Rosefield Solar Farm

Planning Statement (~~Clean~~Tracked)



EN010158/APP/5.7.54
Revision 054
~~Change Application~~Deadline 4
June 2026
Rosefield Energyfarm Ltd

APFP Regulation 5(2)(q)
Planning Act 2008
Infrastructure Planning
(Applications: Prescribed Forms
and Procedure) Regulations 2009

Table of Contents

Table of Contents 1

1. Introduction 4

1.1. Background 4

1.2. The Applicant 5

1.3. Legislative Context Review 5

1.4. Pre-Application Consultation 6

1.5. Supporting Documents 7

1.6. Purpose and Structure of Document 8

2. Design Approach 9

3. Need For and Benefits of the Proposed Development 11

3.1. Need for the Proposed Development 11

3.2. National Policy Context 12

3.3. Other Benefits of the Proposed Development 14

4. Site Context 18

4.1. Introduction 18

4.2. Site Location 18

4.3. Designations and Allocations 20

4.4. Relevant Planning History 22

5. Site Selection 23

5.2. Irradiance and Topography 24

5.3. Network Connection 24

5.4. Proximity of Site to Dwellings 24

5.5. Agricultural Land Classification and Land Type 25

5.6. Accessibility 25

5.7. Environmental Impact 25

5.8. Conclusion 27

6. Proposed Development 28

6.1. Introduction 28

6.2. Components of the Site 28

6.3. Existing Site Features 29

6.4. Flexibility and Development Capacity 30

6.5. Associated Development 32

6.6. Lifetime of the Development 34

6.7. Construction, Operation (including maintenance) and Decommissioning 34

7. Legislation and Policy Framework 38
7.1. Overview 38
7.2. Legislative Context 38
7.3. National Policy Statements 41
7.4. Local Planning Policy 43
7.5. Other Legislation 44
7.6. Other Policy 45
7.7. Other Guidance 47
8. Engagement 49
9. Planning Assessment 51
9.1. Overview 51
9.2. Assessment Principles 51
9.3. Part 4.2: The critical national priority for low carbon infrastructure 54
9.4. Part 4.3: Environmental Effects/Considerations 57
9.5. Part 4.3 of NPS EN-1 and Part 2.3 of NPS EN-3: Alternatives and Site Selection 58
9.6. Part 4.4: Health 61
9.7. Part 4.6: Environmental and Biodiversity Net Gain 64
9.8. Part 4.7 of NPS EN-1 and Parts 2.5 and 2.10 of NPS EN-3: Criteria for Good Design for Energy Infrastructure 66
9.9. Part 4.10 of NPS EN-1 and Part 2.3 of NPS EN-5: Climate Change Adaptation and Resilience 67
9.10. Part 4.11 of NPS EN-1 and Part 2.10 of NPS EN-3: Network Connection 69
9.11. Part 4.12: Pollution Control and Other Environmental Regulatory Regimes 69
9.12. Part 4.14: Hazardous Substances 71
9.13. Part 4.15: Common Law Nuisance and Statutory Nuisance 71
9.14. Part 4.16 of NPS EN-1 and Part 2.10 of NPS EN-3: Security Considerations 72
Environmental Factor Assessments 73
9.15. Air Quality 73
9.16. Biodiversity 75
9.17. Climate 90
9.18. Cultural Heritage 94
9.19. Landscape and Visual 102
9.20. Land and Groundwater 115
9.21. Soil 120
9.22. Noise and Vibration 124

9.23. Population 128
9.24. Transport and Access 133
9.25. Water 137
9.26. Cumulative Effects 143
10. Conclusion and Planning Balance 152
10.2. The Planning Balance 161
10.3. References 165
Appendix 1 - Site Selection Report 170
Appendix 2 - Mineral Safeguarding Assessment 205
Appendix 3 - Planning History 232
Appendix 4 - Policy Compliance Assessment Tables 239
Appendix 5 - Sequential and Exception Tests 416

1. Introduction

1.1. Background

1.1.1. This Planning Statement has been prepared on behalf of Rosefield Energyfarm Limited ('the Applicant') in relation to the Development Consent Order (DCO) Application for the construction, operation (including maintenance), and decommissioning of Rosefield Solar Farm (hereafter referred to as the 'Proposed Development').

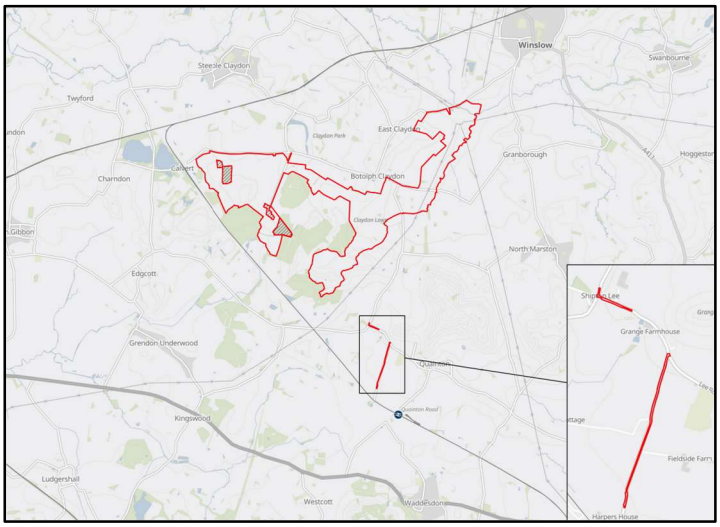
1.1.2. This document has been updated ~~alongside the Change Application to add~~at Deadline 4 to remove the reference that consideration of agricultural land for food production is no longer required under national policy, in response to **Ref. 3.3.37** in **Applicant's Response to Deadline 3 Submissions [EN010158/APP/8.22]**. ~~reference to a new bridleway link, which is a link to connect two existing bridleways in response to a request made by Buckinghamshire Council in its Local Impact Report **[REP1-112]** about connecting a missing link.~~ References to other application documents have not been updated from the original submission. Please refer to the **Guide to the Application [EN010158/APP/1.2.10~~9~~]** for the list of current versions of documents.

1.1.3. The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance), and decommissioning of solar photovoltaic ('PV') development and energy storage, together with associated infrastructure and an underground cable connection to the National Grid East Claydon Substation.

1.1.4. The Proposed Development would include a generating station with a total exporting capacity exceeding 50 megawatts ('MW').

1.1.5. The location of the Proposed Development is captured below (**Figure 1**) and shown on the **Environmental Statement** (**ES**) **Volume 3, Figure 1.1: Location Plan [EN010158/APP/6.3]**. The Proposed Development would be located within the Order Limits (the land shown on the **Works Plans [EN010158/APP/2.3]** within which the Proposed Development could be carried out). The Order Limits plan is provided as **ES Volume 3, Figure 1.2: Order Limits [EN010158/APP/6.3]**. Land within the Order Limits is known as the 'Site'.

Figure 1: Location Plan and Order Limits



1.2. The Applicant

1.2.1. The Applicant is Rosefield Energyfarm Limited, a joint venture between EDF Renewables UK and Ireland and Padero Solar Ltd (trading as PS Renewables).

1.2.2. EDF Renewables UK and Ireland, part of the EDF Group, is one of the world's largest low carbon electricity companies. EDF Renewables UK and Ireland has an operating portfolio of 50 renewable energy sites including battery, onshore and offshore wind and solar (together totalling more than 2 GW) and an expanding renewables portfolio with almost 14 GW of solar and wind projects in planning and development. All this is providing much needed affordable and low carbon electricity. EDF Renewables UK and Ireland investment and innovation is reducing costs for customers and bringing significant benefits for communities. EDF Renewables UK and Ireland invest in projects and the communities where they operate for the long term, remaining involved in projects over their lifetime from development, construction and operation, all the way through to decommissioning.

1.2.3. PS Renewables is one of the largest renewable energy development and construction companies within the United Kingdom with over 7 gigawatts (GW) of NSIPs in development today. PS Renewables are proud of their proven track-record of developing, designing, building, and maintaining our energy projects here in the UK. PS Renewables' projects are owned and backed by some of the world's largest funders and energy utilities who also have aspirations for more clean renewable energy.

1.3. Legislative Context Review

1.3.1. **Section 7** of this Planning Statement sets out the legislative context, including the relationship between the Planning Act 2008 (PA 2008), relevant National Policy Statements (NPSs) and the Proposed Development. **Sections 7.3** and **7.4** set out the national policies against which the Proposed Development will be determined and other local and national policy that may be important and relevant matters for the Secretary of State's decision. **Section 7.5** outlines other national policy documents which are considered to be important and relevant to the determination of the DCO Application.

1.3.2. The Proposed Development is classed as a NSIP as defined under Section 15 of the PA 2008 as the capacity exceeds 50MW and, as such, must be consented by a DCO. The PA 2008 sets out that the Secretary of State is responsible for determining whether to grant a DCO for the Proposed Development and, under the PA 2008, has the power to appoint an Examining Authority (ExA) of an appointed person(s) to manage and examine the DCO Application on behalf of the Secretary of State.

1.3.3. An ExA will make procedural decisions, examine the DCO Application and make a recommendation to the Secretary of State who would then decide whether to grant a DCO.

1.3.4. Section 104 of the PA 2008 prescribes that DCO applications must be determined in accordance with any relevant NPS where the NPS has effect in relation to development of the description to which the DCO Application relates, subject to a number of specific exceptions.

1.3.5. The following NPSs (hereafter referred to as the NPSs or individually as NPS EN-1, NPS EN-3 or NPS EN-5) have effect in relation to the Proposed Development and are therefore the primary policy basis for Secretary of State's determination of the DCO Application:

- Overarching National Policy Statement for Energy 2023 (NPS EN-1) **[Ref. 1-1]**;
- National Policy Statement for Renewable Energy 2023 (NPS EN-3) **[Ref. 1-2]**; and
- National Policy Statement for Electricity Networks Infrastructure 2023 (NPS EN-5) **[Ref. 1-3]**.

1.4. Pre-Application Consultation

1.4.1. The PA 2008 requires applicants for DCOs to carry out statutory pre-application consultation on their proposals. The PA 2008 and related regulations set out the requirements for how this consultation must be undertaken and the Applicant has also undertaken non-statutory consultation as part of developing its proposals and seeking feedback from consultees.

1.4.2. The Applicant adopted a two-stage approach to pre-application consultation followed by an additional Targeted Consultation. As evidenced in the

Consultation Report [EN010158/APP/5.1], there was a discernible reduction in the number of comments made by consultees which could, in part, be afforded to the successfully address of comments made by consultees during the Phase One Consultation.

1.4.3. Non-statutory consultation (Phase One Consultation) was carried out between 28 September and 10 November 2023.

1.4.4. A statutory consultation (Phase Two Consultation) in compliance with Sections 42, 47 and 48 of the PA 2008 was undertaken between 18 September and 05 December 2024, supported by a Preliminary Environmental Impact Report (PEIR) in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations).

1.4.5. In addition, a Targeted Consultation period took place between 21 May and 16 July 2025 on:

- Minor additions to the Order Limits to allow for access to areas of the Proposed Development proposed for landscaping and environmental enhancements in Parcel 1a; and
- Layout changes to remove a layout option to present a single preferred layout for the location of the Battery Energy Storage System (BESS), Main Collector Compound and Rosefield Substation as part of the DCO Application.

1.4.6. In addition to the two-stage approach and the Targeted Consultation outlined above, the Applicant has undertaken extensive engagement with Buckinghamshire Council (the 'host authority'), statutory prescribed persons, relevant statutory undertakers, those with an interest in the land, and those who may be affected by the Proposed Development throughout the development of the proposals. This ongoing engagement with the host authority has comprised regular meetings where updates have been provided on the Proposed Development, including the design development and technical meetings with the host authority's technical specialists.

1.4.7. The pre-application consultation undertaken by the Applicant and how feedback from consultees has informed the Proposed Development is reported within the **Consultation Report [EN010158/APP/5.1]** and the **Consultation Report Appendices [EN010158/APP/5.2]**.

1.5. Supporting Documents

1.5.1. The Proposed Development is 'EIA development' as defined by the EIA Regulations, which means that an Environmental Impact Assessment (EIA) is required. An ES has been prepared and is submitted with the DCO Application.

1.5.2. A summary of the description of the Proposed Development can be found in Section 3.1 of **ES Volume 1, Chapter 3: Proposed Development Description**

[EN010158/APP/6.1]. The terminology used in this document is defined in **ES Volume 1, Chapter 00: Glossary [EN010158/APP/6.1]**.

1.5.3. The reports and plans accompanying the DCO Application are set out in the **Guide to the Application [EN010158/APP/1.2]**.

1.5.4. The DCO Application is also supported by a **Site Selection Report**, which is **Appendix 1** to this Planning Statement. This assessment sets out the process for finding the Site and the assessment undertaken in this process.

1.6. Purpose and Structure of Document

1.6.1. This document provides an overview of the Proposed Development and its impacts. The document goes on to demonstrate the acceptability of the Proposed Development when taken with the benefits of the Proposed Development against the provisions of the relevant legislation and policy.

1.6.2. The remainder of the Planning Statement is structured as follows:

- **Section 2** describes the design approach that has informed the design development of the Proposed Development.
- **Section 3** describes the need for the Proposed Development, highlighting the urgent need for renewable energy and the benefits of the Proposed Development.
- **Section 4** describes the Order Limits, including its surrounding areas and the relevant planning history within the Order Limits.
- **Section 5** provides an overview of the site selection process undertaken to identify the Site.
- **Section 6** provides an overview of the Proposed Development and its component parts.
- **Section 7** provides an overview of the decision-making framework, legislation, policy context, and other important and relevant considerations.
- **Section 8** sets out the Applicant's key engagement to date and how it has helped inform the Proposed Development.
- **Section 9** provides an assessment of the Proposed Development and demonstrates the Proposed Development's compliance with all policy requirements, as outlined within the relevant NPSs and any other planning policy documents the Applicant considers may be both important and relevant.
- **Section 10** presents the conclusions of the Planning Statement and the planning balance.

2. Design Approach

2.1.1. In accordance with policy requirements, the approach to achieving good design was considered at the outset, and the Applicant developed a framework for good design which was then used to inform the proposals from an early stage.

2.1.2. The Applicant adopted 10 Strategic Principles to guide the design of the Proposed Development at the early stages of the project, which were informed by the United Nations Sustainable Development Goals (UN SDGs) and the National Infrastructure Commission's (NIC) Design Principles for National Infrastructure which are Climate, People, Places and Value. These Strategic Principles are set out in Section 4 of the **Design Approach Document [EN010158/APP/5.8]**.

2.1.3. These 10 Strategic Principles are the foundation on which project-level design principles (hereby referred to as 'Project Principles') were subsequently developed by the Applicant to facilitate the practical application of the Strategic Principles at the project level.

2.1.4. Section 4 of the **Design Approach Document [EN010158/APP/5.8]** demonstrates how good design has been embedded in the Proposed Development. Section 4 of the **Design Approach Document [EN010158/APP/5.8]** also details the Project Principles which: provide a shared understanding of desired outcomes for the Proposed Development; provide a framework for decision making and have ultimately driven good design outcomes.

2.1.5. The Project Principles are based on an understanding of the Proposed Development's local context, the people it would affect, and the potential benefits and outcomes it will deliver. The Project Principles drive design-related decision-making throughout the Proposed Development's lifecycle and are continually tested and improved in response to further baseline survey work, design evolution, environmental assessment, and stakeholder feedback to secure optimal outcomes at detailed design.

2.1.6. The policy and guidance documents that have informed the Applicant's approach to good design include NPS EN-1, NPS EN-3, the NIC's 'Design Principles for National Infrastructure' report **[Ref. 1-4]** and the 'Planning Inspectorate's advice on good design for NSIPs' **[Ref. 1-5]**. **Section 9** of this Planning Statement provides a comprehensive assessment against these policy and guidance documents. Further, the **Design Approach Document [EN010158/APP/5.8]** demonstrates how the Proposed Development has considered the issues and consideration of questions posed in Annex A of the Planning Inspectorate's advice on good design for NSIPs.

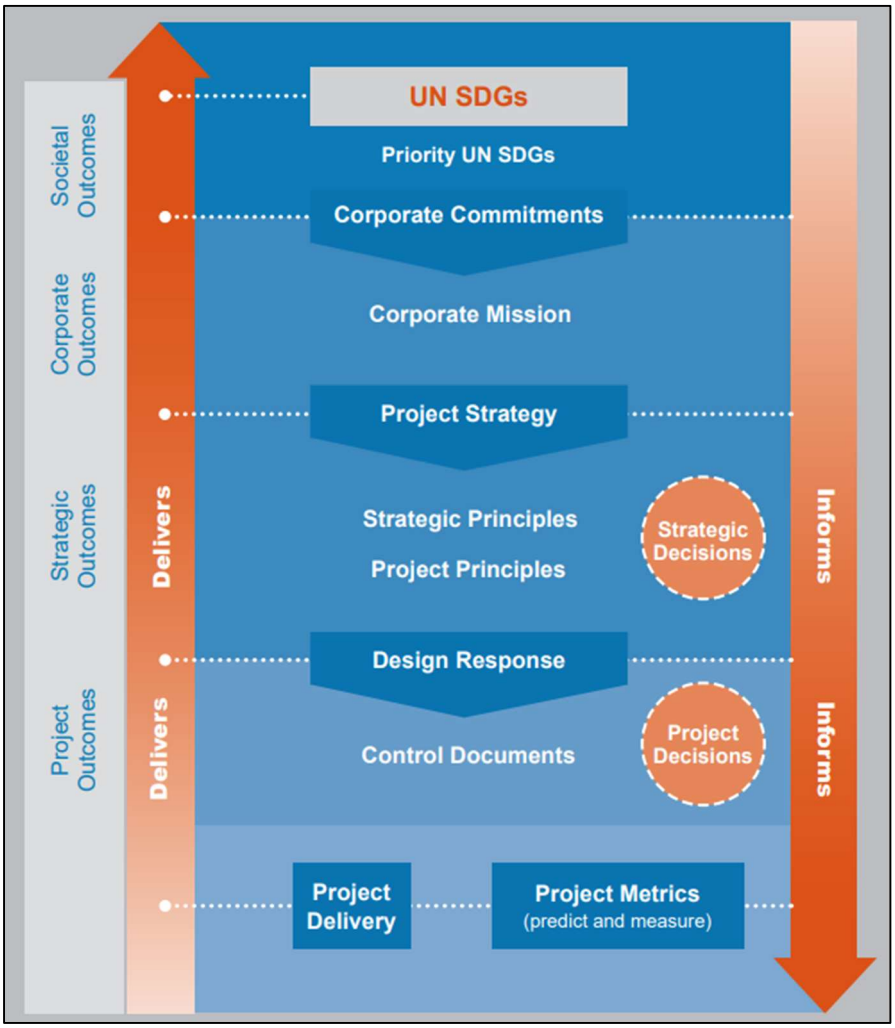
2.1.7. Good design outcomes would be secured in the detailed design of the Proposed Development, in accordance with the ES assessments, via the Control Documents secured by the **Draft Development Consent Order (Draft**

DCO) [EN010158/APP/3.1]. Adherence to the Control Documents would secure good design outcomes, secure mitigation to manage the Proposed Development in accordance with the conclusions of the ES and provide flexibility. A full list of Control Documents is set out in the **Guide to the Application [EN010158/APP/1.2]**.

2.1.8. Principally, Design Commitments have been developed to support the practical application of the Project Principles and to secure design features to control the Proposed Development when the detailed design is undertaken once consent has been granted. Design Commitments are needed to secure elements of the design that are not covered by other Control Documents and include commitments relating to the size, type, and colour of elements of the Proposed Development. A full list of commitments is set out in **Design Commitments [EN010158/APP/5.9]** and are secured via Requirement 4 of the **Draft DCO [EN010158/APP/3.1]**.

2.1.9. **Figure 2** below sets out the design framework that has informed the design approach in a diagrammatic form, for ease of reference:

Figure 2: Design Framework



3. Need For and Benefits of the Proposed Development

3.1. Need for the Proposed Development

3.1.1. This Section sets out the need for the Proposed Development and how it is supported by international and national legislation and policy. It summarises key points from the **Statement of Need [EN010158/APP/5.6]**, including a summary of Section 3 of that document.

3.1.2. Urgent and unprecedented actions are required on a global scale to halt Climate Change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding Climate Change targets. Solar generation is a critical part of the UK's strategy to achieve Net Zero by 2050, a key step towards which is the Government's national mission for 'Clean Power by 2030'. This is further explained within Section 3 of the **Statement of Need [EN010158/APP/5.6]**.

3.1.3. The NPSs, which came into force in January 2024, established the planning policy need for new renewable energy generation. This Section discusses the key drivers underpinning the need for renewable energy within the UK and the Government's view that there is an urgent need for new energy NSIPs.

3.1.4. The NPSs confirm that large-scale ground-mounted solar farms have a critical role to play in achieving the Government's aims and establishes a 'critical national priority' (CNP) for low-carbon infrastructure, including large-scale solar farms because of the decarbonisation, energy security and affordability benefits that they deliver.

3.1.5. The NPSs also confirm that assets that provide flexibility to the national electricity system, or the energy system generally, are also needed to achieve national decarbonisation and energy security aims. The NPSs state that the Government supports solar energy, which is co-located with storage to maximise flexibility and land use efficiency. Therefore, the Proposed Development (being a large-scale solar plus energy storage scheme) fully aligns with the Government's aims in this respect.

3.1.6. The NPSs explain that the availability of a grid connection, suitable irradiance levels and local topography are key inputs to the selection of a site(s) suitable for large-scale solar generation development. The number of locations within the UK where large-scale solar generation is suitable is therefore likely to be limited and so this is a material issue when considering how the UK is to meet the urgent need for low-carbon generation as is set out in the NPSs. **Sections 9** and **10** of this Planning Statement expand the urgent needs case established by the NPSs, which should be read in conjunction with this Section.

3.1.7. The **Statement of Need [EN010158/APP/5.6]** supports the policy position of Paragraph 3.2.7 of NPS EN-1 that the decarbonisation, security of supply and affordability benefits delivered by the Proposed Development to the national

urgent need for low-carbon generation should be afforded substantial weight in the planning balance.

3.2. National Policy Context

3.2.1. The legal requirement to achieve Net Zero underpins the urgent need for the deployment of large capacities of affordable electricity generation schemes which make best use of the UK's natural low-carbon energy resources and available grid connection points.

3.2.2. Paragraph 4.2.1 of NPS EN-1 sets out that the *"Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions"*. To fully decarbonise the power system within such timeframes, the Government has concluded, through Paragraph 4.2.4 of NPS EN-1, that *"there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure"*.

3.2.3. The CNP for new nationally significant low-carbon infrastructure (the definition of which includes solar PV) is set out in Paragraph 4.2.5 of NPS EN-1. The urgent national need for energy-generating that is set out in both NPS EN-1 and NPS EN-3 is of great significance to the determination of the Proposed Development. Paragraph 3.3.63 of NPS EN-1 explains that:

"Subject to any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, ***will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy****. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible".*

3.2.4. In addition to the recognised need to deploy CNP infrastructure, NPS EN-1 also recognises, through Paragraph 4.2.2, that the UK's energy security and Net Zero ambitions will *"**only** be delivered if we can enable the development of new low carbon sources of energy at **speed and scale**".*

3.2.5. Paragraph 4.2.5 of NPS EN-1 outlines the relevant low carbon infrastructure that is captured under the definition of CNP. It states that, for electricity generation, 'low carbon infrastructure' relates to *"all onshore and offshore generation that does not involve fossil fuel combustion"*. There is a presumption established by the NPSs that the urgent need for CNP infrastructure will outweigh any residual effects in all but the most exceptional cases (Paragraph 4.1.7 of NPS EN-1). This presumption does not apply to residual impacts that present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats, or unacceptable risk to achieving Net Zero. Where no such residual impacts exist, the presumption weighs in favour of the need for Critical National Priority infrastructure.

3.2.6. NPS EN-3 reaffirms that the Government sees PV generation as being *"a key part of the Government's strategy for low-cost decarbonisation of the energy*

sector" (Paragraph 2.10.9). Paragraph 2.10.10 goes on to state that *"solar also has an important role in delivering the Government's goals for greater energy independence. The British Energy Security Strategy states that Government expects a five-fold increase in combined ground and rooftop solar deployment by 2035 (up to 70GW). It sets out that Government is supportive of solar that is "co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use"*.

3.2.7. The serving Labour Government had made major commitments to the delivery of clean energy in their election manifesto, including a pledge to achieve "Clean Power by 2030" **[Ref. 1-6]**.

3.2.8. The Government's commitments include:

- Doubling onshore wind, tripling solar power, and quadrupling of offshore wind by 2030;
- Investment in carbon capture and storage, hydrogen and marine energy;
- Taking decisions on existing and new nuclear power;
- Embracing the future of energy production and storage; and
- Through a new publicly owned company, Great British Energy, partnering with energy companies, local authorities, and co-operatives to install thousands of clean power projects, through a combination of onshore wind, solar, and hydropower projects.

3.2.9. In December 2024, the Government published a policy paper titled 'Clean Power 2030 Action Plan' **[Ref. 1-7]** which outlines the Government's steps to achieving Clean Power by 2030 and outlines a strong Government ambition for 45 - 47GW of installed solar power by 2030.

