects of the effects / changes are likely to affect them most.</p> <p>CSAG’s landscape expert reports a solar development in rural Worcestershire, now operational, where during construction, piling noise was so intrusive that it become the subject of planning enforcement. Despite being a relatively small scheme (c. 30MW, site area c. 22ha), construction lasted almost two years (the applicant’s estimate was three months). For long periods of time, sometimes twelve hours a day, seven days a week, very high noise levels were experienced. <b>The sound of piling was clearly audible to receptors c. 3km away</b> – and extremely loud for those in the vicinity of the works.</p> <p>Piling works by HS2 and EWR were intrusive in E &amp; B Claydon, despite the works being undertaken several kilometres away.</p>
	<p><b>Landscape and Visual</b></p>
<p><b>Q1.15.10: BESS mitigation</b>  <i>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?</i></p>	<p>The proposed BESS would be located on low-lying ground in a valley on the west side of the watercourse which forms the eastern boundary of the Order Limits. The valley floor is at c. 90m AOD. On the west side, the land rises to c. 127m AOD at the ridge along which St Mary’s Road runs, between East Claydon and Botolph Claydon. On the east side, the land rises to c. 110m AOD, along the ridge upon which Granborough sits. The villages’ Grade II* listed churches of the Saints Mary and John the Baptist respectively face each other, looking over the valley that would be occupied by the Scheme.</p> <p>This part of the Order Limits is crossed by several PRowS, including the North Buckinghamshire Way and Midshires Way long-distance trails (shared route along this section), also a bridleway.</p>

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Broadly, at lower-lying locations, it is more likely that existing / proposed vegetation would screen / filter views, although this would depend on the nature of the vegetation, elevation, angle of view and other factors. Note that equestrians' eye-level is higher than pedestrians'.

From elevated viewpoints, the land is seen more in plan-form, so it is likely that from certain locations, views of the BESS sites could **not** be screened by vegetation (existing or proposed) on lower ground. However, the ridge and valley topography is quite complex, with undulations and folds, so in places, it may fully screen the BESS.

However, the question of whether the provision of additional hedgerow and / or tree planting in the vicinity of the BESS would help to reduce the levels of adverse landscape and visual effects already predicted to arise can really only be answered by visiting viewpoints / travelling along view routes where visual (and landscape) receptors are likely to be most adversely affected, and establishing whether planting over and above that which is already proposed by the Applicant would help to reduce the levels of adverse effects to 'acceptable' levels.

Notwithstanding the above, it is important to note the following:

- i) Screen planting could reduce levels of adverse effects on certain views, but see comments in CSAG's landscape WR (in [REP1-127]) about it not being safe to rely on vegetation to screen views in future (eg paras. 7.3.31 – 7.3.45).
- ii) Screen planting could potentially reduce levels of adverse effects on the visual aspects of landscape character, but it would **not** reduce levels of adverse effects on the non-visual / experiential aspects of character (see eg paras. 3.8, 6.5, and 6.28 of CSAG's landscape WR).
- iii) Where it is possible to screen views by planting hedges / trees, the development may no longer be visible, but the result would also be the **total loss of the view** (many of which in this area are characteristically open), which is a high level of adverse effect (see CSAG's landscape WR eg para. 7.5.4).

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	Also importantly, the above points apply to assessments of effects on the settings of heritage assets.
<p><b>Q1.15.13: “LVIA Visualisations Summer”</b></p> <p><i>At deadline 1, the applicant provided additional summer photography visualisations... Do the visualisations have any implications for your respective positions in relation to the applicant’s LVIA?</i></p>	<p>No, the visualisations do not have any implications for CSAG’s landscape expert’s position in relation to the Applicant’s LVIA.</p> <p>Para. 7.7.30 of CSAG’s landscape WR (Part 3 of CSAG’s WR. REP1-127) explains that the LVIA’s photomontages show Year 10 effects in what appears to be late spring, so the degree of visual screening is higher than during the winter months: here, deciduous vegetation is often leafless for almost half the year. The worst-case scenario of winter Year 10 should be adopted (or ideally, Year 15 – see WR para. 5.2.7).</p>
	<b>Noise and Vibration</b>
<p><b>Q1.16.14 ‘Mitigation and monitoring’</b></p> <p><i>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</i></p>	<p>Outline Construction Environmental Management Plan [REP1-078]</p> <p>Table 3.8 states the following ‘Monitoring Requirement’ during the construction phase:</p> <p><i>‘Targeted short-term attended monitoring to be undertaken at key sensitive receptors to ensure noise levels remain within defined acoustic criteria. This would consider periods when construction works are being undertaken in the vicinity of off-site receptors where targeted mitigation measures have been introduced to avoid potential exceedances of the defined acoustic criterion.’</i></p> <p>We recommend the following amendments to the monitoring methodology:</p>

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monitoring for noise? Identify any further amendments to these documents that you consider to be necessary and explain why they are needed.

- We agreed that 'short-term' noise level measurements should be taken at times that coincide with works being done relatively close to the receptors. However, in addition, these measurements should also coincide with relatively high noise-generating construction activities such as piling.
- Where measured noise levels exceed the criterion, longer term unattended measurements should be taken and further noise mitigation measures should be introduced to reduce noise emissions to meet the criterion.

We previously made the following comment in Environoise report, Part 7 of CSAG's WR (REP1-127):

*'2.2.1 Construction plant noise data has primarily been sourced from the appendices of BS 5228-1 which is standard practice for early-stage noise impact assessments done before exact plant specifications are known.'*

*2.2.2 Although appropriate at this stage of the project, the use of the non-specific plant noise data introduces the likelihood that actual construction plant noise levels will vary from that considered and should be further assessed once known. The developer or main contractor bringing forward the specification of such plant would facilitate the project acoustician to prepare a more representative assessment. This would feed into the recommendation of specific noise mitigation measures.'*

We believe the Applicant has provided sufficient information at this stage but providing a revised assessment with the actual proposed model of construction plant, once these are known, would be best practice. We cannot state that a 'worst-case scenario' has been demonstrated as the construction plant

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proposed by the contractor may be of higher noise level than that considered in the assessment already done which used generic noise data.