3.2.10. Beyond 2030, solar generation will continue to be necessary to make an important contribution to the UK's renewable energy generating capacity towards 2050. Key paragraphs from NPS EN-1 and NPS EN-3 relating to the important contribution of solar can be summarised as follows:

- Large-scale solar is technically and economically feasible (NPS EN-3 Paragraph 2.10.14);
- Large-scale solar can and will bring benefits (environmental, economic and social) for the UK (NPS EN-3 Paragraphs 2.10.11 and 2.10.89);
- The demand for electricity is likely to increase significantly in the coming years (NPS EN-1 Paragraph 3.3.3); and
- Increased flexibility in energy supply is needed (NPS EN-1 Paragraphs 3.3.3, 3.3.5 and 3.3.13).

3.2.11. Further, the need for solar technology (as a renewable source) in the UK is both urgent and significant and is increasingly so with nationally significant solar NSIPs now falling under the CNP policy which is written into NSP EN-1 (Part

3.2 (specifically Paragraphs 3.2.6 - 3.2.8) and Paragraphs 3.3.62, 3.3.63 and 4.2.4 - 4.2.6) and NPS EN-3 (Paragraph 2.10.9).

3.2.12. In April 2025, the Government opened a consultation on material and minor updates to NPS EN-1, NPS EN-3 and NPS EN-5 (the 'draft revisions'). These revisions seek to embed Clean Power 2030 policy into the Energy NPSs and strengthen the policy case for Critical National Priority infrastructure (including solar). The revisions aim to assist developers in bringing forward higher quality applications.

3.2.13. The draft revisions to NPS EN-3 are primarily seeking to establish onshore wind in policy. However, revisions to Part 2.10 (Solar PV Generation) of NPS EN-3 have also been proposed. Most notably, draft Paragraphs 2.10.1 and 2.10.2 confirm that *"The UK has huge potential for solar power: it is a cheap, versatile, and effective technology"* and that *"solar energy is at the heart of our Clean Power 2030 Mission"* respectively.

3.2.14. The full extent of the draft revisions are considered further through **Sections 7**, **9** and **10** of this Planning Statement.

3.2.15. The **Statement of Need [EN010158/APP/5.6]** explains that the development of large-scale solar generation reflects the national policy position that there is a CNP for low-carbon energy infrastructure, including solar generation, and that solar is a key part of the national strategy for low-cost decarbonisation of the energy sector. The **Statement of Need [EN010158/APP/5.6]** builds upon the case made in the NPSs to demonstrate:

- why development, such as the Proposed Development, is urgently needed at the scale proposed;
- why the proposed location is highly suitable for such a scheme; and
- how the Proposed Development also addresses all relevant aspects of established and emerging Government energy and Climate Change policy and commitments.

3.3. Other Benefits of the Proposed Development

3.3.1. The Proposed Development would deliver other benefits beyond making a significant contribution to the UK's meeting of policy commitments and legal decarbonisation targets. These benefits occur across different stages of the Proposed Development's lifetime.

3.3.2. The Proposed Development includes the following other benefits:

- Proposed permanent enhancements to connectivity within the local area through the rationalising and enhancement of the network of Public Rights of Way (PRoWs). These enhancements are summarised below and detailed in full in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**:

- A diversion to the existing PRoW Footpath (reference 'ECL/4/2') (463m to-be-stopped up) to the north of Parcel 3 to align the PRoW Footpath with the field boundaries of Fields E10 and E11, rather than crossing Field E11 (new length 559m).
- A diversion to the existing PRoW Footpath (reference 'ECL/7/2') (243m to-be-stopped up) to the east of Parcel 2 to align the PRoW Footpath with the field boundary of Field D19 (new length 274m).
- A diversion to the existing PRoW Footpath (reference 'SCL/13/2') (323m to-be-stopped up) to the south of Parcel 1 (between Shrubs Wood and Decoypond Wood) to align the PRoW Footpath with the field boundary of Field B7 (new length 410m).
- Diversions to three existing PRoW Footpaths (references 'SCL/13/1', 'SCL/12/2' and a further diversion to 'SCL/13/2') (1,087m to-be-stopped up) to rationalise them into a single PRoW Footpath providing access between Pond Farm and Calvert Road (new length 1,027m), whilst ensuring no dead ends are created on the routes.

- The creation of three permissive paths and one bridleway link connecting two existing bridleways:
  - A new permissive path connecting a rationalised PRoW before tracking east to the south of Shrubs Wood, east across Knowl Hill and then tracking north towards Three Points Lane (approximate length 1.9 kilometres (km)).
  - A new permissive path connecting the above permissive path to Calvert Road, providing wider connectivity with the local network of PRoWs (approximate length 0.7km).
  - A new permissive path to the south of Botolph Claydon connecting the Bernwood Jubilee Way to an existing PRoW (approximate length 0.5km).
  - A new bridleway link connecting two existing PRoW Bridleways 'ECL/10/5' with 'QUA/40/2'/'QUA/40/3' in proximity to Runts Wood in Parcel 2, (approximate total length 0.9 km, of which the northern section of 0.6km follows the alignment of the proposed internal access track/permissive path and the southern section of 0.3 km follows the alignment of PRoW Footpath reference 'QUA/41/1').
- Providing a variety of biodiversity benefits including: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds. Further detail of these benefits are captured and secured within the **Outline Landscape and Ecological Management Plan (Outline LEMP) [EN010158/APP/7.6]**.

- The Proposed Development would deliver a Biodiversity Net Gain (BNG) in excess of 10%, as secured within the **Outline LEMP [EN010158/APP/7.6]**. This has been assessed through **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** which calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Beyond delivering BNG in excess of 10% as secured in the **Outline LEMP [EN010158/APP/7.6]**, Requirement 7 of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum biodiversity net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than what Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.
- Provision of an **Outline Employment, Skills and Supply Chain Plan (Outline ESSCP) [EN010158/APP/7.14]**, which sets out:
  - The key elements of the socio-economic baseline analysis that have informed the Outline Plan and would guide the scale and balance of actions required to generate economic benefits;
  - The key policies and priorities set out across Buckinghamshire's economic strategies that this Outline Plan is able specifically to support;
  - The underpinning conditions required to successfully promote economic benefits;
  - A set of core objectives, which would form the basis for marshalling collective action by the Applicant, its Tier 1 contractors and regional stakeholders with a role in promoting access to employment, workforce development and business prosperity;
  - Key stakeholders that the Applicant would seek to collaborate with to successfully promote opportunities and translate these into employment, skills and business benefits;
  - A suite of actions, which the Applicant would drive forward, in collaboration with partner stakeholders;
  - How the Applicant would engage with stakeholders to produce a detailed Employment, Skills and Supply Chain Plan, should consent be granted, and how the Applicant intends to deliver and monitor the activities set out within the detailed Plan; and
  - The Applicant's commitment to an Education and Skills Fund to increase opportunities in the renewable and sustainable development sector. It is envisaged that the Education and Skills Fund would support the priorities set out in the Detailed Plan. The sum of £50,000 would be allocated annually, from the Date of Commencement until the Date of Decommissioning. Arrangements for allocating the Fund would be agreed by the Applicant and Buckinghamshire Council.

- Interpretation boards for Claydon House and Claydon Registered Park and Garden on the proposed permissive path to Knowl Hill to better reveal the significance of the assets and improve appreciation and understanding of it as secured by the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** and the **Outline Rights of Way and Access Strategy (Outline RoWAS) [EN010158/APP/7.8]**.

3.3.3. The Applicant has an established record of adding lasting value through the support of local supply chains and is committed to focussing the delivery of economic benefits generated by the Proposed Development to local residents and business. The Proposed Development has the ability to catalyse and increase capabilities and specialisms in green construction and manufacturing across Buckinghamshire. This is detailed and secured within the **Outline ESSCP [EN010158/APP/7.14]**.

3.3.4. The Applicant considers that the contribution of these other benefits should generally carry significant weight in the planning balance. **Sections 9** and **10** of this Planning Statement set out how these other benefits have been considered and how the contribution made by these other benefits support the overall weighting that favours a DCO being granted for the Proposed Development.

3.3.5. Whilst not a consideration for the Secretary of State, the Applicant is proposing a Community Benefit Fund reflecting £400 per MW of installed capacity per year from the start of operation and lasting throughout the operational lifetime of the Proposed Development. It is envisaged that it would be managed by an independent third party and delivered in partnership with the local community. Local people would be able to advise on the fund strategy and spend, to prioritise issues that are important to the local area.

3.3.6. The total amount of funding would be based on the final installed capacity of the Proposed Development. The Community Benefit Fund would be index linked from the first payment, with the Retail Price Index (RPI) base rate linked to the operation date of the Proposed Development and reviewed annually.

3.3.7. The Applicant stresses that the Secretary of State cannot and must not apply any positive weight to the provision of a Community Benefit Fund when considering the Proposed Development and the planning balance.

4. Site Context

4.1. Introduction

4.1.1. This Section summarises the physical characteristics of the Site and its surrounding context, including policy allocations and designations.

4.1.2. The Proposed Development comprises approximately 675.05 hectares (ha) of land located entirely within the administrative boundary of Buckinghamshire Council as shown in **ES Volume 3, Figure 1.1: Location Plan [EN010158/APP/6.3]**. The settlements of Calvert, Middle Claydon, Botolph Claydon, East Claydon, Hogshaw and Quainton lie within 1.5km of parts of the Order Limits. The settlements of Steeple Claydon, Edgecott, Shipton Lee, Quainton, Granborough and Winslow are within 3.0km of the Site.

4.2. Site Location

4.2.1. The Site contains four parcels of land: Parcel 1, Parcel 1a, Parcel 2 and Parcel 3. These Parcels would contain the principal components of the Proposed Development and are shown in **ES Volume 3, Figure 1.2: Order Limits [EN010158/APP/6.3]** and detailed further within **ES Volume 1, Chapter 2: Location of the Proposed Development [EN010158/APP/6.1]**.

4.2.2. The Site is also made up of further land which is to provide cabling, access and further landscape and ecological mitigation and enhancements between and in relation to the Parcels.

4.2.3. The land within the Order Limits predominantly consists of agricultural fields and pastureland interspersed with hedgerows, ditches, woodland blocks and farm access tracks. The hedgerows within the Site range from dense tall vegetation to sporadic shrubs and hedgerow trees. The fields are bordered by a mix of hedgerows, trees and ditches.

4.2.4. There is some variation in the features immediately surrounding and within the Site, as presented below and illustrated on **ES Volume 3, Figure 2.1: Environmental Considerations [EN010158/APP/6.3]**:

- **Parcel 1:** Parcel 1 is the western most parcel of the Site and measures 183ha. Parcel 1 is bordered by several woodland blocks including Shrubs Wood, Decoypond Wood and Sheephouse Wood. Calvert Road sits on the northern boundary of Parcel 1. Parcel 1 is located in close proximity to an active High Speed Rail (HS2) works area, which is located approximately 100m from the western edge of Parcel 1. Permanent HS2 mitigation planting is located directly adjacent to the eastern edge of Parcel 1. The East West Rail (EWR) railway line, which is currently under construction, is located approximately 850m north of Parcel 1 at its closest point.
- **Parcel 1a**: Parcel 1a is the smallest parcel (17ha) and is located to the south east of Parcel 1. Parcel 1a is bordered by Sheephouse Wood to the north

west, Romer Wood and Greatsea Wood to the east, Muxwell Brook to the north and by hedgerows to the south. Parcel 1a is located less than 500m east of the active HS2 works area. Permanent HS2 mitigation planting is located directly adjacent to the north and south, with a small section of mitigation planting intersecting the Parcel.

- **Parcel 2**: Parcel 2 is located approximately 1km east of Parcel 1a and is 203.5ha. Parcel 2 is bordered by Runt's Wood to the west, Finemere Wood to the south and the residential settlement of Botolph Claydon directly to the north.
- **Parcel 3**: Parcel 3 is the northern most parcel of land within the Site and is 50.6ha. Adjacent to Parcel 3 lies the existing National Grid East Claydon Substation which would be the point of grid connection for Rosefield Solar Farm.
- **Interconnecting Cable Corridor**: The cabling that is required to connect the Solar PV development from each parcel to the Satellite Collector Compound(s), BESS, Main Collector Compound and Rosefield Substation. The Interconnecting Cable Corridor between Parcel 1 and 2 passes adjacent to Home Wood and is approximately 462ha.
- **Grid Connection Cable Corridor**: The Grid Connection Cable Corridor would connect the Rosefield Substation (located in Parcel 3) to the National Grid East Claydon Substation via 400kV cabling which would run underground and would be located to the north of Parcel 3. This would be approximately 77.99ha.
- **Internal Access Corridors**: The Internal Access Corridors are the areas within the Order Limits that connect the Parcels to allow for the movement of vehicles during construction, operation (including maintenance) and decommissioning phases. The Internal Access Corridor between Parcel 1 and 2 is adjacent to Home Wood and links Field B23 (South) with Fields D3 (South) and D12. The Internal Access Corridor between Parcel 1 and 1a passes through Romer Wood, using the existing HS2 access track, and adjacent to Sheephouse Wood.
- **Abnormal Indivisible Load Access Corridor**: The AIL Access Corridor includes a single access point off East Claydon Road and into the north of Parcel 3 and is approximately 6ha. It would require a crossing over Claydon Brook.

4.2.5. Parcels 1 and 2 are bordered to the north by Calvert Road which provides direct access to Botolph Claydon and Calvert. East Claydon Road, which lies to the north of Parcel 3, provides direct access to the National Grid East Claydon Substation and the settlement of East Claydon.

4.2.6. There is an extensive network of PRoWs within and adjacent to the Site, which provide links to the surrounding settlements as shown in **ES Volume 3, Figure 2.1: Environmental Considerations [EN010158/APP/6.3]** and **Figure 2.2: Existing Public Rights of Way [EN010158/APP/6.3]**. The following PRoW

identified below and displayed in **ES Volume 3, Figure 2.2: Existing Public Rights of Way [EN010158/APP/6.3]** lie within or intersect the Site:

- PRoWs (SCL/12/1, SCL/12/2, SCL/13/1, SCL/13/2) extend within the western extents of Parcel 1, in Fields B1 and B4 to B7;
- PRoWs (MCL/17/1, MCL/18/1, MCL/18/2 and MCL/20/2) are located south of Knowlhill Farm outside of the area of Solar PV development and run south into and around Parcel 1a through the Internal Access Corridor;
- PRoWs (MCL/15/1, MCL/16/1, and ECL/9/1) traverse through the Interconnecting Cable Corridor and Internal Access Corridor between Parcels 1 and 2.
- PRoWs (ECL/7/1, ECL/9/2 and ECL/10/1) extend south from Botolph Claydon to within the northern extent of Parcel 2, and continue as PRoWs (ECL/8/1, ECL/8/2, ECL/7/2, ECL/10/2, ECL/10/3, ECL/10/4, ECL/10/5, QUA/38/1, QUA/39/1, QUA/40/1, QUA/40/2, QUA/40/3, QUA/41/1, and QUA/42/2) through and along the boundary of Parcel 2;
- PRoWs (ECL/11/1, ECL/11/2, ECL/11/3, ECL/11/4) extend from Botolph Claydon to East Claydon following the route of Botyl Road then forking off-road close to the property Ivy Nook. ECL/11/1 extends to the west of Parcel 3;
- PRoWs (ECL/6/1 and ECL/5/1) cross through the Interconnecting Cable Corridor and Internal Access Corridor between Parcel 2 and 3;
- PRoWs (ECL/4/2) traverses east to west across Parcel 3;
- PRoWs (ECL/3/1, ECL/3A/1, ECL/3/2, and ECL/4/1) are located within the Grid Connection Corridor; and
- PRoWs (QUA/24/1, QUA/22A/1, and QUA/23/1) cross Snake Lane/Fidlers Field.

4.2.7. Further information related to access is presented within **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** and the **Outline RoWAS [EN010158/APP/7.8]**.

4.3. Designations and Allocations

4.3.1. The Site itself does not overlap any environmental designations, except for the where the Order Limits encroach into Romer Wood and Greatsea Wood and Quainton-Wing Hills Area of Attractive Landscape which sits in the southern part of Parcel 2. There are numerous environmental designations within its vicinity, as illustrated in **ES Volume 3, Figure 2.1: Environmental Considerations [EN010158/APP/6.3]** and are summarised below:

4.3.2. There are no international statutory designations within 10km of the Site.

4.3.3. There are three statutory nationally designated sites within 2.0km of the Site. These are Sheephouse Wood Site of Special Scientific Interest (SSSI)

(adjacent to Parcel 1 and Parcel 1a), Finemere Wood SSSI (adjacent to Parcel 2), and Grendon and Doddershall Woods SSSI (approximately 1.4km southwest of Parcel 1a).

4.3.4. Natural England is considering the renotification, amalgamation and enlargement of SSSIs within Bernwood. Natural England is proposing to do so through the proposed Bernwood SSSI which is to combine Sheephouse Wood SSSI, Finemere Wood SSSI, Grendon and Doddershall Woods SSSI and Ham Home-cum-Hamgreen Wood SSSI plus areas of Ancient Woodland not currently designated as SSSI and some areas of arable land into one. This includes the proposed addition of Bechstein's bat to the citation features.

4.3.5. There are 31 non-statutory designated sites within 2.0km of the Site, namely 19 Local Wildlife Sites (LWS), seven Biological Notification Sites (BNS), two Wildlife Trust Reserves (WTR) and three Biodiversity Opportunity Areas (BOA). There are 52 areas of ancient woodland within 2.0km of the Site, of which, 33 are areas of ancient semi-natural woodland and 19 are areas of replanted ancient woodland. The closest areas of ancient woodland are both ancient semi-natural woodland and replanted ancient woodland that are located within the Order Limits, these are Romer Wood and Greatsea Wood, as shown on **ES Volume 3, Figure 2.1: Environmental Considerations [EN010158/APP/6.3]**.

4.3.6. The Site is situated adjacent to two Conservation Areas: Botolph Claydon and Middle Claydon. Botolph Claydon Conservation Area lies north of Parcel 2 and Middle Claydon lies to the north of Parcel 1.

4.3.7. There are six Scheduled Monuments within 5km of the Site. Five of these are medieval in date and comprise a preceptory of the Knights Hospitallers, associated fishponds and the medieval settlement of Hogshaw, two deserted medieval villages, a medieval standing Cross, and a medieval moated site. One is an Norbury Iron Age univallate hillfort.

4.3.8. Within 5km of the Site, there are four Registered Parks and Gardens (two Grade I and two Grade II), 14 Conservation Areas (including Botolph Claydon and Middle Claydon Conservation Areas), nine Grade I Listed Buildings, 30 Grade II* Listed Buildings, and 469 Grade II Listed Buildings.

4.3.9. There are no Main Rivers located within the Site. The closest Main River, River Ray, is located approximately 200m south of Parcel 2, as shown on **ES Volume 3, Figure 2.1: Environmental Considerations [EN010158/APP/6.3]**.

4.3.10. There are several minor unnamed ordinary watercourses and drainage ditches located across the Site. There are two named ordinary watercourses, one directly north of Parcel 1a (Muxwell Brook) and another directly east of Parcel 3 (Claydon Brook), as shown on **ES Volume 3, Figure 2.1: Environmental Considerations [EN010158/APP/6.3]**.

4.3.11. **ES Volume 2, Chapters 6 - 17 [EN010158/APP/6.2]** provide further details of the existing environmental baseline.

4.3.12. Part of the Site is located within a Sand and Gravel Mineral Safeguarding Area (MSA). **Appendix 2: Mineral Safeguarding Assessment** to this Planning Statement considers the requirements of national and local policies relating to minerals whilst providing an assessment of the Proposed Development's impact upon the safeguarded mineral resource.

4.4. Relevant Planning History

4.4.1. **Appendix 3** to this Planning Statement considers any made planning applications within, overlapping or adjacent to the Order Limits. Being agricultural in nature, the relevant planning history within the Order Limits is generally limited. A number of historic planning applications relating to the National Grid East Claydon Substation within the Order Limits have been identified and captured in the full schedule of the Site's planning history. These applications principally relate to the ongoing operation and maintenance of the East Claydon Substation and are therefore of limited relevance to the Proposed Development.

4.4.2. Consideration of planning applications, from a cumulative effects assessment perspective, is captured within **ES Volume 2**, **Chapter 17: Cumulative Effects [EN010158/APP/6.2]**. The planning applications identified for assessment in **ES Volume 2**, **Chapter 17: Cumulative Effects [EN010158/APP/6.2]** are the only planning applications considered relevant to the assessment and consideration of this DCO Application. Those other planning applications captured within **Appendix 3** to this Planning Statement are historic and identified for completeness.

4.4.3. These applications are not generally located within the Order Limits and so the relevant planning history identified in **Appendix 3** to this Planning Statement differs to that identified in **ES Volume 2**, **Chapter 17: Cumulative Effects [EN010158/APP/6.2]**.

4.4.4. The Order Limits also overlap with an application relating to the *"development of a battery energy storage system (BESS), connected directly to the national Grid with associated infrastructure including access, drainage and landscaping"* (Buckinghamshire Council 'Aylesbury Vale Area' application reference '23/03875/APP'). This application was refused on 20 December 2024 and has been appealed successfully by the applicant (Appeals Casework Portal reference 'APP/J0405/W/25/3360815') with the decision having been issued on 11 September 2025. Both the Applicant and the developer of the application have discussed the respective projects to ensure neither project hinders the delivery of the other.

5. Site Selection

5.1.1. The DCO Application is also supported by a **Site Selection Report** at **Appendix 1** to this Planning Statement. This Section provides an overview of the site selection process undertaken to determine the location and extent of the Site. It also provides a description of the development design evaluation undertaken and the main alternatives considered.

5.1.2. **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** explains the legal and policy background of the consideration of alternatives and background to the design development. The Applicant has been guided by the principles described and by the technical and environmental baseline and requirements of a large-scale solar farm development project as set out in Part 2.3 ('Factors influencing site selection and design') and Part 2.10 (Paragraphs 2.10.18 – 2.10.48 under 'Factors influencing site selection and design') of NPS EN-3.

5.1.3. The starting point for the site selection was the Applicant engaging with National Grid Electricity Transmission (NGET) to discuss potential opportunities for a connection offer within the Buckinghamshire area. In early 2020, a grid connection offer was made by NGET for the Applicant to utilise the existing capacity available at the National Grid East Claydon Substation in Buckinghamshire.

5.1.4. Having identified the point of connection and securing a connection agreement, the Applicant undertook a search within 10km (the 'Search Area') for suitable areas of land for NSIP scale solar development, driven by the desire to be as close to the point of connection as possible, in order to minimise the risk of environmental impacts, disruption to multiple landowners, challenges with crossings and process losses, and the cost and delay of a longer cable route.

5.1.5. It should be noted that there is relatively limited consistency between the size of search areas adopted for solar NSIPs, due to the significant variability of site and area characteristics. As an example, other consented solar NSIPs have adopted the following search areas:

- Longfield: 5km
- Mallard Pass: No search area adopted; suitable site found within close proximity to National Grid substation
- Cottam: 5km to 20km
- West Burton: 15km
- Gate Burton: 8km search area with constraints mapped to 15km

5.1.6. The site selection factors considered below drew on the principles that were later enshrined in the draft and subsequently adopted policy in NPS EN-3 and provided a framework within which site selection was developed. These were

not absolute tests but laid the foundation for the balancing of different constraints and opportunities in order to identify an appropriate site. Desk-based environmental assessments were undertaken for all of the land within the 10km Search Area, and the site-specific principles were applied to identify the most suitable parcels of land in proximity to the point of connection, which then led the Applicant to begin discussions with landowners.

5.1.7. Areas closest to the National Grid East Claydon Substation were preferred on the basis of the above and, therefore, the Applicant approached landowners working outwards from the National Grid East Claydon Substation.

5.1.8. A willing landowner was identified as owning land adjacent to the National Grid East Claydon Substation, which was considered to perform well against the site selection criteria and therefore land further away from the substation was not given further consideration.

5.2. Irradiance and Topography

5.2.1. The local landscape surrounding the National Grid East Claydon Substation is relatively flat, with a gently undulating topography. These characteristics are suitable and beneficial for solar, increasing the likelihood of being able to identify a suitable site that is capable of producing a large amount of electricity.

5.2.2. Buckinghamshire is an appropriate location in the UK to construct a solar farm given that the area benefits from higher levels of PV power and irradiance when compared to the UK average.

5.3. Network Connection

5.3.1. The Applicant has secured a grid connection agreement in respect of the Proposed Development as evidenced in the **Grid Connection Statement [EN010158/APP/7.1]**.

5.3.2. The Proposed Development currently has a grid connection date of Q4 2031, although there is the potential that an earlier connection could be achieved.

5.4. Proximity of Site to Dwellings

5.4.1. The area surrounding the National Grid East Claydon Substation is characterised by dispersed small settlements, including East Claydon, Botolph Claydon, Granborough and Steeple Claydon, with the larger towns of Winslow to the east and Buckingham to the north. While the Site lies in relatively close proximity to Botolph Claydon, the Order Limits have been refined to accommodate environmental opportunities and enhancements. In particular, opportunities to screen the Proposed Development using existing and proposed landscape interventions have been adopted as part of the development design and evaluation.

5.4.2. There is also a relatively limited number of individual dwellings in close proximity to the Order Limits. Through the evolution of the design to date, the visual amenity impacts to these dwellings has been appropriately managed through measures such as strategic setbacks.

5.5. Agricultural Land Classification and Land Type

5.5.1. The Applicant has taken into account agricultural land classification (ALC) and land type when identifying an appropriate Site, based on publicly available national level data and field surveys.

5.5.2. NPS EN-3 places emphasis on large scale solar utilising previously developed land, brownfield land, contaminated land, industrial land or lower grade (3b, 4 or 5) non-'Best and Most Versatile' (BMV) land and, where possible, avoiding BMV (grades 1, 2 and 3a) agricultural land. Importantly, however, Paragraph 2.10.29 of NPS EN-3 recognises that "*land type should not be a predominating factor in determining the suitability of the site location*". NPS EN-3 also acknowledges that solar development is not prohibited on BMV land, land recognised for its natural beauty or ecological or archaeological importance.

5.5.3. Since selecting the Site, ALC surveys have been carried out across 605.12ha of the Proposed Development's 675.05ha. The ALC survey has confirmed that 594.91ha of the surveyed land constitutes Grade 3b, with 3.01ha constituting Grade 2 and 7.19ha constituting Grade 3a.

5.5.4. Of the unsurveyed land, 27.48ha constitutes non-agricultural land whilst the remaining 42.45ha is identified as Grade 3b.

5.5.5. When including the unsurveyed areas within the calculations, it is concluded that 94.42% of the Site is non-BMV, 4.07% of the Site is non-agricultural land and 1.51% of the Site is BMV. Further information on ALC is provided in **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]**.

5.6. Accessibility

5.6.1. The Site is accessible by the rural road network and the Strategic Road Network (SRN) via the A41 and A421. This is an important factor when considering possible effects during construction and the ability of the road network to accommodate Heavy Goods Vehicles (HGVs) and potential AILs. Further information on transport and access is provided in **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]**.

5.7. Environmental Impact

5.7.1. A key principle in the site selection process was to seek to avoid areas of particular environmental and landscape sensitivity where possible in order to minimise potential impacts.

5.7.2. The Applicant had regard to environmental and spatial considerations when determining an appropriate location for the Order Limits in accordance with Parts 2.3 and 2.10 of NPS EN-3. These considerations include:

- Designated international and national ecological and geological sites (for example, Sites of Special Scientific Interest (SSSIs), National Nature Reserves, National Parks, Registered Parks and Gardens, and World Heritage Sites);
- Nationally Designated Landscapes;
- Flooding; and
- Heritage.

5.7.3. In relation to flooding, the **Site Selection Report** appended to this Planning Statement confirms that Flood Zones 2 and 3 were evenly distributed across the Search Area and there were no available areas entirely within Flood Zone 1 that were large enough to support a utility scale solar farm. Whilst sites in Flood Zone 1 were preferred on the basis of lower flood risk, the available land which has small areas of Flood Zones 2 and 3 was not ruled out on the basis that there are technical solutions to allow solar to be safely accommodated within these zones.

5.7.4. Accordingly, a small area of the Order Limits is within Flood Zones 2, 3a and 3b. **Appendix 5: Sequential and Exception Tests** which is appended to this Planning Statement, **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** and **Section 9** of the Planning Statement provide full detail on how the Sequential and Exception Tests are considered to have been passed.

5.7.5. In relation to designated international and national ecological and geological sites, the design of the Proposed Development (both at the site selection and site layout, design and appearance stages) has evolved, particularly through environmental assessment, to avoid, reduce, mitigate and compensate (in this order in accordance with the mitigation hierarchy) environmental effects and respond to consultation and engagement feedback, where appropriate.

5.7.6. The available land did not contain any statutory environmental or landscape designations, however Sheephouse Wood SSSI and Finemere Wood SSSI are in close proximity to its border. It was considered that any potential impacts on the species for which these SSSI are designated could be mitigated through detailed design, including the use of setbacks from development and mitigation planting and screening.

5.7.7. There were no ancient woodlands within the available land when selecting the initial site for solar development. There are a number of ancient woodlands adjacent to the available land, including Sheephouse Wood, Shrubs Wood, Home Wood, Finemere Wood, Romer Wood, Decoypond Wood and Runt's Wood, however it was considered that any potential impacts to these ancient

woodlands as a result of the Proposed Development could be mitigated through detailed design and good practice construction processes, including the use of appropriate setbacks from development and on Site measures to reduce potential dust and pollution.

5.7.8. There are now two ancient woodlands located within the Order Limits, Romer Wood and Greatsea Wood, due to the extension of the Order Limits to include an existing access track to provide access to Parcel 1a.

5.8. Conclusion

5.8.1. As concluded in the **Site Selection Report** and **Sequential and Exception Tests** appended to this Planning Statement, the land within the Order Limits is considered suitable and appropriate for the scale of Solar PV development proposed, consistent with the principles in NPS EN-3.

6. Proposed Development

6.1. Introduction

6.1.1. This Section provides an overview description of the Proposed Development, including its components and proposed construction, operation (including maintenance), and decommissioning activities. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** contains the full project description. **ES Volume 1, Chapter 2: Location of the Proposed Development [EN010158/APP/6.1]** provides an overview of the Proposed Development's location.

6.1.2. The Proposed Development is described in Schedule 1 of the **Draft DCO [EN010158/APP/3.1]**, where the "authorised development" is divided into work packages. The Work Numbers (Work No.) for those packages are identified below and are referred to throughout the ES and correspond to the **Works Plans [EN010158/APP/2.3]**.

6.2. Components of the Site

6.2.1. The Proposed Development is a proposed solar PV electricity generating and battery storage facility with associated infrastructure which would allow for the generation and export of electricity exceeding 50MW. The Proposed Development encompasses approximately 675.05ha of land located within the administrative boundary of Buckinghamshire Council.

6.2.2. The area subject to the DCO Application where the Proposed Development would be carried out is shown as the Order Limits. The principal components of the Proposed Development include:

- Solar PV development consisting of:
  - Ground mounted Solar PV generating station. The generating station would include Solar PV modules and mounting structures; and
  - Balance of Solar System (BoSS) which comprises: Inverters; Transformers; Switchgear; Combiner Boxes; acoustic barriers and cabling.
- A project substation (the ‘Rosefield Substation’) compound comprising: Transformers; Switchgear; reactive power compensation bays; disconnectors; circuit breakers; busbars; control equipment; lightning surge arrestors; building(s) including office, control, functions, material storage, material laydown areas and welfare facilities; firewalls; fencing and acoustic barriers; a security cabin; parking as well as wider monitoring, maintenance and emergency equipment;
- A Main Collector Compound and two Satellite Collector Compounds comprising: Switchgear; Transformers; ancillary equipment; operation and maintenance and welfare facilities; material storage; material laydown areas; fencing and acoustic barriers; and security cabins;

- Battery Energy Storage System (BESS) compound comprising: batteries and associated Inverters; Transformers; Switchgear, ancillary equipment and their containers; office, control and welfare buildings; fencing and acoustic barriers; monitoring, maintenance and emergency systems; air conditioning; electrical cables; fire safety infrastructure; operation (including maintenance) security facilities; material storage; and material laydown areas;
- Interconnecting Cabling Corridor(s) to connect the Solar PV modules and the BESS to the Satellite and Main Collector Compounds to the Rosefield Substation;
- A Grid Connection Cable Corridor to connect the Rosefield Substation to the National Grid East Claydon Substation via 400kV cabling;
- Ancillary infrastructure works comprising: boundary treatment; security equipment; lighting; fencing; landscaping; internal access tracks; works to facilitate vehicular access; earthing devices; earthworks; surface water management; utility connections and diversions; and any other works identified as necessary to enable the Proposed Development;
- Green and blue infrastructure, recreation and amenity works comprising: landscaping; habitat management; biodiversity enhancement; the creation of three permissive footpaths and one bridleway link connecting two existing bridleways; and works to permanently divert four PRoW Footpaths in five instances;
- Site-wide operational monitoring and security equipment; and
- Highways infrastructure improvements and safety works comprising: minor junction improvement works; road widening; passing places; and works to facilitate vehicular access to the Site.

6.3. Existing Site Features

6.3.1. The existing hedgerows, woodlands, ditches, and field margins would be retained within the Order Limits, with possible exceptions of:

- the hedgerow between Fields E20 and E11 (to facilitate the Rosefield Substation);
- small breaks and/or crossings required for new access tracks;
- security fencing; and
- cable routes and new access junctions.

6.3.2. Hedgerow or ditch crossings would use existing agricultural gateways/tracks or gaps in field boundaries (where practicable) and the width of any new crossing would be kept to a minimum. Where a cable crosses a hedgerow and the hedgerow is removed, these would be reinstated post-construction.

6.3.3. Vegetation removal would be required to either widen existing field accesses or create new points of access, or in some instances managed to create visibility

splays. Where vegetation removal or management is required, the works would be limited to the required amount of vegetation removal to achieve the necessary access/visibility. Pruning of vegetation would be preferred over removal wherever possible.

6.3.4. Further details can be found in the **Outline LEMP [EN010158/APP/7.6]** and a plan showing the proposed areas of vegetation removal is provided in **Appendix 3: Vegetation Removal Parameters** of the **Outline LEMP [EN010158/APP/7.6]**, showing the maximum extent and preferred location of likely vegetation removal or management works.

6.3.5. Existing PRoWs that cross the Site have been retained as far as practicable and have been incorporated within multifunctional green and blue infrastructure corridors. Temporary closure of PRoWs is to be avoided as far as practicable, and temporary diversions would be preferred and provided for instead of temporary closures, where required. If a temporary diversion or closure is required, then it has been assumed that this would be in place for a period of up to 6 months during the construction phase, as set out within the **Outline RoWAS [EN010158/APP/7.8]**, the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** and the **Outline Construction Environmental Management Plan (Outline CEMP) [EN010158/APP/7.2]**. Measures would be implemented to maintain public safety, the details of which are set out within the **Outline CEMP [EN010158/APP/7.2]**.

6.3.6. In some cases, diversions and closures made to existing PRoWs during the construction phase would become permanent into and beyond the operational (including maintenance) and decommissioning phase of the Proposed Development. Where this is the case, these permanently diverted PRoWs would reflect an equivalent design to the existing PRoWs that they are replacing, based on user requirements. The **Outline RoWAS [EN010158/APP/7.8]** and **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** provide the detail of each permanent PRoW diversion and associated closure, whilst a high-level summary of the PRoWs to be permanently diverted is explained above through **Section 3.3** of this Planning Statement.

6.3.7. With regard for Section 136 of the PA 2008 and the rationalising and enhancement of the network of PRoWs, the Applicant considers that the Secretary of State should be satisfied that the extinguishment of rights of way will be adequately reprovisioned through the creation of alterative rights of way; as outlined above and explained further in and secured by the **Outline RoWAS [EN010158/APP/7.8]**.

6.4. Flexibility and Development Capacity

6.4.1. To maintain flexibility in the design, the Applicant has employed the ‘Rochdale Envelope’ approach to assess the impacts of the Proposed Development within the maximum and, where relevant, minimum parameters set out in the ES. This approach is acknowledged in NPS EN-1 (Part 4.3) and NPS EN-3 (Paragraph

2.10.70 and Part 2.6). The extent of flexibility sought by the Applicant is described in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**.

6.4.2. Paragraph 4.3.11 of NPS EN-1 recognises that *"in some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail"*. NPS EN-1 continues, through Paragraph 4.3.12, to recognise that *"some details are still to be finalised, the ES should, to the best of the applicant's 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"*.

6.4.3. Paragraph 2.10.70 of NPS EN-3 provides recognition that *"in many cases, not all aspects of the proposal for solar PV development may have been settled in precise detail at the point of application".* The paragraph recognises such aspects may include:

- the type, number and dimensions of the panels;
- layout and spacing;
- the type of inverter or transformer; and
- whether storage will be installed (with the option to install further panels as a substitute).

6.4.4. It is important to note that the exact design details of the Proposed Development cannot be confirmed at this stage but would be, should consent be granted; where the construction tendering process for the design has been completed, and the Local Authority has approved the detailed design in advance of the Proposed Development commencing (or phase thereof).

6.4.5. The detailed design of the Proposed Development must be in accordance with the Schedule's 1 and 2 of the **Draft DCO [EN010158/APP/3.1]**, the **Works Plans [EN010158/APP/2.3]** and **Design Commitments [EN010158/APP/5.9]**.

6.4.6. This is to allow for flexibility to accommodate changes in technological advancements. For example, enclosures and/or building sizes may vary depending on the contractor selected, their specific configuration, and plant selection. This is of particular importance to maintaining flexibility due to the rapid pace of change in Solar PV and energy storage technologies, as technology could be adopted at the detailed design stage that does not currently exist. Therefore, sufficient flexibility has been sought for the final design within the DCO Application.

6.4.7. Establishing the maximum and minimum parameters enables a robust assessment of the likely significant environmental effects to be undertaken within this ES for topics where the nature of the assessment requires a specific level of detail (such as maximum heights, massing, or noise levels) to inform

assessments. These parameters are detailed in the works descriptions captured within **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and relate to the works packages in Schedule 1 of the **Draft DCO [EN010158/APP/3.1]**. These parameters are secured by the **Design Commitments [EN010158/APP/5.9]**, **Works Plans [EN010158/APP/2.3]** and a number of other Control Documents as listed within the **Guide to the Application [EN010158/APP/1.2]**. These assessment parameters are further supported by but not secured within, the following figures presented in **ES Volume 3, Figures [EN010158/APP/6.3]**:

- **Figure 3.1: Height Parameters**;
- **Figure 3.5: Zonal Masterplan**; and
- **Figure 3.10: Existing and Proposed PRoW and Permissive Footpaths**.

6.4.8. Solar PV modules generate electricity in direct current (DC) form. Solar PV modules feed into inverters which convert electricity to alternating current (AC). Paragraph 2.10.50 of NPS EN-3 recognises that because the inverter is separate from Solar PV modules, *"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 the combined capacity of installed inverters (measured in AC)"*.

6.4.9. Paragraph 2.10.51 of NPS EN-3 identifies that for the purposes of determining the capacity thresholds in Section 15 of the PA 2008, all forms of generation other than solar are currently assessed on an AC basis. However, a practice has developed previously whereby solar farms are assessed on their DC capacity. NPS EN-3, through Paragraph 2.10.53, confirms that from the date of designation of the updated NPS EN-3 (being 17 January 2024), for the purpose of Section 15 of the PA 2008, the maximum combined capacity of the installed inverters measured in AC should be used for determining the solar site capacity.

6.5. Associated Development

6.5.1. Paragraph 3.1.4 onwards of the **Explanatory Memorandum [EN010158/APP/3.2]** sets out that all aspects of the Proposed Development that comprise the associated development are considered against the relevant tests and examples provided in the above-mentioned guidance.

6.5.2. With regard to the inclusion of BESS within the Proposed Development, the Applicant proposes to install BESS to support the operation of the main solar NSIP and to store energy generated by the main solar NSIP and export it to the National Electricity Transmission System (NETS) when it is needed. This provides a level of flexibility to the electricity network to support the balancing of supply and demand.

6.5.3. Paragraph 3.3.25 of NPS EN-1 recognises that storage has a key role to play in achieving Net Zero and providing flexibility to the energy system. Paragraph

3.3.26 states that *"storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher"*.

6.5.4. The BESS is considered to form associated development, in accordance with the 'Planning Act 2008: Guidance on associated development applications for major infrastructure projects' **[Ref. 1-8]**. The guidance sets out four principles related to associated development which are:

"(i) The definition of associated development, as set out in paragraph 3 above, requires a direct relationship between associated development and the principal development. Associated development should therefore either support the construction or operation of the principal development, or help address its impacts.

(ii) Associated development should not be an aim in itself but should be subordinate to the principal development.

(iii) Development should not be treated as associated development if it is only necessary as a source of additional revenue for the applicant, in order to cross-subsidise the cost of the principal development. This does not mean that the applicant cannot cross-subsidise, but if part of a proposal is only necessary as a means of cross-subsidising the principal development then that part should not be treated as associated development.

(iv) Associated development should be proportionate to the nature and scale of the principal development. However, this core principle should not be read as excluding associated infrastructure development (such as a network connection) that is on a larger scale than is necessary to serve the principal development if that associated infrastructure provides capacity that is likely to be required for another proposed major infrastructure project.3 When deciding whether it is appropriate for infrastructure which is on a larger scale than is necessary to serve a project to be treated as associated development, each application will have to be assessed on its own merits. For example, the Secretary of State will have regard to all relevant matters including whether a future application is proposed to be made by the same or related developer as the current application, the degree of physical proximity of the proposed application to the current application, and the time period in which a future application is proposed to be submitted."

6.5.5. The proposed BESS is intrinsically linked to the principal development in that it supports the operation of the main solar NSIP. The proposed BESS is designed to store energy generated by the Solar PV modules by allowing excess electricity generated from Solar PV modules to be stored in the batteries of the BESS and then be discharged to the Grid when required. The BESS may also import surplus energy from the Grid when the energy available to the Grid exceeds demand required from it. The grid connection agreement for the Proposed Development allows for both the import and export of electrical power from and to the NETS. The energy storage capacity of the BESS has been

sized to be proportionate to the energy generation potential of the Solar PV development, while respecting local planning constraints. The Applicant considers the associated development tests set out above are met in terms of the inclusion of the BESS within the Proposed Development.

6.6. Lifetime of the Development

6.6.1. Part 2.10 of NPS EN-3 discusses the typical project lifetimes for PV generation projects. Paragraph 2.10.65 notes that *"an upper limit of 40 years is typical"* for a solar farm, although applicants may seek consent without a time-period or for differing time-periods of operation. Paragraph 2.10.68 of NPS EN-3 goes on to note that decommissioning of solar PV panels can be achieved *"relatively easily and cheaply"*.

6.6.2. The Applicant is seeking a time limited consent, with operation being for a period of up to 40 years. The Proposed Development currently has a grid connection date of Q4 2031, as outlined in the **Grid Connection Statement [EN010158/APP/7.1]**.

6.6.3. Paragraph 2.10.67 of NPS EN-3 recognises that solar panel efficiency deteriorates over time, and that the electrical infrastructure will have an operational lifespan, after which it would need to be replaced or removed. The service life of all assets is set out in Table 3.22 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**. Assets with a service life of 40 years which comprise the majority of the components would not require any replacement, unless damaged or faulty.

6.6.4. In line with Paragraph 2.10.69 of NPS EN-3, the ES sets out how the Proposed Development would be decommissioned at the end of the operational life of the generating station. The **Draft DCO [EN010158/APP/3.1]** includes Requirement 18 which secures that the Proposed Development must be decommissioned no later than 40 years following the date of final commissioning and be undertaken in accordance with the approved the Decommissioning Environmental Management Plan(s). The **Outline Decommissioning Environmental Management Plan (Outline DEMP) [EN010158/APP/7.4]** submitted with this DCO Application forms the framework for the detailed Decommissioning Environmental Management Plan(s) to be approved by the Local Planning Authority prior to decommissioning.

6.7. Construction, Operation (including maintenance) and Decommissioning

Construction

6.7.1. The construction phase is anticipated to occur over a 30-month period. Subject to being granted consent, the earliest the Proposed Development's construction phase is anticipated to commence is mid to late 2029. The final construction programme would depend on the detailed layout design and the potential environmental constraints on the timing of construction activities.

6.7.2. The Proposed Development currently has a grid connection date of Q4 2031. It is currently anticipated that construction works would commence in mid to late 2029 and run to 2031. For further detail on the indicative construction programme, see Section 3.15 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**.

6.7.3. An **Outline CEMP [EN010158/APP/7.2]** has been prepared to support the DCO Application and is secured through Requirement 11 of the **Draft DCO [EN010158/APP/3.1]**. The **Outline CEMP [EN010158/APP/7.2]** forms the framework for a detailed Construction Environmental Traffic Management Plan(s) to be approved by the Local Planning Authority prior to construction.

6.7.4. An **Outline Construction Traffic Management Plan (Outline CTMP) [EN010158/APP/7.5]** has been prepared to support the DCO Application and is secured through Requirement 13 of the **Draft DCO [EN010158/APP/3.1]**. This includes details on construction logistics and construction worker travel, in addition to information that would guide the delivery of material, plant, equipment, and staff during this proposed construction phase. The **Outline CTMP [EN010158/APP/7.5]** forms the framework for a detailed Construction Traffic Management Plan(s) to be approved by the Local Planning Authority prior to construction.

Operation (including maintenance)

6.7.5. During the operational (including maintenance) phase of the Proposed Development, on-site activities would include routine servicing, maintenance, and replacement of solar or BESS equipment as and when required, as well as solar panel cleaning and vegetation management.

6.7.6. It is anticipated that up to 24 permanent staff per day would be on-site during the operational (including maintenance) phase, with additional staff attending when required for maintenance, replacement of faulty or end of service life solar equipment, vegetation management activities and cleaning.

6.7.7. In the event of the need to replace any of the Proposed Development's operational equipment, there may be a level of HGV activity required to complete these works within the Order Limits. The extent of traffic generation, however, would be significantly less than that assessed for the peak of construction activities.

6.7.8. An **Outline LEMP [EN010158/APP/7.6]** has been prepared to support the DCO Application and is secured through Requirement 7 of the **Draft DCO [EN010158/APP/3.1]**. The Outline LEMP focusses on the management of both the landscape and ecological features. The **Outline LEMP [EN010158/APP/7.6]** forms the framework for a detailed Landscape and Ecological Management Plan(s) to be approved by the Local Planning Authority prior to construction.

Decommissioning

6.7.9. Following the operational (including maintenance) phase, the Proposed Development will require decommissioning. This would involve the removal of all the above ground infrastructure and any infrastructure up to a depth of 1m (BGL). All concrete, hardstanding areas, foundations for the infrastructure and internal tracks would be removed to a depth of up to 1m (BGL). All the below-ground cables which are at a depth greater than 1m (BGL) would be left in situ, however, this will be dependent upon the legislation and industry standards at the time of decommissioning. This approach reflects common practice for Electricity Distribution Network Operators infrastructure (such as substations) and the associated export cables. All mounting structures (being helical or driven piled vertical posts or screw piles) to which the Solar PV modules would be fixed would be removed.

6.7.10. The decommissioned materials would follow the waste hierarchy such that they would be reused where possible before recycling and disposal are considered. Solar PV modules are made up of several materials, including a metal frame, of which approximately 99% can currently be recycled. When decommissioning the Proposed Development, options to reuse or recycle materials available at the time would be explored to ensure that as much of the material as possible is recycled and diverted from landfills.

6.7.11. The Site would be reinstated in accordance with the **Outline DEMP [EN010158/APP/7.4]** which has been prepared to support the DCO Application and is secured through Requirement 18 of the **Draft DCO [EN010158/APP/3.1]**. The **Outline DEMP [EN010158/APP/7.4]** forms the framework for a detailed Decommissioning Environmental Management Plan(s) which would be subject to the approval of the Local Planning Authority at the time of decommissioning and will be updated if it is necessary to add additional control measures, with a full review as required throughout the decommissioning period. Existing control measures and mitigation will not be amended without prior agreement with Local Planning Authority.

6.7.12. The decommissioning phase would see the land returned to the landowner. The permanently diverted PRoWs would not be altered any further and would remain, post-decommissioning of the Proposed Development. The permissive footpaths would be retained or removed at the discretion of the landowner post-decommissioning, including the northern section of the bridleway link. The enjoyment of PRoW footpath reference ‘QUA/41/1’ as though it were a bridleway (i.e. the southern section of the bridleway link) is only temporary and the right would terminate on the date of decommissioning as notified by the Applicant and secured by a requirement in the **Draft DCO [EN010158/APP/3.1.6]**.

6.7.13. In accordance with the **Outline DEMP [EN010158/APP/7.4]**, landscape structural planting, including tree planting, hedgerows, scrub, etc., created to deliver biodiversity mitigation and enhancement associated with the Proposed Development would be left in situ when the Site is returned to the landowner. Earth bund(s) would also be removed/reinstated to allow the fields to be

returned to agricultural use. Otherwise, it is assumed that the landowner would return the land to agricultural use following decommissioning.

6.7.14. Decommissioning is expected to take approximately 24 months and may be undertaken in phases.

7. Legislation and Policy Framework

7.1. Overview

7.1.1. This Section provides an overview of the legislative framework and the planning policy context for the Proposed Development. **Section 9** goes on to outline how the Proposed Development complies with this context, as relevant.

7.2. Legislative Context

The Planning Act 2008

7.2.1. The PA 2008 establishes the legal framework for applying for, examining, and determining applications for NSIPs.

7.2.2. The Proposed Development constitutes a NSIP development, in accordance with Section 14(1)(a) and Section 15(2), as it comprises:

"the construction or extension of a generating station" (Section 14(1)(a)) where *"it is in England"* and *"its capacity is more than 50 megawatts"* (Section 15(2)).