We previously made the following comment in Section 2.2.6 of Environoise report ref: 5372R01SWPK:

*'Piling works are referenced in section 13.6.16 (assessment methodology section) of Volume 2 Chapter 13: Noise and Vibration and also in, section 13.9.7 (piling noise mitigation section) and, in Volume 4 Appendix 13.2: Construction Noise Plant Tables and Results, piling is considered in the assessment of solar panel installation works. However, no vibration impact assessment has been provided for piling works, which depending on piling methodology, has the potential to generate high levels of vibration. Either an assessment of piling vibration impact, or robust substantiation for omitting this assessment should be provided.'*

There is no reference in the Outline CEMP to minimum working distances between piling and receptors or a vibration assessment done for piling, or other high vibration generating activities. We reiterate that either an assessment of piling vibration impact or robust substantiation for omitting this assessment should be provided.

Outline Operational Environmental Management Plan [REP1-080]

Environoise provided a comparison of sound power levels considered in the operational noise impact assessment against data found in noise reports for other BESS sites. The comparison indicated that noise

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data was missing for inverters which are typically the dominant noise source and that the level considered for the auxiliary transformers may be underestimated.

The Outline OEMP states the following:

*'Noise measurements of the installed operational equipment will be undertaken to verify that noise levels at source align with values used within the noise prediction model prepared at the detailed design stage. For the site-wide inverters, this would be based on a representative sample of units. The noise monitoring process would be undertaken on a cyclic basis at an interval agreed with the Environmental Health department at Buckinghamshire Council. The resultant dataset would be used to verify that the noise emissions have not increased over time, at a magnitude that could result in significant adverse effects.'*

*If the noise monitoring demonstrates that the source levels are higher than those used to inform the noise prediction model, an appropriate mitigation strategy will be developed to ensure that the resultant noise levels do not exceed the adopted criteria of 40 dB L<sub>Ar</sub> daytime and 35 dB L<sub>Ar</sub> night-time at high sensitivity receptors.'*

This statement represents a good process to continually assess noise generated on site. However, we also recommend the following measures:

- An updated operational noise impact assessment should still be done once sound data for the specific models of plant is available. This will avoid the need for delays in retrospective noise mitigation measures should installed plant generate excessive noise levels.

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- The period between plant installation and the initial verification noise measurements should be established to ensure this is acceptable to all parties. This period should be as short as practicable to minimise any potential periods of adverse effect caused by any excessive noise levels generated on site.

Outline Decommissioning Environmental Management Plan [REP1-082]

Like the comment given for the Outline CEMP, Table 3.8 states the following 'Monitoring Requirement' during the decommissioning phase:

'Targeted short-term attended monitoring to be undertaken at key sensitive receptors to ensure noise levels remain within defined acoustic criteria. This would consider periods when construction works are being undertaken in the vicinity of off-site receptors where targeted mitigation measures have been introduced to avoid potential exceedances of the defined acoustic criterion.'

We have the following comments:

- It is agreed that 'short-term' noise level measurements should be taken at times that coincide with works being done relatively close to the receptors. However, these measurements should also coincide with relatively high noise-generating construction activities.
- Where measured noise levels exceed the criterion, longer term unattended measurements should be taken and further noise mitigation measures should be introduced to reduce noise emissions to meet the criterion.

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	<p>Further Comment</p> <p>We previously made the following comment in section 3.3.2 of Environoise report, Part 7 of CSAG's WR (REP1-127)</p> <p><i>'The residual noise levels at some of the receptors are very close to the adopted LOAEL limit, with predicted noise levels of 35dB(A) at two receptors and a total of eight receptors having noise levels of within 3dB of the limit (i.e. 32 - 35dB(A)). This does not consider the Statera Battery Energy Storage System development which is approved on land immediately adjacent to the north-east edge of the proposed development. As the aforementioned development is permitted, the assessment should consider the cumulative effects of the two developments operating simultaneously.'</i></p> <p>There has been no reference to the cumulative effect of noise from the proposed development and the Statera Battery Energy Storage System development in any of the three reviewed documents. This is a pertinent point previously raised which should be addressed in the operational noise impact assessment.</p>
<p><b><u>SECTION 2</u></b></p>	<p><b><u>COMMENTS ON QUESTIONS TO THE APPLICANT</u></b></p>
<p><b>Q1.6.2</b> <i>BESS Capacity 1. The Grid Connection Statement [APP-137] confirms that the proposed development seeks a grid connection to support import of 335 megawatts (MW) (alternating</i></p>	<p>The Grid Connection Statement (APP-137) says that a reduction in import and export capacity to 335MW has been sought from NESO. However, NESO's latest connections registers, (15/4/26) still record the application as for 500MW for both storage and solar PV. The Rosefield proposal does not appear on NESO's existing agreements register.</p> <p>As the Applicant explains under BESS Operation Parameters in the Statement of Need (APP-036), BESS capacity would potentially be much greater than the 500MW connection. This is because capacity is</p>

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current) of electricity. Is this the same as the capacity for the proposed BESS? If not, explain why, and confirm the capacity of the proposed BESS. (Also see question Q1.1.1) 2. The Planning Statement [REP1-016] explains that the BESS is proposed to support the operation of the main solar nationally significant infrastructure project, to store energy generated by it and export it to the National Electricity Transmission System when it is needed. Explain why an import capacity of 335MW from the grid is sought, if the main purpose of the BESS is to store energy generated by the solar panels serving the proposed development? 3. Are there any measures as part of the application control documents to ensure that any energy stored in

determined by the length of time over which the energy can be stored – for example, a 500MW BESS with four hours storage capacity would represent a total capacity of 2GWh. Even if the import/export connection agreement were reduced to 335MW, the capacity of the BESS is likely to be larger, dependent on storage capacity defined in MW hours, which the Applicant has not disclosed.