7.2.3. In accordance with Part 4 of PA 2008, development consent is required for development to the extent that it is or forms part of an NSIP.

7.2.4. Part 5 of PA 2008 sets out that an application for an order granting development consent must be made to the Secretary of State. The approach taken to pre-application and engagement was designed to ensure compliance with the legislative requirements set out in Sections 42, 47, 48 and 49 of the PA 2008 while also exceeding these minimum requirements to ensure best practice. A **Consultation Report [EN010158/APP/5.1]** and **Consultation Report Appendices [EN010158/APP/5.2]** has been prepared and details compliance with Sections 42, 47, 49, and 48 of PA 2008.

7.2.5. Part 6 of the PA 2008 is to be applied when determining applications for orders granting development consent. Sections 103 to 107 provide the framework for decision-making, which, in turn, frames the focus of the examination of an application seeking a DCO. Section 104 applies when a relevant NPS has effect for a specified NSIP.

7.2.6. In addition to the above and under Section 104(2) of the PA 2008, the Secretary of State must have regard to:

- any national policy statement which has effect in relation to development of the description to which the application relates;
- any local impact report (LIR) submitted to the Secretary of State;
- any matters prescribed in relation to development of the description to which the application relates; and

- any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

7.2.7. Section 104(3) of the PA 2008 specifies that the Secretary of State must decide the application in accordance with any relevant NPSs, except to the extent that one or more of subsections (4) to (8) of Section 104 apply. Subsections (4) to (8) state:

> *(4) Where deciding an application in accordance with the relevant NPSs would lead to the UK being in breach of any of its international obligations;*
>
> *(5) Where deciding an application in accordance with the relevant NPSs would lead to the Secretary of State being in breach of any duty imposed on themselves by or under any enactment;*
>
> *(6) Where deciding an application in accordance with the relevant NPSs would be unlawful by virtue of any enactment;*
>
> *(7) Where the Secretary of State is satisfied that the adverse impact of the proposed development would outweigh its benefits; and*
>
> *(8) Where the Secretary of State is satisfied that any condition prescribed for deciding an application otherwise than in accordance with a NPS is met.*

7.2.8. The Applicant's response to the specific requirements of Section 104 is provided for in **Section 9** of this Planning Statement.

7.2.9. For the purpose of Section 104, the following NPSs have effect in relation to the Proposed Development:

- Overarching National Policy Statement for Energy 2023 (NPS EN-1) **[Ref. 1-1]**;
- National Policy Statement for Renewable Energy 2023 (NPS EN-3) **[Ref. 1-2]**; and
- National Policy Statement for Electricity Networks Infrastructure 2023 (NPS EN-5) **[Ref. 1-3]**.

7.2.10. The Applicant considers that none of the exceptions in parts (4) to (8) apply in relation to the Proposed Development.

7.2.11. In addition, the Applicant considers that the following planning policy documents are both important and relevant to the Secretary of State's decision and must, therefore, be regarded:

- National Planning Policy Framework 2025 (the 'NPPF') **[Ref. 1-9]**;
- National Planning Practice Guidance 2024 (the 'NPPG') **[Ref. 1-10]**;

- Vale of Aylesbury Local Plan (VALP) 2013 – 2033 (Adopted September 2021) **[Ref. 1-11]**;
- Buckinghamshire Minerals and Waste Local Plan (MWLP) 2016 – 2036 (Adopted July 2019) **[Ref. 1-12]**;
- Overarching National Policy Statement for Energy (April 2025 Draft) (NPS EN-1) **[Ref. 1-13]**;
- National Policy Statement for Renewable Energy (April 2025 Draft) (NPS EN-3) **[Ref. 1-14]**; and
- National Policy Statement for Electricity Networks Infrastructure (April 2025 Draft) (NPS EN-5) **[Ref. 1-15]**.

7.2.12. During the pre-examination stage, the Planning Inspectorate wrote to the Applicant via a Section 89(3) letter dated 15 December 2025 **[PD-005]** to note both **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] [APP-053]** and **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2] [APP-057]** had considered Neighbourhood Plans whilst this Planning Statement had not.

7.2.13. As a result, consideration of the following neighbourhood plans has been included within Section 9 of this Planning Statement and **Appendix 4: Policy Compliance Assessment Tables**:

- The Made Granborough Neighbourhood Plan (2020-2035) Referendum Version July 2022 **[Ref. 1-35]**;
- The Made North Marston Neighbourhood Plan (2020-2035) Referendum Version **[Ref. 1-36]**;
- The Made Quainton Neighbourhood Plan (2015 – 2033) Modified Version – June 2022 **[Ref. 1-37]**;
- The Made Steeple Claydon Neighbourhood Plan (Referendum Plan 2013–2033) September 2017 **[Ref. 1-38]**;
- The Made Winslow Neighbourhood Plan (2022-2033) Modified Neighbourhood Plan **[Ref. 1-39]**; and
- The Pre-Submission (draft) Calvert Green Neighbourhood Plan (2024 – 2034) **[Ref. 1-40]**.

7.2.14. It is expected that Buckinghamshire Council will submit a LIR as the host authority. Neighbouring authorities may also submit a LIR. The LIR should give details of the likely impact of a project on the local authority's area. Section 104(2)(b) of the PA 2008 explains that the ExA and the Secretary of State must have regard to any LIR submitted when deciding the DCO Application, as explained in the updated advice on Nationally Significant Infrastructure Projects: Advice for Local Authorities **[Ref. 1-16]**.

7.2.15. Finally, the Applicant considers that that there are a number of other legislation and policy documents, as summarised below, that are important and relevant to the Secretary of State's decision. As relevant, these have been considered within **Sections 9** and **10** of this Planning Statement.

7.3. National Policy Statements

7.3.1. The Government produces NPSs. The Energy NPSs (being NPS EN-1 to EN-6) set out the Government's policy for the delivery of energy infrastructure and provide the legal framework for planning decisions for major infrastructure projects.

7.3.2. NPS EN-1, NPS EN-3, and NPS EN-5 provide the primary policy basis for deciding this DCO Application. NPS EN-1 provides the overarching policy position and confirms that solar PV generation falls within the NPS EN-1 definition of Critical National Priority infrastructure. Part 2.10 of NPS EN-3 outlines the policy considerations which the Secretary of State is to consider when determining NSIP applications for solar PV generation. NPS EN-5 provides the primary policy position on applications relating to electricity network infrastructure. NPS EN-5 mostly relates to the provision of overhead lines and, as such, is of limited relevance save for the grid connection components of the Proposed Development.

7.3.3. There is a clear presumption under the NPSs that the urgent need for Critical National Priority infrastructure will outweigh any residual effects in all but the most exceptional cases. This presumption does not apply to residual impacts that present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats, or unacceptable risk to achieving Net Zero. Where no such residual impacts exist, the presumption weighs in favour of the need for Critical National Priority infrastructure where it has been demonstrated that the mitigation hierarchy has been applied.

7.3.4. The first suite of Energy NPSs were published in 2011 and had been in force for approximately 13 years. The original 2011 Energy NPSs were then revised and designated in January 2024, with updates made to NPSs EN-1 to EN-5.

7.3.5. In April 2025, the Government opened a consultation on material and minor updates to NPS EN-1, NPS EN-3 and NPS EN-5 (the ‘draft revisions’). The draft revisions seek to: embed Clean Power 2030 policy into the Energy NPSs and strengthen the policy case for Critical National Priority infrastructure (including solar); assist developers in bringing forward higher quality applications; establish policy guidance for onshore wind developments under the Energy NPSs; provide updated guidance for offshore wind developments and seek to endorse the recommendations made in the Centralised Strategic Network Plan **[Ref. 1-17]** in NPS EN-5.

7.3.6. It is anticipated that the amended Energy NPSs will be laid in parliament for approval and be designated before the end of 2025. The Applicant considers that the draft revisions are both important and relevant to the Secretary of

State's decision-making, as they strengthen the policy case further for the Proposed Development, but ought to be given limited weight. This is due to the transitional provisions within the draft revisions which confirm that the 2024 suite of NPSs should be taken to have effect where an application is accepted for examination ahead of those draft revisions coming into force.

7.3.7. Notwithstanding, this Planning Statement has considered any relevant policy amendments made under the draft revisions through **Sections 9** and **10** where any reference to the policy within the draft revisions is made expressly clear.

Overarching National Policy Statement for Energy (NPS EN-1)

7.3.8. NPS EN-1 sets out the national policy for the delivery of energy infrastructure, including solar renewable electricity generation.

7.3.9. Part 3 of NPS EN-1 (specifically Paragraph 3.1.1) explains that the Government sees a need for significant amounts of new large scale energy infrastructure to meet its energy objectives and why the Government considers that the need for such infrastructure is urgent.

7.3.10. NPS EN-1 goes on to stress, through Paragraph 4.2.4, that *"there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure."* Low carbon infrastructure includes solar electricity generation that does not involve fossil fuel combustion.

7.3.11. Part 3.3 of NPS EN-1 identifies the need for nationally significant energy infrastructure to address energy security objectives and carbon reduction requirements, replace closing generating capacity, and support an increase in renewables supply. The assessment principles (Part 4 of NPS EN-1) and generic impacts (Part 5 of NPS EN-1) provide a framework of considerations across energy technologies.

National Policy Statement for Renewable Energy Infrastructure (NPS EN-3)

7.3.12. NPS EN-3, together with NPS EN-1, provides the primary basis for decisions on renewable energy NSIPs.

7.3.13. The importance of the generation of electricity from renewable sources is stated in Paragraph 1.1.2 of NPS EN-3:

"Electricity generation from renewable sources of energy is an essential element of the transition to net zero and meeting out statutory targets for the sixth carbon budget (CB6). Our analysis suggests that demand for electricity is likely to increase significantly over the coming years and could more than double by 2050".

7.3.14. NPS EN-3 provides a framework for assessment and technology-specific information for specified renewable energy technologies. PV generation is

included in NPS EN-3 under Part 2.10, which includes relevant information on the technology to inform assessment and decision-making.

National Policy Statement for Electricity Networks Infrastructure (NPS EN-5)

7.3.15. NPS EN-5 is the primary basis for decisions on transmission and distribution system NSIPs and associated infrastructure. NPS EN-5's relevance to the Proposed Development is limited to the Grid Connection Cable Corridor. NPS EN-1 Paragraph 4.11.4 discusses transmission network infrastructure and refers to NPS EN-5 for further guidance on relevant considerations, including the impact of electromagnetic fields (EMFs).

National Planning Policy Framework (NPPF)

7.3.16. The current NPPF was updated on 7 February 2025. Paragraph 5 of the NPPF confirms that it does not contain specific policies for NSIPs but that the NPPF may be a relevant matter in decision making. Whilst not specifically addressing NSIPs, the NPPF does set out its objectives to achieve sustainable development by pursuing economic, social and environmental objectives in development.

7.3.17. As relevant, the NPPF has been considered within **Sections 9** and **10** of this Planning Statement.

National Planning Practice Guidance (NPPG)

7.3.18. The NPPG is continually updated (last updated February 2024) and serves to support the NPPF and the application of planning policy within England. The NPPG is broken down into guidance categories such as: BNG; the effective use of land; flood risk and coastal change and minerals.

7.3.19. To the extent that the guidance within the NPPG is applicable to the assessment of the Proposed Development, **Sections 9** and **10** of this Planning Statement have considered the guidance contained within the NPPG.

7.4. Local Planning Policy

Vale of Aylesbury Local Plan (VALP) 2013 – 2033 (Adopted September 2021)

7.4.1. The VALP establishes the long-term vision and strategic context for managing and accommodating growth within Aylesbury Vale area up to 2033. The VALP sets out: the areas where development is to take place over the plan period; the areas of Aylesbury Vale that will be protected and the policies which are to be used to determine planning applications.

7.4.2. The VALP is considered relevant to the Proposed Development as it constitutes the development plan and has therefore been considered commensurately through **Sections 9** and **10** of this Planning Statement.

Buckinghamshire Minerals and Waste Local Plan 2016 – 2036

7.4.3. The MWLP forms the land use planning strategy for minerals and waste development within the administrative area of Buckinghamshire Council.

7.4.4. The MWLP also provides the basis for determining planning applications for or linked to minerals and waste development in Buckinghamshire. In relation to the Proposed Development, the MWLP provides development principles and policies which seek to control and manage development potentially affecting site-specific allocations for minerals and safeguarded areas.

7.4.5. This Planning Statement is supported by **Appendix 2** which provides a Mineral Safeguarding Assessment where the Proposed Development is considered against the MWLP and any other relevant planning policies relating to minerals.

Emerging Local Planning Policy

7.4.6. The Applicant notes that the VALP only relates to the Aylesbury Vale area and that Buckinghamshire Council is working to produce the Buckinghamshire Local Plan. The Buckinghamshire Local Plan is to guide development up to 2045 and is to supersede the VALP, Chiltern, South Bucks and Wycombe Local Plans within Buckinghamshire.

7.4.7. Buckinghamshire Council's latest Local Development Scheme **[Ref. 1-18]** confirms that the Buckinghamshire Local Plan is at Stage 1 of the plan making process which relates to plan preparation. The Local Development Scheme confirms that Stage 2 'Regulation 18 consultation on draft plan' was anticipated to take place in September/October 2025. Regulation 18 consultation on the draft plan has since commenced on 17 September 2025 and is to run to 29 October 2025, in accordance with Buckinghamshire Council's Local Development Scheme's anticipated timings.

Neighbourhood Plans

7.4.8. As recognised in the Planning Inspectorate's Section 89(3) letter dated 15 December 2025 **[PD-005]**, Neighbourhood Plans can constitute both important and relevant considerations to the Secretary of State's decision. Therefore, **Section 9** of this Planning Statement and **Appendix 4: Policy Compliance Assessment Tables** have considered, as appropriate, the relevant policies within the relevant Neighbourhood Plans; as detailed in **Section 7.2** above.

7.5. Other Legislation

The Planning and Infrastructure Bill (2024-25)

7.5.1. The Planning and Infrastructure Bill **[Ref. 1-19]** was introduced into Parliament in March 2025 for its first and second readings in the House of Commons. Since then, the Bill has passed through the House of Commons and is at the committee stage in the House of Lords.

7.5.2. The purpose of the Bill is central to the Government's plan to get 'Britain building again', to deliver economic growth and to see key clean energy projects built as quickly as possible. Specific to projects of the Proposed Development's nature, the Bill seeks to accelerate planning decisions and introduce less burdensome consultation requirements for projects at the pre-application stage.

7.5.3. In recognising the importance of establishing greater certainty within the infrastructure sector, the Bill also seeks to commit to five-yearly updates to the NPSs so that they remain current with developments coming forward and new technologies. Further, the Bill seeks to limit the scope for judicial review to a single challenge should the High Court deem the challenge to be made *"totally without merit"*.

7.5.4. During the pre-examination stage, the Planning and Infrastructure Bill received Royal Assent on 18 December 2025 making it the Planning and Infrastructure Act 2025. The purpose of the Act remains as it was for the Bill.

Environment Act 2021

7.5.5. The Environment Act 2021 makes provisions for targets, plans and policies for improving the natural environment **[Ref. 1-20]**. Schedule 15 of the Environment Act 2021 explains the role of BNG in NSIPs. The Government confirms that BNG will apply from November 2025 at which point there will be a requirement under Schedule 14 of the Act for the *"biodiversity value attributable to the development* [to exceed] *the pre-development biodiversity value of the onsite habitat by at least the relevant percentage"* (being 10%).

The Climate Change Act 2008

7.5.6. The Climate Change Act set up a framework for the UK to achieve its long-term goals of reducing greenhouse gas (GHG) emissions and to ensure steps are taken towards adapting to the impact of Climate Change. The Act committed the UK to reducing its GHG by at least 80% by 2050 when compared with 1990 levels **[Ref. 1-21]**.

7.6. Other Policy

Clean Power 2030 Action Plan

7.6.1. The Clean Power 2030 Action Plan, published in December 2024 **[Ref. 1-7]**, emphasises the need to accelerate the pace and scale of renewable energy deployment to maintain a secure and affordable energy supply to protect the environment from the most damaging effects of Climate Change. The Clean Power 2030 Action Plan outlines the Department for Energy Security and Net Zero's (DESNZ) ambition for 45 - 47GW of solar power by 2030 together with 43 - 50GW of offshore wind and 27 - 29GW of onshore wind. The Clean Power 2030 Action Plan outlines the Government's steps to achieving Clean Power by 2030 which includes reform of the grid connections process from a 'first come, first serve' approach towards a 'first ready, first connected' approach, thereby

reducing the queue to connect. Further reforms are planned to speed up the planning and consenting process, reforming the electricity markets and focusing on supply chains and workforces.

Powering up Britain

7.6.2. Powering up Britain, published in March 2023, sets out the Government's plan to enhance the UK's energy security, seize economic opportunities in the transition and deliver on Net Zero commitments **[Ref. 1-22]**. The paper is focused on the transition between UK oil and gas to renewable energy sources. In order to meet its goal of quintupling its solar power by 2035, the paper states, regarding large-scale solar development. The *"Government seeks large scale solar deployment across the UK, looking for development mainly on brownfield, industrial and low/medium grade agricultural land. The Government will therefore not be making changes to categories of agricultural land in ways that might constrain solar deployment"*.

British Energy Security Strategy

7.6.3. In April 2022, the Government published the British Energy Security Strategy, which demonstrates the need for secure, clean and affordable British energy for the long term **[Ref. 1-23]**. This states that the Government will be supportive of the effective use of land by encouraging large-scale projects to be located on previously developed or lower-value land, where possible, and to ensure projects are designed to avoid, reduce, mitigate, and, where necessary, compensate for the impacts of using greenfield sites. The Government will also support solar that is co-located with other functions (for example, agriculture, onshore wind generation, or storage) to maximise the efficiency of land use.

Net Zero Strategy: Build Back Greener

7.6.4. The Net Zero Strategy, published by the Government in October 2021 **[Ref. 1-24]**, builds on the Government's commitments made in the Energy White Paper (2020) and sets out the long-term strategy, policy and proposals to keep the UK on track for future carbon budgets and sets the vision for a decarbonised economy by 2050. Key policies in the Strategy related to UK power generation include:

"By 2035 the UK will be powered entirely by clean electricity, subject to security of supply; (…) *40GW of offshore wind by 2030, with more onshore, solar and other renewables - with a new approach to onshore and offshore electricity networks to incorporate new local carbon generation and demand in the most efficient manner that takes account of the needs of local communities* (…)*"*

UK Infrastructure: A 10 Year Strategy

7.6.5. The UK Infrastructure: A 10 Year Strategy published in June 2025 **[Ref. 1-25]** sets out plans to transform UK infrastructure, with one of the aims being to put the UK on the path to meeting its Net Zero emissions target by 2050. The

Strategy acknowledges that the UK's commitment to achieving Net Zero emissions by 2050 will require profound changes that will require massive infrastructure investment.

7.6.6. The Strategy identifies that to deliver Net Zero, the share of generation from renewables needs to dramatically increase, and notes that greater generation capacity will need to come from onshore wind and solar. To support this the Government reintroduced solar in the 2021/22 Contracts for Difference Allocation Round (AR4) **[Ref. 1-26]** to help *"deliver a diverse generation mix at low cost"* and to realise *"the rate and scale of new projects needed in the near-term to support decarbonisation of the power sector and meet the Net Zero commitment"* while providing other benefits such as diversity of supply through different resource requirements and a geographical separation from other significant renewable technologies.

A Green Future: Our 25-Year Plan to Improve the Environment

7.6.7. The 25-Year Environment Plan published in 2018 **[Ref. 1-27]** sets out the Government's 25-year plan to improve the environment within a generation. It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species, and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fishing that puts the environment first.

7.6.8. It sets out 10 goals which include the achievement of and management of pressure by providing: clean air, clean and plentiful water, thriving plants and wildlife, reduced risk of harm from environmental hazards like flooding and drought; the more sustainable and efficient use of resources from nature; enhanced beauty; heritage and engagement with the natural environment; mitigation and adaption to Climate Change; minimisation of waste; management of exposure to chemicals; and enhanced biosecurity.

7.7. Other Guidance

Net Zero: Opportunities for the Power Sector

7.7.1. In June 2019 the Government raised the UK's ambition on tackling Climate Change by legislating for a Net Zero GHG emissions target across the whole economy by 2050. Decarbonising the power sector is integral to achieving this goal and requires major investment in proven technologies, such as solar, which are supported by planning policy at local and national levels.

7.7.2. The NIC, the official advisor to the Government on infrastructure at that time, produced a report, 'Net Zero: Opportunities for the Power Sector' in March 2020 **[Ref. 1-28]**, which sets out the infrastructure required in order to meet the 2050 target, including the amount of new renewable energy development that would need to be deployed. Importantly, the NIC recommends that the generation mix is up to around 90% renewables. The report recommends that across all scenarios, significant solar, onshore wind, and offshore wind, with between 129 - 237GW of renewable capacity, is in operation by 2050, including:

- 56 - 121GW of Solar;
- 18 - 27GW of onshore wind; and
- 54 - 86GW of offshore wind.

7.7.3. The above requires an increase in installed capacity, including approximately seven times more solar than is currently installed in the UK, which is presently around 18.1GW according to the Solar PV deployment statistics published in March 2025 by DESNZ **[Ref. 1-29]**.

7.7.4. Although the above figures are presented at a high-level, they established the amount of new infrastructure that is urgently required. The scale of this need is such that it must be distributed throughout the UK and in recognition that Climate Change is both a national and global issue.

8. Engagement

8.1.1. Paragraph 4.1.9 of NPS EN-1 strongly encourages engagement both before and during the formal pre-application stage between an applicant and key stakeholders (inclusive of public regulators, statutory consultees and those likely to have an interested in the proposed energy infrastructure application) in line with the Government's pre-application guidance. The Paragraph notes that only applications which are *"fully prepared and comprehensive"* can be accepted for examination.

8.1.2. The Applicant has undertaken a range of engagement activities over the course of developing the Proposed Development. Further information on how this engagement has been undertaken is set out in Paragraphs 1.4.1 to 1.4.7 of this Planning Statement, the submitted **Consultation Report [EN010158/APP/5.1]** and **Consultation Report Appendices [EN010158/APP/5.2]**.

8.1.3. The Applicant has had regular monthly meetings with Buckinghamshire Council Planning Officers since 3 July 2024. Before this date, ad hoc calls to discuss consultation and other matters took place. Additional meetings with relevant technical specialists from Buckinghamshire Council have been held as the need arose during the pre-application stage to discuss the evolution of the Proposed Development's design. A summary of the parties engaged during the pre-application stage to discuss evolution of the Proposed Development's design, and the **ES** is provided for below.

8.1.4. Buckinghamshire Council have been engaged with **ES Volume 2**, **Chapter 6: Air Quality**, **Chapter 7: Biodiversity**, **Chapter 8: Climate, Chapter 9: Cultural Heritage**, **Chapter 10: Landscape and Visual**, **Chapter 11: Land and Groundwater**, **Chapter 14: Population, Chapter 15: Transport and Access** and **Chapter 16: Water [EN010158/APP/6.2]**.

8.1.5. National Grid have been engaged with **ES Volume 2**, **Chapter 17: Cumulative Effects [EN010158/APP/6.2]** and also with the general evolution of the Proposed Development's design.

8.1.6. Natural England have been engaged with **ES Volume 2**, **Chapter 7: Biodiversity**, **Chapter 12: Soil** and **Chapter 16: Water [EN010158/APP/6.2]**.

8.1.7. Historic England and the National Trust have been engaged with **ES Volume 2**, **Chapter 9: Cultural Heritage [EN010158/APP/6.2]**.

8.1.8. Oxfordshire County Council and National Highways have been engaged with **ES Volume 2**, **Chapter 15: Transport and Access [EN010158/APP/6.2]**.

8.1.9. The Environment Agency, Buckingham and River Ouzel Internal Drainage Board, Anglian Water, Statera Energy and the Buckinghamshire Fresh Water Resilience Project have been engaged with **ES Volume 2**, **Chapter 16: Water [EN010158/APP/6.2]**.

8.1.10. Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) have been engaged with **ES Volume 2**, **Chapter 7: Biodiversity [EN010158/APP/6.2]**.

8.1.11. The Applicant has had continued and meaningful engagement with all relevant stakeholders through the pre-application process. These engagements, which are reported in the **Consultation Report [EN010158/APP/5.1]** and **Consultation Report Appendices [EN010158/APP/5.2]**, have been reflected in the DCO Application.

8.1.12. The Statements of Common Ground **[EN010158/APP/5.11 – 5.12]** have been submitted together with this DCO Application as agreed drafts between the Applicant and:

- Buckinghamshire and Milton Keynes Fire Authority; and
- The UKHSA.

8.1.13. These SoCGs will be revised with the relevant party through examination whilst additional Statements of Common Ground with additional parties are anticipated to be entered into examination.

9. Planning Assessment

9.1. Overview

9.1.1. This Section considers how the Proposed Development complies with relevant policy. Emphasis is placed on the Energy NPSs, which provide the primary policy basis for the Secretary of State's decision. Reference has also been made to the NPPF, draft revisions to the Energy NPSs, local and neighbourhood planning policies where they could form important and relevant considerations to the Secretary of State's decision.