EN-3 at 2.10.71 says that “Applicants should set out a range of options based on different panel numbers, types and layout, with and without storage”, (our emphasis) indicating that storage is considered to be an optional component of solar development, which may be removed from an application if required to avoid or reduce adverse impacts.

The Applicant has not specified what additional equipment is required to serve the BESS over and above the solar PV. **This information may assist consideration of whether the BESS is subordinate to the PV element of the scheme (in accordance with the Planning Act 2008 guidance).**

**It would be helpful if the Appellant could also specify the total land take, mass and footprint of the BESS and its supporting infrastructure.**

Standard components of a BESS facility include:

Inverters: To convert the battery’s direct current (DC) into alternating current (AC) for grid use, and vice versa during charging. In most systems, BESS stores energy as DC, so energy downloaded from the grid must be converted from AC to DC for storage and from DC to AC for re-export.

Battery Management System: To monitor cell temperature, voltage, and charge levels to ensure performance, safety, and lifespan.

Thermal management: Heating and cooling systems for maintaining battery performance.

Fire suppression systems: integrated safety mechanisms to mitigate fire or thermal runaway risks.

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*the BESS comes directly from the proposed development? If not, why not and explain how the BESS would meet the definition of associated development in the Planning Act 2008 and in accordance with guidance on associated development applications for major infrastructure projects April 2013.*

Energy Management System: to control how and when the system charges, discharges, and responds to market or grid operator signals

Transformers: To raise the voltage to match the necessary level for grid use (and vice versa).

**To understand whether the BESS is sought as a source of additional (or primary) revenue, it would be helpful if the Applicant could separately set out the expected revenue streams from the BESS and the Solar PV.**

As noted in response to Q1.1.6 above, the awarding of Gate 1 status to the BESS element of the scheme indicates it is surplus to National Grid requirements. If development consent is granted, the BESS has the potential to contribute to grid imbalances and incur curtailment costs.

In an open letter sent earlier this month (16<sup>th</sup> April 2026 – Appendix 1) Energy Minister Michael Shanks and Director General for Infrastructure at Ofgem Akshay Kaul drew attention to “*emerging risks for certain technologies, in particular, a high volume of battery storage projects advancing to Gate 2 relative to the capacity ranges set out in the Clean Power 2030 Action Plan... Although the reform process removed many non-viable battery projects and significantly reduced the queue, there is still 14.8 GW above the top of the Action Plan battery capacity range for 2030 and 61.7 GW above the projected battery system need in 2035.*”

The excess of BESS capacity “*has been driven by the number of ‘protection’ measures in the connections methodologies for well-advanced projects, such as those with planning consent, Capacity Market agreements, or near-term connection expectations. The protection measures included in the reforms were introduced to provide fairness for developers and to seek to maintain investability of near-term projects. But we recognise that the effect of these protections, coupled with the speed with which battery technologies can typically secure planning consents relative to other technologies, has resulted in a materially higher level of battery progression to Gate 2 than anticipated*”.

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	<p>The letter confirms that the granting of consent for BESS that has been assessed not to meet strategic requirements would conflict with government/National Grid efforts to streamline connections and stabilize the grid.</p>
<p><b>Q1.4.4</b> 1. Is overplanting proposed? If so, how much and why? If not, why not? 2. To what extent would panel degradation reduce the output of the proposed development over its lifetime in the absence of overplanting? 3. If overplanting is not proposed, would this increase the need to replace solar panels during the 40-year operational phase? (also see question 1.8.8)</p>	<p>As the ExA has noted, the Applicant’s evidence about overplanting is unclear. The Statement of Need (APP-036) says at 7.6.2 <i>“However, the impacts of the Proposed Development have been assessed including the Applicant’s reasonable assessment of the capacity deliverable at the scheme at the point of final design. “</i></p> <p>EN-3 requires a developer to demonstrate the <b>worst-case scenario</b> of a scheme, not merely a reasonable assessment. Footnote 92 (of the 2024 NPS) says:</p> <p><i>““Overplanting”...allows developers to take account of degradation in panel array efficiency over time, thereby enabling the grid connection to be maximised across the lifetime of the site. Such reasonable overplanting should be considered acceptable in a planning context so long as it can be justified and the electricity export does not exceed the relevant NSIP installed capacity threshold throughout the operational lifetime of the site and the proposed development and its impacts are assessed through the planning process on the basis of its full extent, including any overplanting.”</i></p> <p>Without information as to the extent of any overplanting, impacts cannot be assessed. It is not possible, for example, to establish whether adverse impacts could be avoided by reducing the area of land occupied by infrastructure.</p> <p>Information about types and layout of panels could have important implications for landscape and visual impacts, glint and glare and other effects given the wide range in size, type and layout available.</p> <p>2.6.2 of EN-3 (2024) says: <i>“Where flexibility is sought in the consent (as a result), applicants should, to the best of their knowledge, assess the likely worst-case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed.”</i></p>

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	<p>Where project details are not known at the time of the application, <i>“Applicants should set out a range of options based on different panel numbers, types and layout, with and without storage”</i>. (2.10.71)</p> <p>In the absence of this information, it is not clear that the Applicant has demonstrated the worst-case scenario.</p> <p>In some s.78 appeals, applicants have provided detailed capacity information including indicative number and capacity of panels and inverters, development density, buildable area and DC/maximum export capacity ratio. (Examples at appendices 2 and 3)</p> <p>The Applicant advises at 4.1.3 of the Planning Statement (APP-037) that the search criteria was for a site that could deliver between 250 MW and 500 MW on a site of a minimum of 1,000 acres. The size of the Order Limits and proposed 335MW capacity are both well above the lower thresholds deemed viable by the Applicant, suggesting the Applicant’s development criteria could be delivered over a reduced area.</p>
<p><b>Q1.7.8</b>  <u>6.</u> <i>The ExA note your response to Action Point 3 from compulsory acquisition hearing 1 [REP1-107]. However, the ExA seeks additional clarification in the ES regarding the extent of ecological mitigation, compensation and enhancements proposed – these are 3 distinct elements of the ES assessment which need to be understood and whilst the ExA</i></p>	<p>CSAG considers the Applicant’s assertion in REP1-107 that <i>“The purpose of the EIA is to report the environmental effects and not to explicitly classify the various design measures”</i> to be a misinterpretation of the <b>The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017</b>.</p> <p>Regulation 14 (2) (c) Requires:  <i>a description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;</i></p> <p>Schedule 4 (7) requires:  <i>A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.</i></p>

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<p><i>accepts that the same parcel of land can provide more than one function, the ExA must have confidence that adequate mitigation or compensation is provided where effects have been identified. Enhancements should also be identified where they could be achieved.</i></p>	<p>If the Applicant is unable to distinguish between mitigation (prevention/reduction) and compensation (offsetting) in the Environmental Statement, it is hard to see how any measures can be claimed to exceed either to constitute enhancement.</p> <p>Assessment of biodiversity net gain necessarily requires an applicant to distinguish between mitigation and enhancement. National Policy Statement EN-1 says at At 4.6.10,:</p> <p><i>“Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain.”</i></p> <p>EN-3 also requires an applicant to draw this distinction at 2.9.6: <i>“In addition to the mitigation measures set out in Section 5.4 of EN-1 applicants should have consideration for the potential benefits to local biodiversity, including through habitat creation and/or enhancement...”</i></p> <p>The Applicant argues that GLVIA3 (which CSAG cited as one set of guidance that distinguishes between mitigation and enhancement) <i>“is only applicable to LVIA and not to ecology/biodiversity or EIA more widely.”</i></p> <p>However, the distinctions between mitigation and enhancement are routinely required to be identified by environmental/ecological guidance. For example, CIEEM’s Guidelines for Ecological Impacts in the UK and Ireland September 2024, lists the following key principles for EclA:</p> <ul style="list-style-type: none"><li>• <i>Avoidance - Seek options that avoid harm to ecological features (for example, by locating on an alternative site).</i></li><li>• <i>Mitigation - Negative effects should be avoided or minimised through mitigation measures, either through the design of the project or subsequent measures that can be guaranteed – for example, through a condition or planning obligation.</i></li></ul>
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- *Compensation - Where there are significant residual negative ecological effects despite the mitigation proposed, these should be offset by appropriate compensatory measures*
- *Enhancement - Seek to provide net benefits for biodiversity over and above requirements for avoidance, mitigation or compensation.*

BS 42020:2013 (Biodiversity – Code of practice for planning and development) provides similar descriptions, categorising Enhancement as “*additional to any measures necessary to deal with potential impacts on site, as they are an opportunity to provide new benefits for biodiversity as a consequence of the development being implemented.*” (At 5.2)

In respect of heritage assets, Step 4 of Historic England’s GPA3 guidance requires exploration of “*ways to maximise enhancement and avoid or minimise harm*”. The Guidance says: “*...screening can only mitigate negative impacts, rather than removing impacts or providing enhancement.*”

In the Applicant’s approach, mitigation and compensation measures could be claimed (incorrectly) as enhancements.

An example being hedge planting to reduce visual impacts or to screen a heritage asset. This is likely to benefit certain mammals and birds, but cannot compensate for impacts to (or enhance conditions for) the open-country/ground nesting species that are at particular threat from the scheme. Thus, any compensatory benefit may be indirect - i.e. will not benefit the species actually impacted. Nor would it compensate for hedgerow losses occasioned by the scheme for much (or even all) of the operational life of the solar farm, due to the time taken for establishment, and the intrinsic higher value of long-established hedgerows (even neglected ones) versus newly planted ones.

The strict and correct definition of enhancement is a land-use change or intervention that is purely altruistic - i.e. not merely an offset for impacts elsewhere. Enhancement measures are those that would place the land in a better condition than had the development not occurred.

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	<p>The purposes and wider impacts of any mitigation/compensation/enhancement should be defined and assessed through the Environmental Statement so that they can be weighed in the planning balance.</p> <p>If the Applicant is unable to identify and quantify the measures that would avoid, prevent, reduce or offset the adverse impacts of the proposed development, it cannot claim the scheme offers any enhancement at all.</p>
<p><b><u>SECTION 3</u></b></p>	<p><b><u>OTHER COMMENTS ON APPLICANT’S UPDATES AT DEADLINE 1</u></b></p>
<p>Cumulative Impacts Health and Wellbeing – new Annex 1 REP1-056 Cumulative Effects Assessment REP1-044</p>	<p>CSAG notes the Applicant’s new Annex 1, which purports to consider cumulative impacts on health and wellbeing. The assessment recites other relevant impact assessments, but does not take a holistic approach. For example, it does not examine whether receptors would experience combined adverse impacts from loss of views, noise and vibration, dust, highway disruption, including fear and intimidation, etc. This is the approach sought by the Government’s Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment, which says:</p> <p><i>“The Environmental Statement should set out a table demonstrating where multiple impacts from the proposed NSIP would combine to affect sensitive receptors. Where they are identified, these in-combination effects should be assessed in the Environmental Statement.”</i></p> <p><u>Noise and Vibration</u></p> <p>The Applicant’s updated cumulative effects assessment REP1-044 says:</p> <p><i>“The study area for the construction and decommissioning phase assessments considers noise and vibration sensitive receptors that are located within 600m of the Order Limits. This has been determined based on the guidance set out in BS 5228-1: 2009+A1: 2014 [Ref. 17- 11], BS 5228-2: 2009+A1: 2014 [Ref. 17- 12]. For the assessment of operation (including maintenance) phase noise levels, a 1km study area buffer from the Order Limits has been adopted. Beyond this distance, the contribution of noise emissions is expected to be negligible.”</i> In the previous version, the study area was 300m.</p>