9.1.2. This Section is split into two parts.

9.1.3. The first part of this Section assesses the Proposed Development against the 'Applicant Assessment' paragraphs under Part 4 of NPS EN-1 (Assessment Principles) and any relevant and associated parts within NPS EN-3 and NPS EN-5.

9.1.4. The second part of this Section assesses the Proposed Development on a topic-by-topic basis against the: 'Applicant Assessment' paragraphs under Part 5 of NPS EN-1 (Generic Impacts); relevant and associated paragraphs within Part 2.10 of NPS EN-3 (Solar PV Generation) and any relevant and associated paragraphs within NPS EN-5, the NPPF, the VALP, the MWLP, the draft revisions to NPS EN-1, NPS EN-3 and NPS EN-5 and the relevant Neighbourhood Plans.

9.1.5. This Section and **Section 10** of this Planning Statement should be read alongside **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement since the purpose of the Policy Compliance Assessment Tables is to provide a comprehensive assessment of the Proposed Development's compliance against each relevant national and local planning policy.

9.2. Assessment Principles

Policy Summary

9.2.1. Paragraph 4.1.3 of NPS EN-1 states that, given the level and urgency of the need for infrastructure projects of the types covered by the Energy NPSs, *"the Secretary of State will start with a presumption in favour of granting consent for applications for energy NSIPs"* and that this presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.

9.2.2. When weighing the adverse impacts against the benefits of energy NSIPs, Paragraph 4.1.5 of NPS EN-1 states that the Secretary of State should take into account both the potential benefits (including a development's contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, ecological enhancements, and any long-term or wider

benefits) and any potential adverse impacts (including on the environment, and any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts). Paragraph 4.3.8 of NPS EN-1 advises that any reference to the terms 'effects', 'impacts' or 'benefits' in NPS EN-1 should be understood to mean likely significant effects, likely significant benefits or likely significant impacts.

9.2.3. Paragraph 4.1.6 of NPS EN-1 brings to the attention of the Secretary of State that environmental, social and economic benefits and adverse impacts at national, regional and/or local levels should be taken into account.

9.2.4. Importantly, Paragraph 4.1.7 of NPS EN-1 sets out that where a technology specific NPS requires applicants to mitigate particular impacts as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of mitigation, the Secretary of State should weigh those against the benefits of the Proposed Development. Critically, the Paragraph goes on to state that for CNP projects (which includes solar projects) *"it is likely that the need case will outweigh the residual effects in all but the most exceptional cases"*.

9.2.5. Paragraph 4.1.7 of NPS EN-1 concludes by recognising that the presumption of a needs case outweighing residual adverse effects in all but the most exceptional cases is disapplied where the residual impact(s) present an unacceptable risk to, or interference with:

- human health and public safety;
- defence;
- irreplaceable habitats; or
- poses an unacceptable risk to the achievement of Net Zero.

9.2.6. None of these exceptions apply in relation to the Proposed Development as set out below and therefore the CNP project policy applies in full.

9.2.7. The Scoping Opinion (**ES, Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]**) adopted by the Planning Inspectorate (on behalf of the Secretary of State) on 21 December 2023 confirmed that the Proposed Development falls outside of Ministry of Defence (MOD) safeguarded areas and does not affect other defence interests. Therefore, the MOD had no objection to the development proposed, subject to any amendments to the Proposed Development which may have altered this position. The Applicant can confirm that the MOD did not alter their position through statutory consultation (Phase Two Consultation) or during Targeted Consultation.

9.2.8. The Proposed Development consists of a large-scale solar farm with associated energy storage and is therefore aligned with the Government's aims, which includes the achievement of Net Zero. The **Statement of Need [EN010158/APP/5.6]** describes how and why the Proposed Development

addresses all relevant aspects of Government policy and therefore demonstrates that the Proposed Development does not pose an unacceptable risk to the achievement of Net Zero.

9.2.9. Evidence of compliance with the human health, public safety and irreplaceable habitats aspects of Paragraph 4.1.7 and Paragraph 4.2.15 of NPS EN-1 is evidenced throughout the second part of this Section of the Planning Statement.

9.2.10. The second part of this Section confirms that the disapplication of the needs case outweighing residual adverse effects is not engaged since the topic-by-topic assessments confirm that the Proposed Development would not give rise to residual impacts that present unacceptable risks or interfere with human health, public safety or irreplaceable habitats.

9.2.11. Paragraph 4.1.11 of NPS EN-1 confirms that the suite of Energy NPSs have taken account of the NPPF and the NPPG. Notwithstanding this, and in the event of a conflict between the NPSs and any other policy documents that are important and relevant (such as the NPPF, NPPG and relevant development plan), the NPSs prevail for the purpose of decision-making, given the national significance of the infrastructure (Paragraph 4.1.15 of NPS EN-1).

9.2.12. **Section 7.4** of this Planning Statement sets out the local policy context for the Proposed Development whilst Tables 1.6 and 1.7 of **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement provide an assessment of the Proposed Development's compliance with the VALP and the MWLP.

9.2.13. Paragraph 4.1.18 of NPS EN-1 goes on to explain that the Secretary of State may consider any development consent obligations that an applicant agrees with local authorities under section 106 of the Town and Country Planning Act (TCPA) 1990, as amended by Section 174 of the PA 2008. The Applicant has made a commitment to an Education and Skills Fund, through the **Outline ESSCP [EN010158/APP/7.14]**, to increase opportunities in the renewable and sustainable development sector. It is envisaged that the Education and Skills Fund would support the priorities set out in the Detailed Plan. The sum of £50,000 would be allocated annually, from the Date of Commencement until the Date of Decommissioning. Arrangements for allocating the Fund is sought to be agreed between the Applicant and Buckinghamshire Council via a section 106 agreement.

9.2.14. Finally, Paragraph 4.1.21 of NPS EN-1 details that *"in deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the proposed development"*.

9.2.15. The DCO Application is supported by a **Funding Statement [EN010158/APP/4.2]** which gives consideration to the proposed costs of the development and sets out how the Proposed Development may be funded and includes details of the financial position of the Applicant.

9.3. Part 4.2: The critical national priority for low carbon infrastructure

Policy Summary

9.3.1. Paragraph 4.2.4 of NPS EN-1 is fundamental in highlighting the Government's position on the criticality of delivering of low carbon energy generation. It states that the Government has *"concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure*".

9.3.2. NPS EN-1 goes on to establish what 'low carbon infrastructure' constitutes under the CNP policy. Paragraph 4.2.5 confirms that 'low carbon infrastructure' means, under electricity generation, *"all onshore and offshore generation that does not involve fossil fuel combustion"* which includes renewable generation; such as the Proposed Development. Therefore, it is confirmed that the Proposed Development, which is an NSIP-scale solar PV development, is Critical National Priority infrastructure

9.3.3. As a starting point for assessment, the overarching needs case for each type of energy infrastructure that constitutes CNP should be afforded substantial weight in accordance with Paragraphs 3.2.6 – 3.2.8 of NPS EN-1 (Paragraph 4.2.6 of NPS EN-1).

9.3.4. Paragraph 4.2.7 advises that the CNP policy applies *"following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy"*. The Paragraph also makes clear that it is therefore relevant for the Secretary of State, in decision-making, to consider the needs case against and with specific regard for any residual impacts that have been identified. This requirement also applies to the ExA when making its recommendation to the Secretary of State.

9.3.5. Regardless of being Critical National Priority infrastructure, applicants of such infrastructure must continue to show how their application: meets the requirements within the relevant NPSs; applies the mitigation hierarchy and complies with any other legal and regulatory requirements (Paragraph 4.2.10 of NPS EN-1).

9.3.6. With regard for HRA derogations for Critical National Priority infrastructure, Paragraph 4.2.19 of NPS EN-1 states that *"where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations"*.

9.3.7. Paragraph 4.1.19 of NPS EN-1 confirms that applicants should seek early engagement from the appropriate Statutory Nature Conservation Bodies (SNCB).

9.3.8. Under the Conservation of Habitats and Species Regulations 2017, consideration should be given as to whether a project may have a significant

effect on a protected site or any site to which the same degree of protection is applied as a matter of policy, either alone or in combination with other plans and projects. Applicants are required to supply such information as the 'competent authority' may reasonably require for the purposes of the assessment or to enable it to determine whether an Appropriate Assessment is required.

Applicant Assessment

9.3.9. The Applicant confirms that this Planning Statement (when taken together with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement), the relevant chapters from **Volume 2** of the **ES [EN010158/APP/6.2]** and the **Design Approach Document [EN010158/APP/5.8]** set out how the Proposed Development meets the requirements within the relevant Energy NPSs through the proper application of the mitigation hierarchy. There are instances where CNP furthers the support for the Proposed Development in light of residual 'potentially significant' and significant adverse effects in relation to the following topics:

- Biodiversity;
- Cultural Heritage;
- Landscape and Visual; and
- Cumulative Effects.

9.3.10. Paragraph 4.2.11 of NPS EN-1 makes clear that *"applicants must apply the mitigation hierarchy and demonstrate that it has been applied".* In doing so, Applicants should also seek advice from the appropriate SNCB and other relevant statutory bodies when applying the mitigation hierarchy. It is imperative, as noted through Paragraph 4.2.11, that all residual impacts are those that cannot be *"avoided, reduced or mitigated"*.

9.3.11. The topics identified above are supported by the CNP policy due to the presence of residual significant adverse effects (tied to the Proposed Development) which have persisted regardless of the Applicant's proper application of the mitigation hierarchy. The application of the mitigation hierarchy is explored in detail through the second part of this Section of the Planning Statement. On a topic-by-topic basis, each assessment has concluded the significant residual adverse effects that remain post-application of the mitigation hierarchy and why they cannot be mitigated further.

9.3.12. In relation to Paragraph 4.2.11 of NPS EN-1's policy that applicants should seek advice from the appropriate SNCB (being Natural England in the Proposed Development's case), and other relevant statutory bodies when applying the mitigation hierarchy, the Applicant confirms through **Section 7** of this Planning Statement that Natural England and other statutory bodies have been engaged in the design of Proposed Development and preparation of the **ES**.

9.3.13. In the case of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**, Natural England have been engaged with the Proposed Development since 14 September 2023. From this initial engagement, further engagements have been had between the Applicant and Natural England to discuss, among other matters:

- The design evolution of the Proposed Development;
- Opportunities to design the Proposed Development to complement HS2's mitigation planting;
- Opportunities to focus on key ecological matters, such as commuting and foraging bats, in design; and
- The scope and findings of ecological surveys.

9.3.14. Further information on the consultation process and how the advice of statutory bodies has informed the Proposed Development and the application of the mitigation hierarchy is provided for in the **Consultation Report [EN010158/APP/5.1]** and the **Consultation Report Appendices [EN010158/APP/5.2]**.

9.3.15. Paragraph 4.2.12 of NPS EN-1 outlines that *"applicants should set out how residual impacts will be compensated for as far as possible"* and that applicants should also *"set out how any mitigation or compensation measures will be monitored"* with *"reporting agreed to ensure success and that action is taken".* The Paragraph also recognises that cumulative impacts of multiple developments with residual impacts should also be considered.

9.3.16. As appropriate, the **ES** outlines compensatory measures where residual adverse impacts are identified. For example, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** identifies that a small number of trees with bat roost potential may be impacted and/or require removal as part of hedgerow loss necessary to enable access tracks and/or cable routes. Any trees with roost potential that cannot be avoided will be surveyed to determine the presence or likely absence of a roost. Any loss of a confirmed bat roost would be mitigated and compensated under a European Protected Species licence from Natural England.

9.3.17. The Applicant's proposed compensatory measures are explored in detail through the second part of this section of the Planning Statement. On a topic-by-topic basis, each chapter considers the need for compensatory measures to respond to residual impacts and how these measures will be monitored and reported to ensure the success of the action.

9.3.18. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** presents the approach to the assessment and identification of (considering both intra-project and inter-project) cumulative effects. An assessment of cumulative effects in relation to the Proposed Development is provided for in **Section 9.26** of the Planning Statement.

9.3.19. With regard for Paragraph 4.2.19 of NPS EN-1, the **HRA No Significant Effects Report (HRA NSER) [EN010158/APP/5.3]** concludes that the likely pathways for potential Likely Significant Effects have been considered. However, given the distance from the Order Limits and the nature of designated features, no impact pathways have been identified, and none have been assessed to provide a risk of likely significant effects. Therefore, the Proposed Development is not making a HRA derogation case.

9.4. Part 4.3: Environmental Effects/Considerations

Policy Summary

9.4.1. Paragraphs 4.3.1 and 4.3.2 of NPS EN-1 discuss the requirement that project proposals are required to be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the project, if the project is subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

9.4.2. Paragraph 4.3.3 of NPE EN-1 also specifies the range of effects, their duration, and measures for avoiding or mitigating significant effects that must be considered at all project stages.

Applicant Assessment

9.4.3. An **ES** has been submitted with this DCO Application. The scope of the submitted **ES** is in accordance with the Scoping Opinion (**ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]**).

9.4.4. The **ES** is considered to be proportionate to the scale of the Proposed Development (NPS EN-1 Paragraph 4.3.10) and presents, to the best of the Applicant's knowledge, the likely worst-case environmental, social and economic effects of the Proposed Development's construction, operation (including maintenance) and decommissioning phases.

9.4.5. In accordance with Paragraphs 4.3.11 and 4.3.12 of NPS EN-1, it is important to note that the exact design details of the Proposed Development cannot be confirmed at this stage. Detailed design would be confirmed once the construction tendering process for the design has been completed and the Local Planning Authority has approved the detailed design in advance of the Proposed Development commencing (or phase thereof). This approach is to allow for flexibility to accommodate changes in technological advancements. For example, enclosures and/or building sizes may vary depending on the contractor selected, their specific configuration, and plant selection. This is of particular importance to maintaining flexibility due to the rapid pace of change in Solar PV and energy storage technologies since technology could be adopted at the detailed design stage that does not currently exist. Therefore, sufficient flexibility has been sought for the final design within the DCO Application.

9.5. Part 4.3 of NPS EN-1 and Part 2.3 of NPS EN-3: Alternatives and Site Selection

Policy Summary

9.5.1. Paragraph 4.3.9 of NPS EN-1 states that *"the relevance or otherwise to the decision making process of the existence (or alleged existence) of alternatives to a proposed development is in the first instance matter of law"*. The same Paragraph goes on to state that *"this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and habitats sites, the NPS does not change requirements in relation to compulsory acquisition and habitats sites"*.

9.5.2. Paragraph 4.3.15 of NPS EN-1 advises that applicants are *"obliged to include in their ES, information about the reasonable alternatives they have studied"* taking account the environmental, social and economic effects and, where relevant, technical and commercial feasibility considerations.

9.5.3. Paragraphs 4.3.16 and 4.3.17 of NPS EN-1 further note that *"in some circumstances, the NPSs may impose a policy requirement to consider alternatives"* and that where *"there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements"*.

Applicant Assessment

9.5.4. **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** and **Appendix 1: Site Selection Report** to this Planning Statement outline, in accordance with Paragraph 4.3.15 of NPS EN-1, the reasonable alternatives that have been considered by the Applicant for the Proposed Development to date, including the initial selection of the Order Limits and the development of the design. **Appendix 1: Site Selection Report** to this Planning Statement demonstrates a consideration of relevant policy and its applicability to the site selection process that the Applicant has undertaken.

9.5.5. Paragraph 4.3.22 of NPS EN-1 helpfully establishes the decision-making framework for the Secretary of State's consideration of alternatives. The Paragraph provides two key principles which the Secretary of State should consider when attributing weight. These are:

- *"the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and*
- *only alternatives that can meet the objectives of the proposed development need to be considered".*

9.5.6. Paragraph 4.3.23 of NPS EN-1 advises that the Secretary of State should be guided by whether there is a *"reasonable prospect of the alternative delivering*

the same infrastructure capacity" (…) *"in the same timescale as the proposed development"*.

9.5.7. Paragraph 4.3.24 of NPS EN-1 importantly recognises that the Secretary of State should not *"refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure"*. The Paragraph continues to note that the Secretary of State should have regard to the possibility that *"all suitable sites for energy infrastructure of the proposed type may be needed by future proposals"*. There are also specific circumstances where there is a requirement to consider alternatives. The circumstances relating to when they are required and the Applicant's response to these circumstances is set out, below:

- Where a proposal would involve the compulsory acquisition of land or interests in land (Paragraph 4.3.9 of NPS EN-1). The DCO Application is seeking compulsory acquisition powers. Please see the **Statement of Reasons [EN010158/APP/4.1]** for more detail on this.
- Where a development would be located near a sensitive receptor site for air quality (Paragraph 5.2.7 of NPS EN-1). The Proposed Development is not within an Air Quality Management Area (AQMA) and there are no AQMAs within the surrounding area.
- Where a development would lead to significant harm to biodiversity and geological conservation interests (Section 5.4 of NPS EN-1). Biodiversity and geological conservation considerations of reasonable alternatives have informed the design of the Proposed Development from the outset and have been integrated as part of the design process, as described in the **Design Approach Document [EN010158/APP/5.8]** and **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]**. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** conclude that none of the 'potentially significant' residual adverse effects identified in the assessments give rise to 'significant harm'.
- Where a development would result in an adverse effect on the integrity of a European site that cannot be avoided (Section 5.4 of NPS EN-1). The **HRA NSER [EN010158/APP/5.3]** has been submitted alongside the DCO Application which confirms the Proposed Development would not result in an adverse impact on the integrity of a European Site, therefore there is no requirement to consider alternatives.
- Where a development would be located within, or partially within, Flood Zone 2 or Flood Zone 3 (Section 5.8 of NPS EN-1). In this case the Sequential Test should be undertaken. If following application of the Sequential Test, it is not possible for the Proposed Development to be located in areas of lower flood risk, the Exception Test can be applied. The Exception Test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. With regard to applying the Sequential Test, Paragraph 5.8.23 of NPS EN-1 sets out that

consideration of alternative sites should take account of the policy on alternatives described in Section 4.3 of NPS EN-1. A small area of the Order Limits is within Flood Zone 2, 3a and 3b. **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**, **Section 9** of this Planning Statement and the **Sequential and Exceptions Test** appended to this Planning Statement advises how the Sequential and Exception Tests have been passed.

- Where a development would be located within a National Park, the Broads or a National Landscape (Section 5.10 of NPS EN-1). The Proposed Development is not located in or near such designations, therefore no further consideration of alternatives in this regard is required.

9.5.8. Policy in NPS EN-1 is clear in that work should be undertaken on a proportionate basis and that any alternative would need to be a reasonable alternative and so it would be expected to deliver the same capacity in the same timeframes. Indeed, there is acknowledgement that other sites may exist which potentially have lesser impacts than that of the Proposed Development, but those other sites would not be capable of delivering the same capacity in the same timeframes. Further, such other sites would be unlikely to benefit from the same level of proximity to the grid connection (at National Grid East Claydon Substation) and single landowner position that the Proposed Development benefits from.

9.5.9. equally be required for further energy infrastructure in the future (Paragraph 4.3.24 of NPS EN-1). This goes to the core of the approach to planning in England and Wales which is that applications should be judged on their own merits.

9.5.10. In terms of legislative requirements on alternatives, Regulation 14(2)(d) of the EIA Regulations states that an ES should *"include a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment*".

9.5.11. The Applicant has considered reasonable alternatives that could realistically achieve the objectives for the Proposed Development. This is set out in **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]**. A **Site Selection Report** has also been submitted with the DCO Application at Appendix 1 to this Planning Statement. These reports should also be read in conjunction with the **Statement of Need [EN010158/APP/5.6]**.

9.5.12. The above reports submitted with the DCO Application conclude that there were no alternative technologies or sites considered by the Applicant that could deliver the project objectives. From an alternative technology perspective, the following conclusions were drawn:

- Alternative types of renewable energy generation technologies, such as wind and hydrogen, were not considered viable for the Order Limits by the Applicant.
- Several alternative solar technologies and design options have been considered throughout the design process to date. The parameters of the DCO Application will seek to maintain a degree of flexibility under the Rochdale Envelope to allow for the latest solar technology to be utilised at the time of construction.
- The design and layout of the Proposed Development has been developed as part of an iterative process which has been informed by the ongoing environmental assessment process whilst taking into consideration the design principles and controls, feedback and engagement with stakeholders and consultees. The evolution of the design has informed the determination of the proposed Order Limits.

9.5.13. Following a review to identify which of the land in proximity to the National Grid East Claydon Substation may be appropriate for solar PV development from a technical, environmental and community perspective, the Applicant commenced discussions with landowners to identify where there was a willingness to enter into lease agreements (as reported in **Appendix 1: Site Selection Report** to this Planning Statement). The search identified a single landowner, located directly adjacent to the National Grid East Claydon Substation, who was agreeable in principle to leasing sufficient land for a solar development that optimised the grid connection.

9.5.14. Given the critical and urgent need to deploy renewable energy to address the climate crisis and following consideration of other factors (as reported in **Appendix 1: Site Selection Report**), the Site location has been chosen as it is considered to have good potential for large-scale solar deployment. The availability of significant capacity at National Grid East Claydon Substation was the primary driver in identifying a site in this part of Buckinghamshire.

9.6. Part 4.4: Health

Policy Summary

9.6.1. Paragraph 4.4.1 of NPS EN-1 highlights that energy infrastructure has the potential to *"impact the health and well-being ("health") of the population"*. Paragraph 4.4.4 of NPS EN-1 goes on to state that, as part of an applicant's assessment, where development has the potential to affect humans, the ES should assess those effects for each element of the project, identifying any adverse health impacts and measures to avoid, reduce, mitigate or compensate for the impacts as appropriate.

9.6.2. Paragraph 4.4.5 of NPS EN-1 recognises that the impacts of more than one development may affect people simultaneously and so applicants are to consider the cumulative impacts on health in the ES, as appropriate.

9.6.3. As part of the Secretary of State's decision making, Paragraph 4.4.7 of NPS EN-1 advises that the aspects of energy infrastructure which are *"most likely to have a significantly detrimental impact on health are subject to separate regulation (for example air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation"*. Paragraph 4.4.8 of NPS EN-1 continues, however, to advise that not all potential sources of health impacts will be mitigated in such a way and the *"Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise"*.

Applicant Assessment

9.6.4. Health was scoped out of the **ES** as an individual topic, however, impacts upon health are assessed across **ES Volume 2, Chapter 6: Air Quality**, **Chapter 10: Landscape and Visual**, **Chapter 13: Noise and Vibration** and **Chapter 15: Transport and Access [EN010158/APP/6.2]** as well as **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]**. **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4]** collates and summarises the assessments carried out in the ES.

9.6.5. With regard to health impacts in relation to air quality, **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** reports on potential impacts on human health in relation to dust and particulate matter emissions during the construction and decommissioning phases, including the operation of equipment. The Chapter concludes that there is negligible risk of impact and therefore no significant residual adverse effects are expected. In terms of human health impacts as a result of road traffic exhaust emissions during construction, operation (including maintenance) and decommissioning phases, the Chapter reports that the Proposed Development would not generate traffic that exceeds screening criteria (as established within the relevant guidance). Further, the **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]**, **Outline Operational Environmental Management Plan (Outline OEMP) [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** secure best practice measures for undertaking works. Measures include providing support and encouragement for sustainable travel and ensuring that all vehicles switch engines off when stationary. Following the implementation of this additional mitigation, the residual effects are concluded as not significant.

9.6.6. With regard to landscape and visual health-related impacts, **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** identifies potential impacts of the Proposed Development's construction, operation (including maintenance) and decommissioning on the visual amenity experienced by some of the most sensitive visual receptors such as residents and users of the PRoW and LRN.

9.6.7. Visual mitigation is primarily delivered through embedded mitigation (such as planting) while mitigation from the impacts of construction itself is secured within

the **Outline CEMP [EN010158/APP/7.2]** which requires the production of a Health and Safety Plan.

9.6.8. In addition, the **Outline RoWAS [EN010158/APP/7.8]** includes measures to ensure safety of the PRoWs and permissive path network users such as: ensuring that there are no barriers without lawful authority and that reasonable adjustments are made to facilitate access to all; ensuring that all new surfaces are easy to use; ensuring that all new or diverted routes are accessible and well-maintained in terms of vegetation management, clearance of obstructions and flooding/waterlogging and applying and maintaining best practice in terms of on-site signage and other information provision, and to enhance visitor enjoyment and safety. Within **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**, there is no assessment of the significance of impacts on health and wellbeing as an individual receptor, however, the impacts are assessed across a range of receptors set out within the Chapter.

9.6.9. Noise and vibration health-related impacts are assessed in **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2].** The Chapter advises that there are up to minor adverse residual effects (not significant in EIA terms) in relation to noise and vibration impacts and an increase in traffic flows across the construction and decommissioning phases of the Proposed Development and noise impacts across the operation (including maintenance) phase of the Proposed Development. The embedded design mitigation measures include the:

- maximisation of the separation distance between proposed infrastructure and surrounding sensitive receptors, where practicable;
- use of equipment with low noise emissions, where feasible; and
- the orientating of noise emitting equipment to reduce noise level beyond the Order Limits.

9.6.10. The above embedded mitigation measures are supplemented by secured additional mitigation measures as set out in the **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]**. The additional mitigation focusses on best practicable means and source specific measures which do not form part of the design.

9.6.11. With regard to population health-related impacts, **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** does not consider effects on health and wellbeing which, as set out through the scoping phase, were to be considered through individual topic chapter assessments. Instead, the effects on health and wellbeing have been summarised through **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4]** which is explained further below.

9.6.12. With regard to traffic and transport health-related impacts, **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes a number

of receptors would experience potential construction-phase effects such as: Non-Motorised User Amenity, Severance, Driver Delay, Pedestrian Delay and Fear and Intimidation. The Chapter concludes that, with additional mitigation measures in place, there are no significant residual adverse health-related effects expected.

9.6.13. **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** reports on potential impacts to human health caused by nuisance to people living in nearby residential properties during the operation (including maintenance) phase. The report concludes adverse effects on people living in nearby residential properties are not expected to experience adverse glint and glare effects that are significant. This is principally because the potentially affected residential properties are located a sufficient distance away from the nearest reflective source (which are the fixed south-facing solar panels) as well as because of the limited duration that the sun is in position in the sky where reflections on those properties are possible. Further, Figure A.5 of **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** also demonstrates that the majority of building receptors are located to the north of reflector areas. This is important as all reflector areas have an azimuth angle 180 degrees from north (due south).

9.6.14. **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4]** summarises: how health has been considered in the development of the Proposed Development including through design, impact assessment, and the approach to consultation and engagement; where individual topic assessments have considered health effects, and report them in terms of significance, applying a health 'lens' and demonstrating regard to and consideration of guidance in the assessment of effects on health.

9.6.15. The Statement concludes that (in the context of concerns about the assessment of effects on mental health and wellbeing):

- Engagement has been undertaken via the pre-application statutory, non-statutory consultation and bilateral and community engagement processes set out within the **Consultation Report Appendices [EN010158/APP/5.2]** which have provided adequate provision of information and consideration of community and stakeholder feedback in the approach to design and assessment development;
- Key environmental assessments relating to the potential for effects on mental health have been undertaken (for example relating to noise and air quality), and effects mitigated to their fullest extent such that residual effects are not significant where practically possible; and
- Enhancements have been provided for the long-term accessibility of the area in order to promote and enhance physical and mental wellbeing.

9.7. Part 4.6: Environmental and Biodiversity Net Gain

Policy Summary

9.7.1. Paragraph 4.6.1 of NPS EN-1 outlines that *"Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements"*.

9.7.2. Paragraph 4.6.2 of NPS EN-1 explains how BNG is an essential component of environmental net gain (although it is not yet a mandatory requirement for NSIPs in England). Projects in England are encouraged to consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver BNG.

9.7.3. Policy requires that the Secretary of State should *"give appropriate weight to environmental and biodiversity net gain, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) should be limited"* (Paragraph 4.6.3 of NPS EN-1).

Applicant Assessment

9.7.4. In accordance with Paragraphs 4.6.6 and 4.6.7 of NPS EN-1, Project Principle 3.7, as set out in the **Design Approach Document [EN010158/APP/5.8]**, requires that the Proposed Development deliver a substantial BNG beyond the minimum of 10%. The **Outline LEMP [EN010158/APP/7.6]** carries this commitment forward to the detailed design stage and the delivery stage . It includes a series of Management Objectives which set a framework for the operational management of Green and Blue Infrastructure within the Proposed Development. Management Objective 4 requires the Applicant to deliver a BNG beyond the minimum of 10%. **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, 21.16% for hedgerow units, and 12.73% for watercourse units while Requirement 7 of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum net gain of 40% for habitats area units, 17% for hedgerow units, and 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.

9.7.5. The above paragraph confirms that the Proposed Development is compliant with current policy requirements and, specifically, the applicant assessment Paragraphs under Section Part 4.6 of NPS EN-1. A mandatory 10% BNG requirement for DCOs is expected to come into force in May 2026.

9.7.6. Finally, Paragraph 4.6.15 of NPS EN-1 advises that applications for development consent should be accompanied by a statement demonstrating how *"opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project"*. Opportunities to deliver wider environmental gains are outlined on a topic-by-topic basis in the

relevant sections of the **ES [EN010158/APP/6.1 – 6.4]**, the **Outline LEMP [EN010158/APP/7.6]** and **Design Approach Document [EN010158/APP/5.8]**.

9.8. Part 4.7 of NPS EN-1 and Parts 2.5 and 2.10 of NPS EN-3: Criteria for Good Design for Energy Infrastructure

Policy Summary

9.8.1. The Applicant's design approach is summarised in **Section 2** of this Planning Statement.

9.8.2. NPS EN-1 Paragraph 4.7.2 states: *"Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible"*. The Paragraph also recognises, importantly, that the nature of energy infrastructure development often limits the extent to which development can contribute to the enhancement of the quality of an area.

9.8.3. Paragraph 4.7.4 of NPS EN-1 states that design principles should be established during the early stages of the project lifecycle. Footnote 122 of NPS EN-1 states that *"Design principles should take into account any national guidance on infrastructure design, this could include for example the Design Principles for National Infrastructure published by the National Infrastructure Commission"*.

9.8.4. Under the applicant assessment element of this Section, Paragraph 4.7.6 of NPS EN-1 recognises that applicants may have very limited choice in the physical appearance of some energy infrastructure. However, given the importance the PA 2008 places on good design and sustainability, the Secretary of State needs to ensure that energy infrastructure development is as attractive, durable, and adaptable as possible (Paragraph 4.7.10 of NPS EN-1). The Paragraph also states that applicants should seek to embed opportunities for nature-inclusive design within the design process.

9.8.5. Resultingly, Paragraph 4.7.7 of NPS EN-1 requires applicants to demonstrate in their application how the design process was conducted and how the proposed design evolved.

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

9.8.7. Regarding solar development itself, Paragraph 2.10.60 of NPS EN-3 notes that applicants should *"consider several factors when considering the design and layout of sites"*. These factors include: proximity to available grid capacity to

accommodate the scale of generation; orientation; topography; previous land–use; and ability to mitigate environmental impacts and flood risk.

9.8.8. Published in October 2024 and last updated in April 2025, the Planning Inspectorate has provided advice on good design **[Ref. 1-30]**. The Guidance explains why good design is important, what success might look like and how it might be delivered across NSIPs. The Guidance details how Energy NSIPs are to contribute to sustainable development by: responding to climate change, achieving excellent functionality, positive place-making and resilience in design.

9.8.9. Good Design is inherently multi-faceted and requires the balancing of environmental, economic and social factors. Therefore, the Guidance outlines a good design process which offers a structured approach to resolving problems to secure good design outcomes.

Applicant Assessment

9.8.10. In direct response to Paragraph 2.10.60 of NPS EN-3, the Applicant confirms, through **Appendix 1: Site Selection Report** to this Planning Statement that irradiance and topography, grid connection and capacity, ALC and land type, and the ability to mitigate environmental impacts (such as locating the Proposed Development away from dwellings and flooding) factored heavily in undertaking the site selection process. The site selection process is therefore considered to comply with the relevant design criteria from an early stage.

9.8.11. Detail on the Applicant's approach to good design is set out in **Section 2** of this Planning Statement as well as the **Design Approach Document [EN010158/APP/5.8]** which sets out, in detail, the Applicant's actions and decisions to demonstrate compliance with design-related policy in NPS EN-1, NPS EN-3 and the Planning Inspectorate's Advice on Good Design.

9.8.12. For example, Section 4.7 of the **Design Approach Document [EN010158/APP/5.8]** outlines the Proposed Development's compliance with Annex A of the Planning Inspectorate's Advice on Good Design.

9.9. Part 4.10 of NPS EN-1 and Part 2.3 of NPS EN-5: Climate Change Adaptation and Resilience

Policy Summary

9.9.1. Paragraph 4.10.1 of NPS EN-1 outlines that *"whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change"*. This means that if new energy infrastructure is not sufficiently resilient against the impacts of climate change, it will not be able to satisfy the energy needs detailed in Part 3 of NPS EN-1 (the need for new energy NSIPs).

9.9.2. Hotter and drier summers and warmer and wetter winters as well as a heightened risk of flooding, drought, heatwaves, more intense rainfall events etc. are anticipated as a result of climate change (Paragraph 4.10.2 of NPS EN-1).

9.9.3. Resultingly, Paragraph 4.10.8 of NPS EN-1 states that applicants must consider the direct and indirect impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.

9.9.4. Paragraph 4.10.5 of NPS EN-1 states that applications should consider nature-based solutions. Such solutions can also result in biodiversity benefits as well as increasing the absorption levels of carbon dioxide from the atmosphere in adapting to climate change.

9.9.5. Paragraph 2.3.2 of NPS EN-5 requires the consideration of the effects of flooding (particularly on substations which are vital for the electricity transmission and distribution networks), winds and storms (on overhead lines), higher average temperatures (leading to increased transmission losses), earth movement or subsidence caused by flooding or drought (on underground cables) and coastal erosion (for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively).

9.9.6. As written into draft NPS EN-1, Paragraph 2.3.5 makes clear that all routes to a clean power system will require the mass deployment of solar. The Paragraph goes on to establish in policy the capacity objectives as written it to the Clean Power 2030 Action Plan. This includes between 45 – 47GW of solar.

Applicant Assessment

9.9.7. The Proposed Development's design has taken into account impacts from climate change. Site-specific hydraulic modelling has been carried out to assess the actual risks of fluvial and pluvial flooding to the Proposed Development and includes a simulation of the credible maximum climate change scenario.

9.9.8. The credible maximum climate change scenario accounts for the plausible worst-case impacts of climate change and has been applied in accordance with the policy requirement set out in Paragraph 4.10.12 of NPS EN-1 to ensure the design and layout of the safety critical elements (i.e., Rosefield Substation and BESS) are sufficiently resilient to extreme climate change. Further detail on the flood modelling undertaken is provided in **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**.

9.9.9. **ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4]** has been produced to assess a number of climate-change hazards and the Proposed Development's resilience to these. The hazards considered include, but are not limited to: increased summer temperatures, winter precipitation, risk of drought, wind speeds and frequency of winter storms and a decrease in summer precipitation in accordance with Paragraph 2.3.2 of

NPS EN-5. The Assessment concludes that no likely significant environmental effects are identified and so further assessment has not been undertaken in **ES Volume 2, Chapter 8: Climate Change [EN010158/APP/6.2]**.

9.9.10. In accordance with Paragraphs 4.10.7 and 4.10.11 of NPS EN-1, Project Principle 1.1, as set out in the **Design Approach Document [EN010158/APP/5.8]**, requires the building in of resilience and adaptation in a changing climate through design. Project Principle 1.1 also secures that proposed planting will be cognisant of future climate change and species that are drought tolerant and/or require relatively less watering will be favoured.

9.10. Part 4.11 of NPS EN-1 and Part 2.10 of NPS EN-3: Network Connection

Policy Summary

9.10.1. Paragraph 4.11.1 of NPS EN-1 notes that the grid connection point of a generating station to the electricity network is an important consideration for applicants.

9.10.2. Paragraph 2.10.21 of NPS EN-3 notes that applicants should consider issues relating to network connection in Section 4.11 of NPS EN-1 and across NPS EN-5. In particular, and where appropriate, applicants should proceed in a manner consistent with the regulatory regime for offshore transmission networks.

Applicant Assessment

9.10.3. In accordance with Paragraph 4.11.5 of NPS EN-1, the Applicant engaged with National Grid to discuss potential opportunities for a connection offer within the Buckinghamshire area and in early 2020 a grid connection offer was made for capacity in East Claydon, Buckinghamshire.

9.10.4. The **Grid Connection Statement [EN010158/APP/7.1]** submitted with the DCO Application demonstrates that a connection to the National Grid at East Claydon secured.

9.11. Part 4.12: Pollution Control and Other Environmental Regulatory Regimes

Policy Summary

9.11.1. Paragraph 4.12.1 of NPS EN-1 states that discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licencing regimes.

9.11.2. As part of the Secretary of State's decision making, Paragraph 4.12.9 of NPS EN-1 confirms that the Secretary of State should focus on whether the development itself is an acceptable use of the land or sea, and that the impact

of that use, rather than the control of processes, emissions and discharges themselves. Paragraph 4.12.10 of NPS EN-1 notes that the Secretary of State should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes will be properly applied and enforced by the relevant regulator.

Applicant Assessment

9.11.3. The DCO Application is accompanied by a **Schedule of Other Consents and Licences [EN010158/APP/5.5]**. This Schedule outlines the other consents, permits and licenses that would be required to facilitate the Proposed Development other than those written into the **Draft DCO [EN010158/APP/3.1]**.

9.11.4. The Applicant acknowledges the preference (set out in Paragraph 4.12.8 of NPS EN-1) for applicants to submit applications for other necessary consents at the same time as seeking development consent from the Secretary of State, however, the level of detail required to obtain such permits and licenses is not fully available at this stage. The **Schedule of Other Consents and Licences [EN010158/APP/5.5]** sets out the status of discussions with relevant regulators with, notably, the vast majority of engagement and subsequent applications expected to be undertaken by the relevant contractor at detailed design stage when the relevant information becomes available, should DCO consent be granted.

9.11.5. The construction phase environmental impacts of the Proposed Development will be managed through the implementation of detailed Construction Environmental Management Plan(s). An **Outline CEMP [EN010158/APP/7.2]** has been submitted with the DCO Application and sets out a series of measures, based on best-practice guidance, to control the environmental effects of construction of the Proposed Development. A detailed Construction Environmental Management Plan(s), in accordance with Requirement 11 of the **Draft DCO [EN010158/APP/3.1]**, must be approved prior to the commencement of works and is to be substantially in accordance with the **Outline CEMP [EN010158/APP/7.2]**. These measures will form an important part of the Applicant's efforts to control construction phase impacts.

9.11.6. Ongoing impacts arising from the operational (including maintenance) phase of the Proposed Development are assessed to be limited. Impacts arising from the operational (including maintenance) phase will be controlled through the **Outline OEMP [EN010158/APP/7.3]** and **Outline LEMP [EN010158/APP/7.6]** submitted with the DCO Application. In accordance with Requirements 12 and 7 of the **Draft DCO [EN010158/APP/3.1]** respectively, the detailed Operational Environmental Management Plan(s) and detailed Landscape and Ecological Management Plan(s) must be substantially in accordance with the **Outline OEMP [EN010158/APP/7.3]** and **Outline LEMP [EN010158/APP/7.6]**.

9.11.7. The **Outline DEMP [EN010158/APP/7.4]** will control environmental effects as identified in **ES Volume 2, Chapters 6 - 17 [EN010158/APP/6.2]** during the decommissioning phase of the Proposed Development. In accordance with

Requirement 18 of the **Draft DCO [EN010158/APP/3.1]**, the detailed Decommissioning Environmental Management Plan(s) must be substantially in accordance with the **Outline DEMP [EN010158/APP/7.4]**.

9.11.8. In terms of Secretary of State's decision making, the Applicant considers that, under Paragraph 4.12.16 of NPS EN-1 and based on the above, there should be no reason for the Secretary of State to believe that any operational pollution permits, licenses and/or other consents will not be granted.

9.12. Part 4.14: Hazardous Substances

Policy Summary

9.12.1. Paragraph 4.13.1 of NPS EN-1 explains that the Health and Safety Executive (HSE) is the independent regulator responsible for enforcing a range of occupational health and safety legislation, some of which is relevant to the construction, operation and decommissioning of energy infrastructure.

9.12.2. Paragraph 4.13.3 of NPS EN-1 confirms that some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015.

9.12.3. Paragraph 4.13.5 of NPS EN-1 states that applicants should consult with the HSE on matters relating to safety.

Applicant Assessment

9.12.4. As per Section 3 of the COMAH Regulations 2015, Solar and BESS development is not applicable to the regime and therefore no further response is required. As the Proposed Development is not subject to the COMAH Regulations 2015, Paragraphs 4.13.6 - 4.13.8 of NPS EN-1 are not engaged. Notwithstanding the fact that BESS is not applicable to the COMAH Regulations 2015, the DCO Application is accompanied by an **Outline Battery Safety Management Plan (Outline BSMP) [EN010158/APP/7.9]**, which sets out the key fire safety provisions for the BESS including measures to reduce fire risk and fire protection measures.

9.12.5. **ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]** contained a response to the Applicant's **ES Volume 4, Appendix 5.1: EIA Scoping Report [EN010158/APP/6.4]** with information that was of use to the Applicant.

9.12.6. The **Consultation Report [EN010158/APP/5.1]** confirms that the HSE provided a response to statutory consultation (Phase Two Consultation) and the Applicant's consideration of this response is evidenced through Appendix J of the **Consultation Report Appendices [EN010158/APP/5.2]**.

9.13. Part 4.15: Common Law Nuisance and Statutory Nuisance

Policy Summary

9.13.1. Paragraph 4.15.5 of NPS EN-1 requires that at the application stage, *"possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be identified by the applicant so that appropriate requirements can be included in any subsequent order granting consent"*. Paragraph 4.15.6 of NPS EN-1 continues to advise that, at the application stage of an energy NSIP, it is important that the Secretary of State considers possible sources of nuisance under section 79(1) of the Environmental Protection Act 1990 (EPA 1990) and how they may be mitigated or limited so that appropriate requirements can be included in any subsequent DCO.

Applicant Assessment

9.13.2. The Applicant has prepared and submitted a **Statutory Nuisance Statement [EN010158/APP/5.4]** as is required under APFP Regulation 5(2)(f) and Paragraph 4.15.5 of NPS EN-1, which confirms that there is no statutory nuisance expected as a result of the Proposed Development for any phase of the Proposed Development. Measures including obtaining Section 61 consent for control of noise on construction sites, which would include agreed construction noise limits for nearby noise-sensitive receptors, are set out in the **Outline CEMP [EN010158/APP/7.2]** and **Outline DEMP [EN010158/APP/7.4]** and are secured through Requirements 11 and 18 respectively of the **Draft DCO [EN010158/APP/3.1]**.

9.13.3. Though a statutory nuisance is not expected, Article 7 of the submitted **Draft DCO [EN010158/APP/3.1]** adopts a well-precedented approach of a defence to statutory nuisance proceedings and provides that no person is able to bring statutory nuisance proceedings under the EPA 1990 in respect of noise, if the noise is created in the course of carrying out construction, maintenance or decommissioning of the authorised development and for which notice has been given under Section 60 or consent obtained under Section 61(9) of the Control of Pollution Act 1974 or which cannot be reasonably avoided as a consequence of the authorised development. Operational noise is also controlled by Requirement 14 of the submitted **Draft DCO [EN010158/APP/3.1]**.

9.14. Part 4.16 of NPS EN-1 and Part 2.10 of NPS EN-3: Security Considerations

Policy Summary

9.14.1. Paragraph 4.16.1 of NPS EN-1 explains that national security considerations apply across all national infrastructure sectors.

9.14.2. Paragraph 4.16.2 of NPS EN-1 notes that DESNZ works closely with Government security agencies including the National Protective Security Authority (NPSA) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation.

9.14.3. Paragraph 4.16.4 of NPS EN-1 states that Government policy is to ensure that proportionate protective security measures are designed into new infrastructure projects at an early stage.

9.14.4. In terms of Secretary of State's decision making, Paragraph 4.16.8 of NPS EN-1 states that if *"NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the Secretary of State, it will provide confirmation of this to the Secretary of State. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination".*

Applicant Assessment

9.14.5. The Applicant has not identified any relevant considerations relating to national security in relation to the Proposed Development. Security requirements have, however, been embedded into the design of the proposals from the outset and are considered proportionate. Security fencing and CCTV is employed across the Order Limits to secure and monitor the principal components of the Proposed Development. Meanwhile, the assessment of the visual impact of such security measures is included in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**.

9.14.6. In direct response to Paragraph 4.16.8 of NPS EN-1, the Applicant concludes that no further consideration is required on security matters. This position is supported further by other recent solar NSIPs where further consideration of security matters has not been required, with no concern raised by the National Protective Security Authority, Department for Energy Security & Net Zero or the Secretary of State.

Environmental Factor Assessments

9.14.7. From this point forward, Section 9 of this Planning Statement assesses the Proposed Development on a topic-by-topic basis

9.15. Air Quality

Policy Summary

9.15.1. This section reviews the Proposed Development in the context of planning policies relating to air quality. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.15.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative air quality effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative air quality effects.

9.15.3. Paragraph 5.2.1 of NPS EN-1 notes that energy infrastructure development can have adverse effects on air quality across all phases of development on health, protected species and on the wider countryside and species.

9.15.4. Paragraph 5.2.8 of NPS EN-1 requires development that is likely to have adverse effects on air quality to undertake an assessment of the impacts of the proposed project as part of the ES. Paragraph 5.2.9 of NPS EN-1 goes on to outline what the ES should include with regard to air quality.

9.15.5. In terms of Secretary of State's decision making, Paragraph 5.2.16 of NPS EN-1 states that substantial weight will generally be given to air quality considerations where a project would lead to a deterioration in air quality.

9.15.6. Paragraph 199 of the NPPF makes clear that planning decisions should *"sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement"*.

9.15.7. Policy NE5 (Pollution, air quality and contaminated land) of the VALP details that developments that may have an adverse impact on air quality will be required to submit an air quality impact assessment that demonstrates the effects of the proposal would not exceed the National Air Quality Strategy Standards (as replaced) or would not materially affect a surrounding area affected by existing and continuous poor air quality.

Applicant Assessment

9.15.8. In accordance with Paragraph 5.2.8 of NPS EN-1, an air quality assessment has been undertaken and the impacts of the Proposed Development on air quality are reported in **ES Volume 4, Appendix 6.1: Air Quality Assessment [EN010158/APP/6.4]**.

9.15.9. The content of **ES Volume 4, Appendix 6.1: Air Quality Assessment [EN010158/APP/6.4]** accords with the policy requirements set out in Paragraph 5.2.9 of NPS EN-1 and Policy NE5 of the VALP.

9.15.10. **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** assesses the impact of the construction and decommissioning phase activities of the Proposed Development on air quality.

9.15.11. During the construction and decommissioning phases, there is the potential for emissions of dust and particles due to the following:

- Earthworks (e.g. soil stripping, excavation etc.);
- Construction; and

- Trackout (movement of mud and soil out of the site by construction vehicles).

9.15.12. In accordance with Paragraph 199 of the NPPF, **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** considers the presence of AQMAs. The Chapter concludes that the closest AQMA is located in the neighbouring administrative area of Cherwell District Council (in Bicester) approximately 14km from the Order Limits and is not relevant.

9.15.13. **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** concludes that the Proposed Development is not expected to generate traffic exceeding screening criteria once operational. Therefore, it has been concluded that further assessment of operational (including maintenance) phase traffic emissions is not required. The assessment goes on to confirm that the increased road traffic emissions resulting from the Proposed Development are expected to have a negligible impact on air quality and nearby human receptors and designated sites during the operation (including maintenance) phase.

9.15.14. The Chapter concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse air quality-related effects expected across the Proposed Development's construction, operation (including maintenance) and decommissioning phases.

9.15.15. The residual effects outlined in the assessment rely on controls established within the **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]**. These outline management plans have been prepared in support of the DCO Application and set out measures to manage any potential air quality effects that may arise from construction and decommissioning activities and are secured by Requirements in the **Draft DCO [EN010158/APP/3.1]**.

Summary

9.15.16. In summary, the Proposed Development is not anticipated to result in any residual adverse effects on air quality receptors during the construction, operation (including maintenance) and decommissioning phases. Therefore, there is no requirement for substantial weight to be afforded against the Proposed Development in the planning balance, as per Paragraph 5.2.16 of NPS EN-1.

9.15.17. The Proposed Development is considered to comply with the relevant policy tests established under NPS EN-1, the NPPF and the VALP.

9.15.18. It is therefore considered that there are no negative decision-making implications in terms of the tests required to be applied by the Secretary of State as set out in Paragraphs 5.2.15 - 5.2.19 of NPS EN-1.

9.16. Biodiversity

Policy Summary

9.16.1. This section reviews the Proposed Development in the context of planning policies relating to biodiversity. This section has been broken down further for ease of assessment and should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement and **Section 9.26** of this Planning Statement which consider the cumulative biodiversity effects.

9.16.2. Paragraph 5.4.17 of NPS EN-1 states that projects should include an ES that clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity.

9.16.3. Paragraph 2.10.25 of NPS EN-3 recognises that applicants may, in order to minimise disruption to biodiversity, therefore choose a site based on the site's proximity to capacity in the grid.

9.16.4. Under Paragraph 5.4.19 of NPS EN-1, applicants should show how projects have taken opportunities to conserve and enhance biodiversity conservation interests. Paragraph 5.4.21 of NPS EN-1 adds that the design process should embed opportunities for nature-inclusive design.

9.16.5. Paragraph 5.4.35 of NPS EN-1 outlines that applicants are to apply the mitigation hierarchy with regard for biodiversity. The Paragraph goes on to establish a number of matters that applicants are to demonstrate regard for.

9.16.6. Paragraph 5.4.42 of NPS EN-1 furthers Paragraph 5.4.35 of NPS EN-1 by outlining the key test in the application of the mitigation hierarchy is to avoid 'significant harm' to biodiversity and geological interests and that avoidance of such harm should include the consideration of alternatives.