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	<p>The Health and Wellbeing Summary Statement (REP1-056) continues to apply a 300m buffer, saying at 4.3.22:</p> <p><i>“The Study area/ZoI for noise and vibration is 300m from the Order Limits, determined by guidance set out in BS 5228-1: 2009+A1: 2014 and BS 5228-2: 2009+A1: 2014.”</i></p> <p>This inconsistency is not explained. BS 5228-1 (noise) and BS 5228-2 (vibration) do not specify a fixed distance within which noise-sensitive receptors must be considered. A maximum assessment distance should be based on professional judgement considering the prevailing noise environment and predicted construction noise levels.</p> <p>BS 5228-1 says:</p> <p><i>‘At distances over 300m noise predictions have to be treated with caution, especially where a soft ground correction factor has been applied, because of the increasing importance of meteorological effects.’</i></p> <p>This is because the accuracy of predictions can be reduced at greater distances, due to meteorological effects playing a greater role. It does not define 300m as a maximum distance that noise-sensitive receptors need to be considered within.</p>
<p><u>Environmental Management Plans</u>  <u>Land and Groundwater rep1-038</u>          CEMP REP1-077          OEMP REP1-080          LEMP REP1-086</p>	<p>Mitigation measures offered in several of the Applicant’s assessments and management plans are not guaranteed or capable of being secured as phrased.</p> <p>For example, in the Land and Groundwater Chapter of the ES (REP1-038), the Applicant addresses concerns about pollutants from the solar panels as follows:</p> <p><i>11.9.8. With respect to the potential for release of any contamination from the Solar PV panels, the majority of newer ground mounted Solar PV projects are based on glass/glass panels, due to their</i></p>

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*reliability and lifespan. As these types of panels have no backsheet, they are not expected to contain PFAS in the laminate.*

Not only does this suggested mitigation offer no guarantee that glass panels do not contain PFAs, the Applicant does not commit to the use of glass or PFA-free panels.

In the Construction Environmental Management Plan (REP1-077) several measures are offered only “where practicable” or “where possible”, for example:

- Where possible, refuelling should only be carried out in a designated area, which will be secured/locked out of hours.
- Surplus dry concrete, cement and grout is to be collected and reused where possible e.g., as inert rubble; reuse of dried materials may require environmental permits or exemptions.
- Surplus materials are to be reused onsite where possible.
- Use biodegradable hydraulic oil in any machinery operating in or near water, where practicable.
- Temporary noise barriers may be installed close to noise-producing plant to minimise construction induced noise levels (where practicable).
- Members of the procurement team will explore opportunities to reduce emissions associated with the supply chain and, where practicable, will look to propose environmentally friendly options to minimise emissions and benefit the local environment.
- Concrete will be required for the construction of the Independent Outdoor Equipment (standalone central inverter, transformer and switchgear), Satellite Collector Compound, Main Collector Compound, Rosefield Substation and Battery Energy Storage System which will be cast in-situ or precast. For in-situ concrete pours, these should be minimised during heavy precipitation events, where practicable.
  - Where practicable, temporary enclosures will be used to screen all static or semi-static plant from noise sensitive receptor locations;

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- No vehicle, equipment or material storage is permitted within the Flood Zone 2 or Flood Zone 3 or within 20m of watercourses, where practicable.
- The following approaches will be implemented, where practicable, to further minimise the quantity of waste arising and requiring disposal:
  - Reuse of materials on site wherever feasible, e.g., reuse of excavated soil for landscaping, recycling of demolition materials into aggregates;
  - Off-site prefabrication, where practical, including the use of prefabricated elements;
  - Segregation of waste at source, where practical, to facilitate a high proportion and high-quality recycling; and
  - 6.5.5. The Principal contractor will implement the following waste management procedures where practicable.

Other management plans offer similarly vague and insecure commitments.

CSAG asks that measures are clearly defined so that they form part of any Development Consent Order if granted. The measures as proposed cannot be enforced and cannot be certain to mitigate for the risks identified.

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# Open letter from DESNZ and Ofgem on connections reform delivery

Published 16 April 2026

Dear colleagues,

Thank you for your continued engagement as we progress connections reform. Connections reform is a critical enabler for our clean power by 2030 ambition which is expected to bring forward £200 billion of investment in network and project build by 2030.

Under the new process, 221 gigawatts (GW) of projects that applied for firm connection agreements but were not needed for 2035, or were no longer progressing, have been moved out of the main queue. Alongside this, many projects self-selected into Gate 1, meaning the total capacity filtered out is even higher. This has created a clearer and more credible pipeline for clean power delivery. Current queue outcomes indicate that most technologies have sufficient capacity in the prioritised (Gate 2 / Phase 1) queue to meet 2030 ranges.

The programme has, however, faced significant delays due to data errors in historic connection agreements, and the need for NESO and network companies to rework network studies and planning. We have been clear that further slippage is not acceptable and have set expectations for a firm, coordinated response. This includes regular public reporting against the revised timetable so industry can track progress. We continue to work closely with NESO and the network companies to oversee delivery, using refreshed and enhanced governance. At this pivotal stage in the reform process, as projects begin receiving connection offers, proactive and timely communication between network companies, NESO and developers is essential to identify and escalate any issues.

The queue formation outcomes also highlight emerging risks for certain technologies, in particular, a high volume of battery storage projects advancing to Gate 2 relative to the capacity ranges set out in the Clean Power 2030 Action Plan. The government and Ofgem strongly support the deployment of electricity storage, which plays a crucial role in allowing the clean, low-cost energy generated by

renewables to be used more efficiently over time, thereby reducing the reliance of the power system on unabated gas. We remain committed, as set out in the 2025 Clean Flexibility Roadmap, to maintaining a market environment that supports the deployment of 23-27 GW of grid-scale batteries by 2030, and welcome the sector's work to bring forward so many mature projects. Although the reform process removed many non-viable battery projects and significantly reduced the queue, there is still 14.8 GW above the top of the Action Plan battery capacity range for 2030 and 61.7 GW above the projected battery system need in 2035.

This outcome has been driven by the number of 'protection' measures in the connections methodologies for well-advanced projects, such as those with planning consent, Capacity Market agreements, or near-term connection expectations. The protection measures included in the reforms were introduced to provide fairness for developers and to seek to maintain investability of near-term projects. But we recognise that the effect of these protections, coupled with the speed with which battery technologies can typically secure planning consents relative to other technologies, has resulted in a materially higher level of battery progression to Gate 2 than anticipated.

We are working closely with NESO and the network companies, as well as engaging with project developers, to understand the effects of the battery surplus, as part of our broader commitment to ensuring the reforms minimise costs for consumers and support the timely issuance of high-quality, robust connection offers for all technologies in delivering our clean power and growth missions.

Our shared objective is to ensure that the connections process remains fair, robust and aligned to strategic needs, while safeguarding investor confidence and protecting the interests of consumers. We will continue to monitor the impact of the battery connection surplus on this objective and are considering options to safeguard the delivery of the connections process should significant risks be uncovered. As a first step, we have been engaging with network companies on practical mitigations, such as expanding the use of bay-sharing, and are supportive of steps that can help manage the effects of the surplus while maintaining a fair and efficient process.

Given battery projects operate under a merchant business model without a dedicated support scheme, we recognise that some projects will likely leave the queue, and we note that some industry parties are already proposing measures via the code modification process to encourage this "attrition" through an additional financial measure, and that this modification proposal has now been granted urgency. It will be important to ensure that non-viable projects leave the queue before the network companies have committed significant capital expenditure, both for their connection and for any wider network reinforcement, and in good time to allow their capacity to be reallocated at the next connections window. The later non-viable projects leave the queue, the greater the risk of driving unnecessary network redesign, risking knock-on impacts for other projects, and increasing costs for bill-payers. We therefore encourage project developers to review the viability of their project's business case and to respond to their offer accordingly in a timely fashion.

We equally wish to reiterate our expectation that Gate 2 offers will be issued accurately, enabling developers to reach final investment decisions swiftly and supporting a credible pipeline for 2030 and beyond. Once offers are issued, we expect network companies to take a pragmatic approach to network build in delivering connections, reflecting the current surplus and likely attrition, and to assess funding commitments accordingly.

We note that NESO's annual consultation on its connections methodologies sets out the possibility for the disapplication of protections under clauses 3a and 3b, such that only battery projects that have secured a revenue support scheme would be eligible in the next window. This would address further oversupply in future windows, as it is expected that an additional 8 to 20 GW of battery projects currently in Gate 1 could qualify for a Gate 2 offer. We also recognise that some Gate 1 battery projects may secure LDES Cap and Floor agreements, which would make them priorities for connection by 2030 to support delivery of Clean Power 2030 ambitions.

The consultation invites wider views on whether further steps should be taken to address the surplus of battery projects. We encourage all stakeholders to respond with their perspectives.

Both government and Ofgem remain committed to ensuring that the connections process is delivered efficiently and in a way that supports strategic priorities and maintains investor confidence. We will continue to work closely with all parties to monitor the impacts of the current battery connection surplus and to consider potential actions needed to support this process.

Thank you once again for your continued collaboration and commitment as we work together to ensure the connections process remains aligned with our collective ambition to deliver Clean Power 2030.

████████████████████

████████████████

Appellant’s Response to Longhedge Planning Inspector – Longhedge Solar Farm Capacity

1. The Appellant has been asked to submit a concise written statement why its proposed development falls within the Town and Country Planning Act 1990 (TCPA90) and is not a Nationally Significant Infrastructure Project governed by the Planning Act 2008 (PA08).
2. S15 PA08 provides that an onshore generating station is an NSIP when it has a capacity of more than 50 megawatts (MW).
3. PA08 provides no further definition of generating capacity, however NPS EN-3 provides guidance on how that figure should be calculated (para 2.10.53) together with further guidance on capacity and size of solar developments (paras 2.10.50 to 2.10.58 and 2.10.17 – attached overleaf).
4. Applying that guidance to the Longhedge appeal, as the proposed development has a total inverter capacity under 50MW that indicates it is properly considered under TCPA90. Applying the other guidance provided in EN-3 also indicates that it complies with the EN-3 description of a sub 50MW solar development.

	Site Specific Figures for Longhedge Original Layout 565W <sup>1</sup>	Site Specific Figures for Longhedge Appeal Layout 610W	EN3 guidance/reference
Application Site Area (redline boundary in acres)	233	222	n/a
Application Site Buildable Area (acres)	166	157	125 to 200 acres for 50MW (EN-3 para 2.10.17)
Solar Panels (maximum number)	147368	128752	100,000 to 150,000 for 50MW (EN-3 para 2.10.7)
Candidate panel power rating (Watts)	565W	610W	n/a
Inverters <sup>2</sup> (number of)	28	26	n/a
Maximum Export Capacity (legal grid limit, MWac)	49.9	49.9	n/a
Total maximum inverter capacity (MWac)	49.9 <sup>3</sup>	49.9	n/a
MWdc	83.26 <sup>4</sup>	78.54	n/a
dc/MEC ratio	1.67	1.57	n/a
Development density (Application Site Buildable Area (acres)/MWdc)	2.79	2.82	2 to 4 acre/MWdc (EN-3 para 2.10.17)

<sup>1</sup> No specific panel power rating has been given in the planning application, but these two examples are indicative of panels that might be used. This footnote applies to both 565W and 610W columns in the table above.

<sup>2</sup> The exact specification of the inverters will be finalised at the procurement stage due to the technology continually advancing, but in no circumstances will exceed the combined total of 49.9MWac as referred to in footnote 3.