9.16.7. An advising ecologist is recommended in the design process such as to ensure the mitigation hierarchy is applied successfully to avoid, reduce, mitigate and compensate for adverse impacts whilst also maximising enhancements (Paragraph 2.10.78 of NPS EN-1).

9.16.8. At the site level, Policy NE1 of the VALP confirms that development will be expected to promote site permeability for wildlife and avoid the fragmentation of wildlife corridors. The Policy also confirms that development will not be permitted if 'significant harm' resulting from a proposed development cannot be avoided through the application of the mitigation hierarchy. Paragraph 5.4.42 of NPS EN-1 makes clear that, as a general principle, development should aim to avoid significant harm to biodiversity and geological conservation interests.

9.16.9. As a form of mitigation, applicants are encouraged to implement a Biodiversity Management Strategy (under Paragraph 5.4.36 of NPS EN-1) as part of development proposals to, for example, ensure employees are trained to avoid causing adverse impacts on biodiversity.

9.16.10. As part of the Secretary of State's decision-making process, Paragraph 5.4.41 of NPS EN-1 requires the Secretary of State to consider any net benefits for biodiversity and geological conservation interests and that such benefits may outweigh harm to these interests.

9.16.11. In the assessment of residual impacts of Critical National Priority infrastructure, such as the Proposed Development, Paragraph 4.2.15 of NPS EN-1 confirms that where residual impacts remain after the application of the mitigation hierarchy, these residual impacts are unlikely to outweigh the urgent need for such infrastructure.

Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats

9.16.12. With regard for ancient woodland, ancient trees, veteran trees and other irreplaceable habitats, Paragraphs 5.4.14 and 5.4.15 of NPS EN-1 recognise that these habitats are valuable biodiversity resources that are very difficult to restore, recreate and replace, if destroyed. It is therefore the objective of Government to maintain and enhance existing areas of such habitat.

9.16.13. Applicants are required to *"include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phases"* (Paragraph 5.4.32 of NPS EN-1).

9.16.14. Policy NE8 of the VALP makes clear that permission will be refused for development proposals that would lead to an individual or cumulative significant adverse impact on ancient woodland or ancient trees unless there are exceptional circumstances that clearly outweigh such impacts. The Policy also outlines that buffers to ancient woodlands should be 'proportionate to the development' and are generally expected to be a minimum of 50m between the development and the ancient woodland.

9.16.15. In decision making, Paragraph 5.4.53 of NPS EN-1 makes clear that development consent should not be granted for developments that would result in *"the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists".*

Protected sites and species

9.16.16. Paragraph 5.4.7 of NPS EN-1 recognises that many SSSIs are also designated as sites of international importance and are protected accordingly whilst those that are not sites of international important should still be given a high degree of protection.

9.16.17. Furthering Paragraph 5.4.7 of NPS EN-1, Paragraph 5.4.8 of NPS EN-1 makes clear that *"development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where*

the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs".

9.16.18. Paragraph 5.4.12 of NPS EN-1 states that sites of regional and local biodiversity and geological interests, which includes LWSs, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. Both Policy B1 of the Granborough Neighbourhood Plan and draft Policy CALV3 of the Calvert Green Neighbourhood Plan reflect this sentiment.

9.16.19. Paragraph 5.4.52 of NPS EN-3 states that the Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.

9.16.20. It is made clear through Paragraph 5.4.22 of NPS EN-1 that applicants of NSIP proposals are to consider the movement of and impacts of development on mobile/migratory species such as birds, fish and marine and terrestrial mammals.

9.16.21. Paragraph 2.10.77 of NPS EN-3 ties into Paragraph 5.4.22 of NPS EN-1 as it identifies some species that may also need consideration and assessment. These include, but are not limited to, ground nesting birds and bats.

9.16.22. For the protection and enhancement of habitats and species, Paragraphs 5.4.33 and 5.4.34 of NPS EN-1 detail that applicants are to consider 'any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity' with improvement considerations given to habitats and species in, around and beyond developments. To enhance such improvements, applicants may consider the opportunities identified in Local Nature Recovery Strategies, for example.

9.16.23. In decision making, Paragraph 5.4.54 of NPS EN-1 confirms that the Secretary of State is to ensure that species and habitats of importance are protected from the adverse effects of development.

9.16.24. Paragraph 5.4.55 of NPS EN-1 goes on to state that the Secretary of State ought to refuse consent where harm to a protected species and relevant habitat would result, unless there is overriding public interest in consent being granted and the other relevant legal tests are met.

9.16.25. Paragraph 4.2.17 of NPS EN-1 confirms that the Secretary of State will take as a starting point that Critical National Priority infrastructure meets a number of criteria. A key biodiversity test is that *"where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs."*

9.16.26. Ultimately and in decision making, the Secretary of State is to ensure that appropriate weight is *"attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment"* (Paragraph 5.4.48 of NPS EN-1).

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

Habitats regulations assessment

9.16.28. Paragraph 5.4.4 of NPS EN-1 confirms that the highest level of biodiversity protection is afforded to sites identified through international conventions and that the Conservation of Habitats and Species Regulations 2017 which sets out sites for which an HRA will assess the implications. Paragraph 5.4.49 of NPS EN-1 confirms that the Secretary of State must consider whether a project is likely to have a significant effect on a protected site which is part of the National Site Network (a habitat site), or any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans and projects.

9.16.29. In decision making, Paragraph 5.4.49 of NPS EN-1 confirms the Secretary of State must consider whether a project is likely to have a significant effect on a protected site which is part of the National Site Network (a habitat site), or any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans and projects.

Biodiversity net gain

9.16.30. Paragraph 5.4.21 of NPS EN-1 outlines that applicants are to consider how proposals can contribute towards delivering BNG. Policy NE1 of the VALP requires major developments to deliver BNG and both Policy B1 of the Granborough Neighbourhood Plan and draft Policy CALV3 of the Calvert Green Neighbourhood Plan require the delivery of BNG too.

9.16.31. Paragraph 5.4.44 confirms that the Secretary of State is to consider the need for appropriate requirements in order to ensure any offered mitigation or BNG is delivered and maintained.

9.16.32. Section 15 of the NPPF (Conserving and enhancing the natural environment) contains Paragraph 187 which states that planning decisions should contribute to and enhance the natural and local environment. Paragraph 192 of the NPPF notes that opportunities to incorporate biodiversity improvements are encouraged, particularly where this can secure measurable net gains for biodiversity. **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement further addresses NPPF policies regarding biodiversity.

Rivers, streams, trees and hedgerows

9.16.33. With regard for rivers and streams, Policy NE2 of the VALP seeks proactive approaches to the enhancement of watercourses and makes clear that development proposals adjacent to watercourses are to provide a 10m ecological buffer from the top of bank.

9.16.34. Policy NE8 (Trees, hedgerows and woodlands) of the VALP requires a full tree survey where trees are within or adjacent to a site and may be affected by development. With regard for hedgerows, the Policy also makes clear that any loss of species-rich native hedgerow should be compensated for and result in a net gain.

Applicant Assessment

Overarching biodiversity assessment

9.16.35. In accordance with Paragraph 5.4.17 of NPS EN-1, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** considers the ecological and biodiversity impacts of the Proposed Development across the construction, operation (including maintenance), and decommissioning phases. The Chapter sets out all the designated sites (international, national, and local) of ecological and geological conservation importance; protected species; and habitats and other species identified as being of principal importance for the conservation of biodiversity within the study area for the Order Limits.

9.16.36. In taking a step back from the assessment, the Applicant confirms through the **Site Selection Report** appended to this Planning Statement that having identified the point of connection and securing a connection agreement, a 'Search Area' was adopted by the Applicant to identify suitable areas of land for NSIP-scale solar development. This process was driven by the desire to be as close to the point of connection as possible, in order to minimise the risk of environmental impacts, disruption to multiple landowners, challenges with crossings and process losses and the cost and delay of a longer cable route, in accordance with Paragraph 2.10.25 of NPS EN-3.

9.16.37. The **Site Selection Report** goes on to note that, having found a willing landowner with sufficient land to optimise the grid connection (in accordance with the above considerations), the available land was in proximity to Sheephouse Wood SSSI, Finemere Wood SSSI and Grendon and Doddershall Woods SSSI. It was concluded by the Applicant that there were no other

suitable and available sites which met the site selection criteria and would give rise to fewer impacts. Moreover, the Applicant was confident that, given the nature of the Proposed Development, any potential impacts on the species for which the SSSIs are designated could be successfully mitigated for through detailed design, including the use of setbacks from the Proposed Development and the use of mitigation planting and screening.

9.16.38. The Proposed Development's overarching approach to good design and evidencing of adherence to the mitigation hierarchy is outlined in the **Design Approach Document [EN010158/APP/5.8]**. The **Design Approach Document [EN010158/APP/5.8]** explains how good design has been embedded into the Proposed Development from the outset of the design process via a clear design framework and how this has provided a shared understanding of desired outcomes for the Proposed Development and informed decision making.

9.16.39. The **Design Approach Document [EN010158/APP/5.8]** also contains a number of Strategic Principles which have informed the wider Project Objectives for the Proposed Development under which the Project Principles have been developed. A key biodiversity Strategic Principle is 'Places' which seeks to provide a sense of identity and improve our environment through the design of a layout that, among other things, creates opportunities to deliver ecological enhancements; in accordance with Paragraph 5.4.19 of NPS EN-1.

9.16.40. Below the Strategic Principles outlined in the **Design Approach Document [EN010158/APP/5.8]** are a number of Project Principles which have and will continue to, through detailed design, facilitate the practical application of the Strategic Principles. Project Principles 5.1 – 5.7 establish the ways in which the Proposed Development is to increase biodiversity, as appropriate to the landscape character whilst also connecting nature.

9.16.41. As a result, nature-inclusive design has been key to the Proposed Development's design.

9.16.42. In accordance with Policy NE1 of the VALP and as outlined in **Section 3.3** of this Planning Statement, the Proposed Development is to provide a variety of biodiversity benefits including: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to help maintain bat flight lines across the landscape, and provide a winter seed source for birds. Further detail of these benefits which promote site permeability for wildlife and avoid the fragmentation of wildlife corridors are captured and secured within the **Outline LEMP [EN010158/APP/7.6]**.

9.16.43. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms through Table 7.5 the ways in which, through assessment, the mitigation hierarchy has been applied for biodiversity. For example, measures taken at the avoidance

stage have ensured that the Proposed Development retains and protects all areas of woodland, ponds, watercourses, ditches and the majority of hedgerows and arable field margins within the Order Limits.

9.16.44. In accordance with Paragraph 2.10.78 of NPS EN-1, an advising ecologist (whose qualifications and experience is evidenced in **ES Volume 4, Appendix 1.1: Statement of Competence [EN010158/APP/6.4]**) has been instrumental in the successful application of the mitigation hierarchy with regard for biodiversity.

9.16.45. The application of the mitigation hierarchy has also been informed by regular engagement with key stakeholders through the pre-application stage. Key stakeholders engaged with include Natural England, Buckinghamshire Council and BBOWT. These key stakeholders have served to inform the design of the Proposed Development and assessment in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**.

9.16.46. Resultingly, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a single and 'potentially significant' residual adverse effect is identified. The sole 'potentially significant' residual adverse effect is for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In this case, the potentially significant effect has been identified in an abundance of caution and does not mean that a significant effect will definitely occur. This potentially significant effect has been identified as the impact of solar farms on bat species is not well understood at present, with limited research available on which to build a common consensus. Therefore, the potentially significant effect has been identified to capture the precautionary worst-case effect. However, this effect should not be taken to carry the same weight in decision making as an identified likely significant effect.

9.16.47. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**) (for the purposes of Paragraphs 5.4.42 of NPS EN-1 and Policy NE1 of the VALP) confirms that there is a 'potentially significant' residual effect to Bechstein's bat (both alone and cumulatively). However, this does not amount to, nor equate to, 'significant harm' (either alone or cumulatively), as the predicted impacts will be of a scale that will not impact the overall favourable conservation status of the species as the Proposed Development's design and mitigation has focused on protecting and enhancing Bechstein's bat foraging and commuting habitat. Otherwise, there are no other likely significant residual adverse biodiversity effects identified across the construction, operation (including maintenance), and decommissioning phases of the Proposed Development.

9.16.48. Tables 7.5 and 7.6 and Sections 7.7 and 7.9 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** details the embedded and additional mitigation measures which are proposed as part of the Proposed Development. Whilst the intention is not to replicate all of those measures here due to the

extent of the measures proposed, the Applicant would like to draw attention to mitigation which could be considered to be beneficial to bat species over the operational lifetime of the Proposed Development. As set out in Table 7.5 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**, the locations of mitigation areas have been chosen to ensure the connections between the existing SSSIs and ancient woodland adjacent to and within the Site would be enhanced by creating species-rich grassland and arable margins along with scrub and tree planting. This will create a coherent ecological network that will link the Site to the wider landscape, reducing fragmentation across the wider landscape and supporting the movement of local wildlife, particularly bats. The creation of species-rich grassland will also provide ground-nesting bird habitat and create a nectar source for invertebrates, which in turn provides a foraging resource for bats and bird species. Restoration of defunct ponds will help to enhance the pond network in the area, provide additional bat foraging habitat and support Great Crested Newts. In addition to benefitting bats, these habitats will also be of benefit to other species including invertebrates, amphibians, reptiles, non-ground nesting birds, badger and otter.

9.16.49. As a result of the above measures, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that during the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, an operational (including maintenance) phase significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland.

9.16.50. In accordance with Paragraph 5.4.36 of NPS EN-1, the **Outline LEMP [EN010158/APP/7.6]** sets out a framework for the Proposed Development's approach to ensuring the successful establishment of landscape and ecological measures, both in the short term and during the operation of the Proposed Development. Additionally, the **Outline CEMP [EN010158/APP/7.2]** includes the requirement for contractors to provide training on relevant matters such as the adherence to and proper implementation of biodiversity mitigation measures.

9.16.51. It should also be made clear that the embedded and additional mitigation measures proposed are extensive, well considered and commensurate with the need to properly apply the mitigation hierarchy, deliver ecological enhancements whilst also delivering the Proposed Development that is of a Critical National Priority nature. The locations of mitigation areas and proposed habitat creation and enhancement measures have been chosen to ensure the connections between the existing SSSIs and ancient woodland adjacent to the Site would be enhanced. This will create a coherent ecological network that will link the Site to the wider landscape, reducing fragmentation across the wider landscape and supporting the movement of local wildlife, particularly bats.

9.16.52. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** does not contain an assessment of cumulative effects on biodiversity. This assessment is contained within **ES Volume 2, Chapter 17: Cumulative Effects**

[EN010158/APP/6.2] which is considered separately in this Planning Statement.

Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats

9.16.53. The Applicant is cognisant of the irreplaceable nature of ancient woodland, ancient trees, veteran trees and other irreplaceable habitats, as outlined through Paragraphs 5.4.14 and 5.4.15 of NPS EN-1.

9.16.54. The **Site Selection Report** appended to this Planning Statement notes that, having found a willing landowner with sufficient land to optimise the grid connection, the Applicant carried out an assessment confirming the suitability of the available land for solar development which considered key constraints such as ancient woodlands.

9.16.55. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and **ES Volume 1, Chapter 2: Location of the Proposed Development [EN010158/APP/6.1]** note that two areas of ancient woodland are located within the Order Limits and that multiple other areas of ancient woodland are located directly adjacent to the Order Limits in several locations. The two areas of ancient woodland included in the Order Limits are to allow for the use of an existing access track to provide access to Parcel 1a for habitat creation works and maintenance. No development is included in either area of ancient woodland.

9.16.56. Resultingly and in accordance with Paragraph 5.4.32 of NPS EN-1, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, across all phases of the Proposed Development, there would be no loss of ancient woodland and, therefore, no need to mitigate this.

9.16.57. In order to access areas proposed for landscaping and environmental habitat creation in Parcel 1a, an existing track located within Romer Wood and Greatsea Wood (both ancient woodlands) would be used to allow light vehicles, such as tractors, to access Parcel 1a for habitat creation works. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that these activities would not have a direct adverse impact upon the ancient woodlands across all phases of the Proposed Development with embedded and additional mitigation measures in place.

9.16.58. Design Commitment C1 in **Design Commitments [EN010158/APP/5.9]** secures that perimeter fencing surrounding the Solar PV development will be offset at least 30m from existing ancient woodlands while Design Commitment D3 confirms that such perimeter fencing will comprise timber post and wire mesh ‘deer-proof fencing’. Whilst not strictly in compliance with Policy NE8 of the VALP’s general requirement for setback distances to be 50m between development and ancient woodlands, the Proposed Development is considered to be of a less impactful nature than what constitutes ‘general development’. Furthermore, Natural England and the Forestry Commission’s ‘Ancient woodland, ancient trees and veteran trees: advice for making planning decisions’ guidance **[Ref. 1-31]** makes clear that *“for ancient woodlands, the*

proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage". Therefore, the Applicant considers that the 30m offset secured is proportionate to the nature of the Proposed Development. Moreover, species-rich grassland, scrub planting and pond creation/restoration will occur within the ancient woodland offset buffers in order to maintain foraging and commuting corridors for wildlife (in particular bats) and improve links to the wider landscape.

9.16.59. **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4]** sets out that the new access and junction onto Claydon Road proposed as part of the Proposed Development has the potential for some root disturbance at the periphery of a root protection area of a veteran tree (around 7% of its overall root protection area). As set out within Design Commitment C7 in **Design Commitments [EN010158/APP/5.9]**, principal components of the Proposed Development will avoid root protection areas of trees as far as reasonably practicable. Where this is not possible, works will be undertaken under arboricultural supervision and 'no dig' construction methods will be used to protect the soil and minimise root impacts, as secured within the **Outline CEMP [EN010158/APP/7.2]**.

9.16.60. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes (in accordance with Paragraph 5.4.53 of NPS EN-1) that across all phases of the Proposed Development, ancient woodland and veteran trees within/adjacent to the Order Limits would experience no effect on structure/function. The residual effects are likely to be not significant.

Protected sites and species

9.16.61. In accordance with Paragraphs 5.4.8 and 5.4.12 of NPS EN-1, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** scopes in to the assessment statutory designated sites (being Sheephouse Wood SSSI, Finemere Wood SSSI, Grendon and Doddershall Woods SSSI and Ham Home-cum-Hamgreen Woods SSSI) and other non-statutory designated sites within/adjacent to the Order Limits (being Bernwood BOA, Greatsea Wood LWS, Shrub Woods LWS, Decoypond Wood LWS, Romer Wood LWS, Runt's Wood LWS, Finemere WTR, Home Wood, Middle Claydon LWS, Balmore Wood LWS).

9.16.62. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** also confirms that, at the time of writing, limited information on the proposed Bernwood SSSI designation is publicly available and the date for designation is not yet known. Therefore, the proposed Bernwood SSSI has not been specifically considered in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** as a receptor in its own right. However, Sheephouse Wood SSSI, Finemere Wood SSSI, Grendon and Doddershall Woods SSSI, ancient woodland and Bechstein's bats (all of which would fall under the proposed Bernwood SSSI designation) have all been scoped into the assessment. Therefore, the Applicant considers that the conclusions of the individual assessments can be applied to the Bernwood SSSI, should the SSSI be designated following the submission of the DCO Application and before the DCO Application is determined.

9.16.63. In supporting the position of the Secretary of State with regard for Paragraph 4.2.17 of NPS EN-1, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures secured, the Proposed Development's construction, operation (including maintenance) and decommissioning phases would have no effect on the structure or function of statutory designated sites and non-statutory designated sites within/adjacent to the Order Limits. This residual effect is not significant and, therefore, the Proposed Development is, in isolation, compliant with Paragraphs 5.4.8 and 5.4.12 of NPS EN-1 and Paragraph 5.4.52 of NPS EN-3.

9.16.64. With regard for species and in accordance with Paragraph 5.4.22 of NPS EN-1 and Paragraph 2.10.77 of NPS EN-3, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms the following receptors and/or matters were scoped into the assessment. These are:

- Black hairstreak and brown hairstreak butterflies;
- Terrestrial invertebrates (excluding black hairstreak and brown hairstreak butterfly);
- Great crested newts;
- Reptiles;
- Ground nesting birds;
- Non-ground nesting birds;
- Barn owl, red kite, hobby and peregrine falcons;
- Wintering birds;
- Bechstein's and barbastelle bats (considering foraging, commuting and roosting activities);
- Foraging and commuting bat assemblage (excluding Bechstein's and barbastelle bats);
- Roosting bats (excluding Bechstein's and barbastelle bats);
- Hazel dormice;
- Otters;
- Water voles; and
- Badgers.

9.16.65. As outlined in **Section 3.3** of this Planning Statement, the Proposed Development is to, in accordance with Paragraphs 5.4.33 and 5.4.34 of NPS EN-1, provide a variety of biodiversity benefits for species of fauna but also flora.

9.16.66. Tables 7.5 and 7.6 and Sections 7.7 and 7.9 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** detail the embedded and additional

mitigation measures which are proposed for protected sites and species as part of the Proposed Development. For example, the **Outline LEMP [EN010158/APP/7.6]** secures the creation of a mosaic of species-rich neutral grassland and scrub along field margins which serves to improve foraging for birds and bats, provide nesting habitat for birds, provide terrestrial habitat for Great Crested Newts and provide habitat for black hairstreak and brown hairstreak butterfly and other invertebrate species. Further detail of these benefits are captured and secured within the **Outline LEMP [EN010158/APP/7.6]**.

9.16.67. The **Design Commitments [EN010158/APP/5.9]** also secures design measures for the benefit of species. For example, Field margins will remain as open corridors for large animals such as deer to disperse across the Site and small gaps at the base of fences will allow brown hares and hedgehogs access into fields for foraging.

9.16.68. With regard for Paragraph 5.4.54 of NPS EN-1, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, only a single and 'potentially significant' residual adverse effect is identified; for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. The assessment also concludes, positively, that there is significant beneficial effect concluded in the operational (including maintenance) phase of the Proposed Development for ground nesting birds at the local level.

9.16.69. In accordance with national policy and Policy NE1 of the VALP, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** recognises that a small number of trees with bat roost potential may be impacted and/or require removal as part of hedgerow loss necessary to enable access tracks and/or cable routes. The **Outline LEMP [EN010158/APP/7.6]** secures that if it is found that any trees with bat roost potential will experience direct impacts, they will be surveyed prior to impact to determine presence/or likely absence of a roost. Any loss of a confirmed bat roost will be mitigated and compensated under a European Protected Species licence from Natural England.

9.16.70. The **Outline LEMP [EN010158/APP/7.6]** also secures that works with the potential to affect Great Crested Newts will be carried out either under the Buckinghamshire District Level Licensing Scheme through NatureSpace Partnership or under a European Protected Species licence from Natural England.

Habitats regulations assessment

9.16.71. In demonstrating compliance with Paragraphs 5.4.4 and 5.4.49 of NPS EN-1, **HRA NSER [EN010158/APP/5.3]** has been prepared in accordance with the requirements of the Conservation of Habitats and Species Regulations 2017 to set out whether the Proposed Development is likely to have any significant effect on European designated sites.

9.16.72. The **HRA NSER [EN010158/APP/5.3]** concludes that the likely pathways for potential Likely Significant Effects have been considered. However, given that the nearest European sites are located over 20km from the Proposed Development, no impact pathways have been identified, and none have been assessed to provide a risk of likely significant effects. The position concluded in the **HRA NSER [EN010158/APP/5.3]** has been agreed with Natural England.

9.16.73. The **HRA NSER [EN010158/APP/5.3]** should, in accordance with Paragraph 5.4.49 of NPS EN-1, assist the Secretary of State in concluding that the Proposed Development is not likely to have a significant effect on a European designated site.

Biodiversity net gain

9.16.74. In accordance with Paragraph 5.4.21 of NPS EN-1, Policy NE1 of the VALP and the relevant Neighbourhood Plan policies, Project Principle 5.7 in the **Design Approach Document [EN010158/APP/5.8]** secures that the Proposed Development is to deliver substantial BNG that goes beyond the minimum 10% gain.

9.16.75. Through a combination of measures detailed and secured under the **Outline LEMP [EN010158/APP/7.6]**, the Proposed Development would deliver BNG in excess of 10%. **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, 21.16% for hedgerow units, and 12.73% for watercourse units while Requirement 7 of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum net gain of 40% for habitats area units, 17% for hedgerow units, and 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.

9.16.76. The **Outline LEMP [EN010158/APP/7.6]** (which is also secured by Requirement 7 of the **Draft DCO [EN010158/APP/3.1]**) secures the ongoing management and maintenance measures required for the upkeep of landscape and ecological mitigation. Therefore, the Applicant does not consider there to be a need for the Secretary of State to impose further requirements or conditions in the **Draft DCO [EN010158/APP/3.1]** to secure the Proposed Development's BNG.

Rivers, streams, trees and hedgerows

9.16.77. In compliance with Policy NE2 of the VALP, the Proposed Development has embedded 10m offsets from ditches and ordinary watercourses as well as ponds, as secured via the **Design Commitments [EN010158/APP/5.9]**.