<sup>3</sup> No specific capacity for individual inverters has been given in the planning application but the total combined capacity cannot exceed the MEC of 49.9MWac, excluding any capacity to overcome reactive power consumption within the solar farm between the inverters and the connection point, per EN-3 footnote 91. Footnote 3 of this document applies to both 565W and 610W columns in the table above.

<sup>4</sup> The dc capacity in excess of 49.9MW is what is described as “overplanting” in EN-3 para 2.10.55 and footnote 92. This applies to both 565W and 610W columns in the table above.

To ensure that the Planning Inspector's questions in the document entitled 'Inspector's note and timetable' in the email received on Wednesday 10<sup>th</sup> April at 13:22 are answered clearly, further details are provided below:

- Inspector's question: candidate design for the proposed bifacial panels:
  - Appellant's response: See footnote 1 in the table above. As with inverters, solar panel technology is continually advancing, and in the time between the original submission and the appeal submission, the technology had moved on. Both designs fall within the parameters specified in the PV module drawing of the planning application - Figure 8 Typical PV module and rack detail.
- Inspector's question: number of panels:
  - Appellant's response: 147368 for the original layout, for 128752 for the appeal layout.
- Inspector's question: number and capacity of inverters:
  - Appellant's response: 28 for the original layout, 26 for the appeal layout with a total maximum capacity of 49.9MWac.
- Inspector's question: client/DNO substation connection and route for cabling:
  - Appellant's response: the connection between the National Grid Electricity Distribution Network and the Client/DNO substation can be found in the planning application at Figure 12A Client/DNO substation plan & elevation option 1, and Figure 12B option 2.
- Inspector's question: predicted annual output of renewable energy from the appeal scheme:
  - Appellant's response: the output of the Longhedge Solar Farm is 49.9MWac which is unchanged between the original and appeal layouts, which equates to the electricity required to serve approximately 15,200 homes each year. There is no standard formula for calculating homes served, and different methodologies will result in slightly different figures.
- Inspector's question: clarify any discrepancies between the details submitted with the application, in the appellant's Statement of Case, and the appellant's draft Statement of Common Ground:
  - Appellant's response: The original Planning Application stated 160888 modules, the Appeal Statement of Case stated 139568 modules, which is a smaller number reflecting the reduction in site area between the original design and the appeal design. The precise number is however dependent on the panel rating, and the table above provides two examples of power ratings that could be used and the panel numbers that would result. However, an approved design would be principally limited by the development areas shown in the suite of planning drawings. A precise number of panels would be dependent upon the actual panel type procured at the point of construction.
  - In respect of annual output, this information is unchanged as the information shared to date states an output of 49.9MWac which equates to the electricity required to serve approximately 15,200 homes each year.

16.4.2024

## NPS EN-3 Extracts

2.10.17 Along with associated infrastructure, a solar farm requires between 2 to 4 acres for each MW of output. A typical 50MW solar farm will consist of around 100,000 to 150,000 panels and cover between 125 to 200 acres. However, this will vary significantly depending on the site, with some being larger and some being smaller. This is also expected to change over time as the technology continues to evolve to become more efficient. Nevertheless, this scale of development will inevitably have impacts, particularly if sited in rural areas.

### Capacity of a site

2.10.50 Solar panels generate electricity in direct current (DC) form. A number of panels feed an external inverter, which is used to convert the electricity to alternating current (AC). After inversion a transformer will step-up the voltage for export to the grid. Because the inverter is separate from the panels, the total capacity of a solar farm can be measured either in terms of the combined capacity of installed solar panels (measured in DC) or in terms of combined capacity of installed inverters (measured in AC).

2.10.51 For the purposes of determining the capacity thresholds in Section 15 of the 2008 Act, all forms of generation other than solar are currently assessed on an AC basis, while a practice has developed where solar farms are assessed on their DC capacity.

2.10.52 Having reviewed this matter, the Secretary of State is now content that this disparity should end, particularly as electricity from some other forms of generation is switched between DC and AC within a generator before it is measured.

2.10.53 From the date of designation of this NPS, for the purposes of Section 15 of the Planning Act 2008, the maximum combined capacity of the installed inverters (measured in alternating current (AC)) should be used for the purposes of determining solar site capacity.

2.10.54 The capacity threshold is 50MW (AC) in England and 350MW (AC) in Wales.<sup>91</sup>

2.10.55 The installed generating capacity of a solar farm will decline over time in correlation with the reduction in panel array efficiency. There is a range of sources of degradation that developers need to consider when deciding on a solar panel technology to be used. Applicants may account for this by overplanting solar panel arrays.<sup>92</sup>

2.10.56 AC installed export capacity should not be seen as an appropriate tool to constrain the impacts of a solar farm. Applicants should use other measurements, such as panel size, total area and percentage of ground cover to set the maximum extent of development when determining the planning impacts of an application.

2.10.57 Nothing in this section should be taken to change any development consent or other planning permission granted prior to the designation of this NPS. Any such permission should be interpreted on the basis upon which it was examined and granted.

2.10.58 In particular, any permissions granted on the basis of a DC installed generating capacity should be built on that basis, unless an amendment is made to that permission and the difference in impacts is considered.

91 The combined maximum AC capacity of the installed inverters may only exceed the aforementioned thresholds for the sole purpose of overcoming reactive power consumption within the solar farm between the inverters and the connection point.

92 "Overplanting" refers to the situation in which the installed generating capacity or nameplate capacity of the facility is larger than the generator's grid connection. This allows developers to take account of degradation in panel array efficiency over time, thereby enabling the grid connection to be maximised across the lifetime of the site. Such reasonable overplanting should be considered acceptable in a planning context so long as it can be justified and the electricity export does not exceed the relevant NSIP installed capacity threshold throughout the operational lifetime of the site and the proposed development and its impacts are assessed through the planning process on the basis of its full extent, including any overplanting.

Appellant’s Response to Kingston Planning Inspector – Kingston Solar Farm Capacity

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2. S15 PA08 provides that an onshore generating station is an NSIP when it has a capacity of more than 50 megawatts (MW).
3. PA08 provides no further definition of generating capacity, however NPS EN-3 provides guidance on how that figure should be calculated (para 2.10.53) together with further guidance on capacity and size of solar developments (paras 2.10.50 to 2.10.58 and 2.10.17 – attached overleaf)
4. Applying that guidance to the Kingston appeal, as the proposed development has a total inverter capacity under 50MW that indicates it is properly considered under TCPA90. Applying the other guidance provided in EN-3 also indicates that it complies with the EN-3 description of a sub 50MW solar development.

	<b>Site Specific Figures for Kingston at 580W<sup>1</sup></b>	<b>Site Specific Figures for Kingston at 610W</b>	<b>EN3 guidance/reference</b>
Application Site Area (redline boundary in acres)	199	199	n/a
Application Site Buildable Area (acres)	98 – 101	98 - 101	125 to 200 acres for 50MW (EN-3 para 2.10.17)
Solar Panels (maximum number)	91936	91936	100,000 to 150,000 for 50MW (EN-3 para 2.10.7)
Candidate panel power rating (Watts)	580	610	n/a
Inverters <sup>2</sup> (number of)	17	17	n/a
Maximum Export Capacity (legal grid limit, MWac)	49.9	49.9	n/a
Total maximum inverter capacity (MWac)	49.9 <sup>3</sup>	49.9	n/a
MWdc	53.32 <sup>4</sup>	56.08	n/a
dc/MEC ratio	1.07	1.12	n/a
Development density (101 acres (Site Buildable Area)/MWdc)	1.89	1.80	2 to 4 acre/MWdc (EN-3 para 2.10.17)

5.4.2024

<sup>1</sup> No specific panel power rating has been given in the planning application, but these two examples are indicative of panels that might be used. This footnote applies to both 580W and 610W columns in the table above.

<sup>2</sup> The exact specification of the inverters will be finalised at the procurement stage due to the technology continually advancing, but in no circumstances will exceed the combined total of 49.9MWac as referred to in footnote 3.

<sup>3</sup> No specific capacity for individual inverters has been given in the planning application but the total combined capacity cannot exceed the MEC of 49.9MWac, excluding any capacity to overcome reactive power consumption within the solar farm between the inverters and the connection point, per EN-3 footnote 91. Footnote 3 of this document applies to both 580W and 610W columns in the table above.

<sup>4</sup> The dc capacity in excess of 49.9MW is what is described as “overplanting” in EN-3 para 2.10.55 and footnote 92. This applies to both 580W and 610W columns in the table above.

## NPS EN-3 Extracts

2.10.17 Along with associated infrastructure, a solar farm requires between 2 to 4 acres for each MW of output. A typical 50MW solar farm will consist of around 100,000 to 150,000 panels and cover between 125 to 200 acres. However, this will vary significantly depending on the site, with some being larger and some being smaller. This is also expected to change over time as the technology continues to evolve to become more efficient. Nevertheless, this scale of development will inevitably have impacts, particularly if sited in rural areas.

### Capacity of a site

2.10.50 Solar panels generate electricity in direct current (DC) form. A number of panels feed an external inverter, which is used to convert the electricity to alternating current (AC). After inversion a transformer will step-up the voltage for export to the grid. Because the inverter is separate from the panels, the total capacity of a solar farm can be measured either in terms of the combined capacity of installed solar panels (measured in DC) or in terms of combined capacity of installed inverters (measured in AC).

2.10.51 For the purposes of determining the capacity thresholds in Section 15 of the 2008 Act, all forms of generation other than solar are currently assessed on an AC basis, while a practice has developed where solar farms are assessed on their DC capacity.

2.10.52 Having reviewed this matter, the Secretary of State is now content that this disparity should end, particularly as electricity from some other forms of generation is switched between DC and AC within a generator before it is measured.

2.10.53 From the date of designation of this NPS, for the purposes of Section 15 of the Planning Act 2008, the maximum combined capacity of the installed inverters (measured in alternating current (AC)) should be used for the purposes of determining solar site capacity.

2.10.54 The capacity threshold is 50MW (AC) in England and 350MW (AC) in Wales.<sup>91</sup>

2.10.55 The installed generating capacity of a solar farm will decline over time in correlation with the reduction in panel array efficiency. There is a range of sources of degradation that developers need to consider when deciding on a solar panel technology to be used. Applicants may account for this by overplanting solar panel arrays.<sup>92</sup>

2.10.56 AC installed export capacity should not be seen as an appropriate tool to constrain the impacts of a solar farm. Applicants should use other measurements, such as panel size, total area and percentage of ground cover to set the maximum extent of development when determining the planning impacts of an application.

2.10.57 Nothing in this section should be taken to change any development consent or other planning permission granted prior to the designation of this NPS. Any such permission should be interpreted on the basis upon which it was examined and granted.

2.10.58 In particular, any permissions granted on the basis of a DC installed generating capacity should be built on that basis, unless an amendment is made to that permission and the difference in impacts is considered.

91 The combined maximum AC capacity of the installed inverters may only exceed the aforementioned thresholds for the sole purpose of overcoming reactive power consumption within the solar farm between the inverters and the connection point.

92 "Overplanting" refers to the situation in which the installed generating capacity or nameplate capacity of the facility is larger than the generator's grid connection. This allows developers to take account of degradation in panel array efficiency over time, thereby enabling the grid connection to be maximised across the lifetime of the site. Such reasonable overplanting should be considered acceptable in a planning context so long as it can be justified and the electricity export does not exceed the relevant NSIP installed capacity threshold throughout the operational lifetime of the site and the proposed development and its impacts are assessed through the planning process on the basis of its full extent, including any overplanting.