9.16.78. The **Outline LEMP [EN010158/APP/7.6]** explains how the 10m offsets retain vegetation connectivity and help to stabilise banks. The offsets will also maintain a vegetated watercourse corridor habitat for aquatic species, riparian

mammals and foraging and commuting bats. The **Outline LEMP [EN010158/APP/7.6]** also secures the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works).

9.16.79. In accordance with Policy NE8 of the VALP, **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4]** has been prepared in support of this DCO Application. The assessment is principally concerned with tree, group and hedge removals and the potential for tree impacts required to enable the construction of the Proposed Development.

9.16.80. As is noted in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and shown in plan through **ES Volume 4, Appendix 3: Vegetation Removal Parameters** of the **Outline LEMP [EN010158/APP/7.6]**, vegetation removal would be required to either widen existing field accesses or create new points of access, or in some instances managed to create visibility splays. Where vegetation removal or management is required, the works would be limited to the required amount of vegetation removal to achieve the necessary access/visibility. Pruning of vegetation would be preferred over removal wherever possible.

9.16.81. In support of Policy NE8 of the VALP and as identified by **Appendix 1 - Green Infrastructure Parameters** of the **Outline LEMP [EN010158/APP/7.6]**, the Proposed Development would result in the planting of approximately 8.78ha of structural tree planting and approximately 4,336 linear meters of structural hedgerow planting. The planting of linear meters of structural hedgerow planting demonstrably outweighs the approximate 1,886 linear meters of hedgerow which is needing to be removed to facilitate construction. The **Outline LEMP [EN010158/APP/7.6]** secures that new planting serving as reinstatement/mitigation planting for construction activities will be implemented post construction. A total of 88.8ha of whole Fields have been set aside as proposed areas for mitigation and/or enhancement, as illustrated on **ES Volume 3, Figure 3.5: Zonal Masterplan [EN010158/APP/6.3]**.

9.16.82. Further, the **Design Commitments [EN010158/APP/5.9]** secures, through Design Commitment C7 that 'Principal components of the Proposed Development will avoid root protection areas of trees and hedgerows as far as reasonably practicable, except where a hedgerow crossing is required for access tracks and/or cable routes'. Therefore, trees within Fields will be protected.

9.16.83. An example embedded mitigation measure of the **Outline LEMP [EN010158/APP/7.6]** is the secured retention of existing woodland habitat and HS2 mitigation planting with a minimum 20m offset to the proposed fence line. Further to demonstrating removals, **Appendix 3: Vegetation Removal Parameters** of the **Outline LEMP [EN010158/APP/7.6]** also outlines where hedgerow is to be replanted above cable corridors or outside of visibility splays for junctions.

Summary

9.16.84. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and the wider DCO Application makes clear that biodiversity considerations have been central to the design of the Proposed Development. Measurable gains in biodiversity will be achieved should the Proposed Development be granted consent. Such measurable gains ought to be taken favourably in the planning balance; together with the fact that the Proposed Development would be Critical National Priority infrastructure, for which there is an urgent need to deploy as soon as possible.

9.16.85. With **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concluding that there:

- is a single potentially significant residual adverse effect identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level which is considered to not give rise to 'significant harm';
- no other potentially significant (being effects that have been identified in an abundance of caution) or significant residual adverse biodiversity effects identified across all phases of the Proposed Development; and
- an operational (including maintenance) phase significant beneficial effect, at a local level, for ground nesting birds due to the Proposed Development's creation of species-rich neutral grassland.

9.16.86. Positive weighting should therefore be afforded to the Proposed Development's identification of a significant beneficial effect for ground nesting birds during the operational (including maintenance) phase as well as the Proposed Development's delivery of a measurable BNG. This positive weighting ought to be balanced against the single potentially significant residual adverse effect identified.

9.16.87. It is concluded that the Proposed Development, in isolation, complies with the relevant biodiversity policies established in NPS EN-1, NPS EN-3, the NPPF, the VALP and the relevant Neighbourhood Plan policies.

9.17. Climate

Policy Summary

9.17.1. This section reviews the Proposed Development in the context of planning policies relating to climate. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.17.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative climate effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative climate effects.

9.17.3. Paragraph 4.10.1 of NPS EN-1 states that new energy infrastructure must be sufficiently resilient against the possible impacts of climate change or else it will not be able to satisfy the energy needs outlined in Part 3 of NPS EN-1. Resultingly, Paragraph 4.10.8 of NPS EN-1 requires applicants to consider the impacts of climate change when planning the location, design, build, operation, and where appropriate, decommissioning of new energy infrastructure.

9.17.4. Paragraph 4.10.5 of NPS EN-1 goes on to stipulate that *"applicants should take reasonable steps to maximise the use of nature-based solutions"* which can also result in biodiversity benefits as well as increasing absorption of carbon dioxide from the atmosphere in adapting to climate change.

9.17.5. NPS EN-1 continues (through Paragraph 4.10.13) to advise that, in decision making, the Secretary of State *"should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change"*. Paragraph 4.10.15 of NPS EN-1 states that the Secretary of State should *"be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections"*.

9.17.6. Paragraph 2.4.11 of NPS EN-3 discusses the introduction of solar PV and how they are typically proposed within low-lying exposed sites. For these types of proposals, applicants should consider how the equipment is resilient to increased risk of flooding and the impact of higher temperatures.

9.17.7. Paragraph 2.3.2 of NPS EN-5 requires the consideration of the effects of flooding (particularly on substations that are vital for the electricity transmission and distribution network), winds and storms (on overhead lines), higher average temperatures (leading to increased transmission losses), earth movement or subsidence caused by flooding or drought (on underground cables) as well as coastal erosion. The latter consideration of coastal erosion is not relevant to the Proposed Development.

9.17.8. Paragraph 161 of the NPPF supports the position of Paragraph 4.10.13 of NPS EN-1 as it makes clear that the planning system should *"support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change"*.

9.17.9. Policy I4 (Flooding) of the VALP makes clear that in the management of flood risk, applicants must undertake climate change modelling to provide climate change resilient development.

Applicant Assessment

9.17.10. Importantly for the climate, **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** concludes that, for GHG emissions, the Proposed Development has a carbon payback period of approximately 11 years when assessed against whole lifecycle emissions and that the net GHG emission

savings (1.19 mtCO_2e) is considered to result in a beneficial effect on the climate which is significant in EIA terms.

9.17.11. When **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** considers GHG savings, the assessment concludes that the net GHG emission savings totals 3.0mtCO_2e over the lifespan of the Proposed Development when compared to Combined Cycle Gas Turbine-generated electricity. As identified under Paragraph 3.3.82 of NPS EN-1, the Government has committed to reducing GHG emissions by 78 per cent by 2035 under the Sixth Carbon Budget. This means that by 2035, all our electricity will need to come from low carbon sources, such as the Proposed Development. Solar, together with wind, are the lowest cost ways of generating electricity and, therefore, the Government's analysis shows that a *"secure, reliable, affordable, net zero consistent system"* by 2050 is likely to be composed predominantly of wind and solar (Paragraph 3.3.20 of NPS EN-1).

9.17.12. With the Sixth Carbon Budget and energy NPS policy drivers clearly establishing the pathway to net zero, the Proposed Development's significant beneficial effect should be taken to carry the greatest possible positive weighting in the planning balance. Further consideration for the demonstrable carbon savings identified in **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** should be welcomed as the Proposed Development would deliver a key piece of infrastructure with the ability to deliver on legislated net zero targets.

9.17.13. Building resilience into the Proposed Development in a changing climate is Strategic Principle 1 of the 10 Strategic Principles employed in the design of the Proposed Development. As set out in the **Design Approach Document [EN010158/APP/5.8]**, the Strategic Principles were developed by the Applicant and are informed by the UN SDGs and NIC guidance. The Strategic Principles are intended to bring multiple disciplines together through a common set of principles to deliver sustainable development outcomes. Each Strategic Principle is mapped to the UN SDGs and includes a series of actions that all projects are expected to comply with.

9.17.14. At the project level, Project Principle 1.1 seeks *"Design for resilience and adaptation to future climate change"*. This Project Principle is complemented by Project Principle 8.2 which states that *"apart from Solar PV modules, no built structures (central inverters, substation and BESS) will be located within Flood Zones 2 or 3, or within areas of high or medium risk of surface water flooding. Solar PV modules will be above the maximum flood height level"*.

9.17.15. Under Project Principle 8.2, the **Design Approach Document [EN010158/APP/5.8]** confirms that, apart from Solar PV development, the Applicant has developed the design of the Proposed Development to ensure that critical energy infrastructure elements such as the Rosefield Substation, BESS, ITS, Independent Outdoor Equipment (central transformers, switchgear and central inverters) and Collector Compounds will be all be located in Flood Zone 1.

9.17.16. Project Principle 8.2 secures that once Solar PV modules are attached to the mounting structure, the minimum height of the lowest part of the Solar PV modules will be 0.8m above the existing ground level (AGL) in Flood Zone 1 areas.

9.17.17. Within Flood Zone 2, 3a and 3b areas, the maximum height of the lowest part of the Solar PV modules will be 1.8m AGL. This will be above the calculated flood height level for the maximum credible scenario as assessed within the **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**. Therefore, and as evidenced through **Appendix 5: Sequential and Exception Tests** to this Planning Statement, Solar PV modules within Flood Zones 2, 3a or 3b will be resilient to flooding.

9.17.18. In accordance with Paragraph 4.10.15 of NPS EN-1 and Paragraph 2.3.2 of NPS EN-5, Project Principle 1.1 of the **Design Approach Document [EN010158/APP/5.8]** recognises that one of the major risks posed to new developments regarding climate change is flood risk. The Applicant has been able to, through careful design, site potentially vulnerable infrastructure (such as the Rosefield Substation and BESS) in locations within Parcels 2 and 3 where flood risk is considered to be 'very low', with the parameters for these components designed to ensure development is excluded from Flood Zones 2 and 3 areas as well as areas of medium- and high- risk of surface water flooding, whilst also factoring the impacts of current and future climate change.

9.17.19. The design parameters under Project Principle 8.2 of the **Design Approach Document [EN010158/APP/5.8]** are secured within the **Design Commitments [EN010158/APP/5.9]** under the **Draft DCO [EN010158/APP/3.1]**.

9.17.20. As Paragraph 2.4.11 of NPS EN-3 recognises, solar tends to be located in low-lying sites which typically lend to increased exposure to flood risk. As is explained above and explored through **Appendix 5: Sequential and Exceptions Test** to this Planning Statement and the **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**, the Solar PV modules proposed within Flood Zones 2 and 3 (which represent only a very small proportion of the Proposed Development) would be sufficiently resilient to the increased risks of flooding as a result of climate change.

9.17.21. As noted in **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**, Solar PV modules would be raised providing a sufficient freeboard above any potential flood waters; both fluvial and pluvial. Solar PV modules do not increase the impermeable area of a Site, and it is generally considered that they do not contribute to an increase in surface water runoff from the Site. However, and in accordance with Paragraph 4.10.5 of NPS EN-1, the Applicant has adopted a pragmatic nature-based approach to promote infiltration and provide storage areas across the Site. This will involve the management and maintenance of vegetated and grassed areas surrounding the Solar PV modules to intercept and attenuate runoff. Vegetation management is secured within the **Outline LEMP [EN010158/APP/7.6]**.

9.17.22. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** confirms that climate resilience in relation to solar PV was scoped out of the assessment but that the Planning Inspectorate had requested, via **ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]**, that the Applicant demonstrate how the Proposed Development has been designed to be resilient to climate change.

9.17.23. The Planning Inspectorate further stated that climate resilience in relation to other elements of the Proposed Development should be considered within the **ES**. Resultingly, the DCO Application is supported by **ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4]**.

Summary

9.17.24. The Proposed Development provides a significant beneficial effect in terms of its impact on GHG emissions and is the type of infrastructure that is defined as being of an urgent need and of CNP by the Government. Moreover, the Proposed Development fully aligns with the established policy drivers set out in the energy NPS's and the Sixth Carbon Budget.

9.17.25. It is therefore considered that the Proposed Development complies with the relevant climate change resiliency policies in NPS EN-1, NPS EN-3, NPS EN5 and Policy I4 of the VALP.

9.17.26. Further, the Proposed Development is considered to comply with the climate change-related needs policy within NPS EN-1, NPS EN-3, NPS EN5 and, in doing so, fully meets the objectives of Paragraph 161 of the NPPF.

9.18. Cultural Heritage

Policy Summary

9.18.1. This section reviews the Proposed Development in the context of planning policies relating to cultural heritage. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.18.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative cultural heritage effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative cultural heritage effects.

9.18.3. Paragraph 5.9.1 of NPS EN-1 recognises that all phases of development have the potential to result in adverse impacts on the historic environment above, at and below ground. Paragraphs 2.10.107 – 2.10.109 of NPS EN-3 also recognise this.

9.18.4. Paragraph 5.9.3 of NPS EN-1 goes on to note that 'heritage assets' can constitute, for example but not limited to, buildings, areas or landscapes. A

heritage asset's significance derives from the sum of its interests and, therefore, a heritage asset's significance derives both from its physical presence and its setting.

9.18.5. Paragraph 5.9.10 of NPS EN-1 states that 'as part of the ES, the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by its setting'.

9.18.6. Paragraph 207 of the NPPF also requires applicants to describe the significance of any heritage asset affected, including any contribution made by its setting.

9.18.7. Policy BE1 (Heritage Assets) of the VALP requests that applicants conserve heritage assets in a manner appropriate to their significance (including their setting) and seek enhancement if possible.

9.18.8. Further, should applicants seek to develop within Conservation Areas, World Heritage Sites and/or within the setting of heritage assets, opportunities should be explored to enhance or better reveal a heritage asset's significance (Paragraph 5.9.15 of NPS EN-1).

9.18.9. Paragraph 5.9.13 of NPS EN-1 encourages applicants, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment. Paragraph 2.10.116 of NPS EN-3 also states applications should take account of the results of historic environmental assessments in their design.

9.18.10. Paragraph 5.9.14 of NPS EN-1 also requires applicants to carefully prepare schemes whilst also identifying the nature of any impact(s) (e.g., direct or indirect, temporary or permanent).

9.18.11. Paragraph 5.9.25 of NPS EN-1 sets out the presumption in favour of conservation and, where appropriate, enhancing the significance of heritage assets.

9.18.12. Paragraph 5.9.11 of NPS EN-1 states that "*where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation"*.

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

9.18.14. Policy BE1 (Heritage Assets) of the VALP confirms that the preservation of archaeological remains in situ is preferred unless the harm resulting from removal is outweighed by the benefits of the development.

9.18.15. In decision making, the Secretary of State is to identify and assess the particular significance of any heritage asset that may be affected by the proposed development. In accordance with Paragraph 5.9.22 of NPS EN-1, the Secretary of State is to take account of: information submitted with the made application and in examination, historic landscape character records, the relevant HER(s), examination representations and expert advice.

Substantial harm and less than substantial harm

9.18.16. With regard for '*substantial harm*' and '*less than substantial harm*', Paragraph 5.9.27 of NPS EN-1 states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance"*. Paragraph 212 of the NPPF aligns with Paragraph 5.9.27 of NPS EN-1.

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

9.18.18. Paragraph 215 of the NPPF outlines that where a development would lead to '*less than substantial harm*' to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal.

9.18.19. Policy BE1 (Heritage Assets) of the VALP outlines Buckinghamshire Council's position where development would cause '*less than substantial harm*'. Similarly to national policy, the Policy requires such harm to be weighed against the public benefits of the proposal.

Applicant Assessment

9.18.20. In accordance with Paragraph 5.9.1 of NPS EN-1 and Paragraphs 2.10.107 – 2.10.109 of NPS EN-3, **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both on above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development's construction, operation (including maintenance) and decommissioning phases.

9.18.21. Table 9.2 of **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** outlines the heritage assets, both designated and non-designated, that have been scoped in as receptors/matters for assessment. With the derivation of a heritage asset's significance in mind (as outlined in Paragraph 5.9.3 of NPS EN-

1), the receptors/matters assessed include: changes to the setting of Listed Buildings, Conservation Areas and a Registered Park and Garden; direct physical impacts to designated heritage assets; changes to the setting of non-designated heritage assets and direct physical impacts to non-designated heritage assets.

9.18.22. In compliance with Paragraph 207 of the NPPF and Paragraph 5.9.10 of NPS EN-1, **ES Volume 4, Appendix 9.1: Archaeological Desk-based Assessment and Setting Assessment [EN010158/APP/6.4]** has been prepared and supports **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** in establishing the significance of any affected heritage assets, considering any settings contributions.

9.18.23. A number of embedded mitigation measures have been designed into the Proposed Development in accordance with the conservation objectives of Policy BE1 of the VALP and Paragraph 5.9.25 of NPS EN-1 and design objectives of Paragraph 2.10.116 of NPS EN-3. The baseline conditions established in **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** and pre-application discussions with key stakeholders such as: the National Trust; Historic England and Buckinghamshire Council's Historic Environment Record Officer, Archaeological Advisor and Archaeologist have also served to prioritise the conservation of the historic environment.

9.18.24. Table 9.8 in **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** outlines the relevant embedded mitigation measures that have informed the assessment of cultural heritage impacts. Notable mitigation measures include, but are not limited to:

- The avoidance of Solar PV development on Knowl Hill and the reduction in the number of Solar PV modules proposed around Knowl Hill (Fields B17 and B9 and a partial removal of Solar PV modules in Field B11) in order to minimise the setting impacts on Claydon House (Grade I listed) and Claydon Park (Grade II listed) (as secured under the **Works Plans [EN010158/APP/2.3]**);
- The removal of Solar PV development from Fields D1, D2, D3 (north) and D9 around Botolph Claydon in order to minimise setting impacts on the Botolph Claydon Conservation Area and listed buildings within it (as secured under the **Works Plans [EN010158/APP/2.3]**); and
- A 15m wide belt of structural native woodland early planting along the northern boundary of Field D3 (South) to provide screening between Solar PV modules and the Botolph Claydon Conservation Area and PRoWs ECL/9/2 and ECL/10/1 (which are within the setting of the Conservation Area)(as secured by the **Outline LEMP [EN010158/APP/7.6]**).

9.18.25. Given the nature of the Proposed Development, opportunities to enhance or better reveal the significance of heritage assets are generally limited. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies two

opportunities (in accordance with Paragraphs 5.9.13 – 5.9.15 of NPS EN-1) to enhance the historic environment. These are:

- Providing support for initiatives that improve the access and visitor experience at Claydon House; and
- The provisioning of interpretation boards for Claydon House and Claydon Registered Park and Garden on the proposed permissive path to Knowl Hill to better reveal the significance of the assets and improve appreciation and understanding of it. This is secured by the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** and the **Outline RoWAS [EN010158/APP/7.8]**.

9.18.26. In accordance with Paragraph 5.9.11 of NPS EN-1 and Paragraphs 2.10.114 and 2.10.115 of NPS EN-3, **ES Volume 4, Appendix 9.2: Geophysical Survey Report** and **Appendix 9.3: Archaeological Trial Trenching Report [EN010158/APP/6.4]** have been produced in support of this DCO Application.

9.18.27. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** confirms that, in accordance with Policy BE1 of the VALP, where archaeological remains are identified (during post-DCO evaluation) as being of sufficient importance or sensitivity to merit preservation in situ, this is proposed to be secured under the **Draft Archaeological Management Strategy [EN010158/APP/7.10]**. Where preservation in situ is not merited and impacts to archaeological remains cannot be avoided through the detailed design, archaeological works would take place in accordance with the **Draft Archaeological Management Strategy [EN010158/APP/7.10]**. A detailed Archaeological Mitigation Strategy is to be submitted to and approved by Buckinghamshire Council and is secured via Requirement 10 of the **Draft DCO [EN010158/APP/3.1]**.

9.18.28. In providing the Secretary of State a basis from which to make a decision in accordance with Paragraph 5.9.22 of NPS EN-1, **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) that is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase.

9.18.29. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3]**, **Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6]**, **Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via Requirements of the **Draft DCO [EN010158/APP/3.1]**.

Substantial harm and less than substantial harm

9.18.30. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** outlines that 'substantial harm' is afforded to any adverse effect that is of a major magnitude whilst moderate, minor or negligible adverse effects represent effects that are of 'less than substantial harm' in nature.

9.18.31. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) that is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. Given that this residual adverse effect is of a moderate magnitude, it constitutes 'less than substantial harm'. In accordance with Paragraph 5.9.27 of NPS EN-1 and Paragraph 212 of the NPPF, the Secretary of State is to afford proportionate weighting to this asset's conservation whilst also recognising that the effect identified is of a 'less than substantial harm' nature.

9.18.32. **Annex D** of **ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment and Setting Assessment [EN010158/APP/6.4]** provides an assessment of the significance of an asset (as identified in Annex C of the same appendix), the contribution of setting to the asset's significance and the change to setting caused by the Proposed Development. For each asset assessed, the assessment concludes whether the harm is substantial or less than substantial and articulates the extent of harm within each category. Annex D of **ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment and Setting Assessment [EN010158/APP/6.4]** undertakes an assessment of a total of 42 heritage assets, including the Grade I Claydon House, Grade II Claydon Registered Park and Garden and Grade II* Church of St Mary and Botolph House. All assessed heritage assets are concluded to experience 'less than substantial harm'. The end to which 'less than substantial harm' sits is summarised below for all assets:

Lower end of 'less than substantial harm'

9.18.33. This level of harm is considered to be one where the significance of the heritage asset is slightly reduced or the ability to appreciate its significance is slightly compromised due to change in its setting. The following assets are assessed as experiencing this degree of harm as a result of the Proposed Development:

- Claydon House (Grade I Listed Building)
- Claydon (Grade II Registered Park and Garden)
- Botolph House (Grade II* Listed Building)
- Church Of St Mary (Grade II* Listed Building)
- 1 And 3, Orchard Way (Grade II Listed Building)
- 23, Botyl Road (Grade II Listed Building)

- 23, Orchard Way (Grade II Listed Building)
- 3, Church Way (Grade II Listed Building)
- 42 And 44, Botyl Road (Grade II Listed Building)
- 45, Botyl Road (Grade II Listed Building)
- 5, Orchard Way (Grade II Listed Building)
- Barn Vicarage (Grade II Listed Building)
- Beech House (Grade II Listed Building)
- Blackmoorhill Farmhouse (Grade II Listed Building)
- Botolph Farmhouse (Grade II Listed Building)
- Botyl Cottage (Grade II Listed Building)
- Claydon Cottage (Grade II Listed Building)
- Cle Des Champs (Grade II Listed Building)
- Dry Leys Farmhouse (Grade II Listed Building)
- Farthings (Grade II Listed Building)
- Finemerehill House (Grade II Listed Building)
- Fletchers (Grade II Listed Building)
- Hickwell House (Grade II Listed Building)
- Muxwell Farmhouse (Grade II Listed Building)
- Outbuildings To West Of Rosehill Farmhouse Forming North And West Sides Of Courtyard (Grade II Listed Building)
- Pond Cottage (Grade II Listed Building)
- Quamby (Grade II Listed Building)
- Rosehill Farmhouse (Grade II Listed Building)
- Stable Block At Botolph House (Grade II Listed Building)
- Tuckey Farmhouse (Grade II Listed Building)
- Weir Cottage (Grade II Listed Building)
- White House Farmhouse (Grade II Listed Building)
- Middle Claydon (Conservation Area)
- Botolph Claydon (Conservation Area)
- Archway and Flanking Walls attached to SW end of Stables (Grade II Listed Building)
- Fernery (Grade II Listed Building)
- Bridge at South End of the Lake (Grade II Listed Building)

- Church of All Saints (Grade I Listed Building)
- Lower Greatmoor Farmhouse and Attached Barn (Grade II Listed Building)
- Preceptory of the Knights Hospitallers, associated fishponds, medieval settlement of Hogshaw and the site of the medieval church of St John the Baptist, 200m south of Hogshaw Farm (Scheduled Monument)
- Deserted village (site of) at Fulbrook Farm (Scheduled Monument)

Middle range of 'less than substantial harm'

9.18.34. This level of harm is considered to be one where the significance of the heritage asset is reduced or the ability to appreciate its significance is compromised (due to change in its setting) to a greater extent than the lower end but still not approaching substantial harm. The following assets are assessed as experiencing this degree of harm as a result of the Proposed Development:

- Pond Farmhouse (Grade II Listed Building)

Upper end of 'less than substantial harm'

9.18.35. This level of harm is considered to be one where the significance of the heritage asset is reduced or the ability to appreciate its significance is compromised (due to change in its setting) to a degree which is closer to substantial harm. National Planning Practice Guidance confirms that substantial harm is a high test which may not arise in many cases. No designated heritage assets are considered to experience a level of harm that approaches substantial harm. Therefore, it is for the Secretary of State to assess (in accordance with Paragraph 5.9.32 of NPS EN-1 and Paragraph 215 of the NPPF) the less than substantial harm identified against the public benefits of the Proposed Development.

9.18.36. As outlined in **Section 3** of this Planning Statement and the **Statement of Need [EN010158/APP/5.6]**, the Proposed Development is urgently required. The **Statement of Need [EN010158/APP/5.6]** concludes that the Proposed Development will form a critical part of the UK's portfolio of renewable energy generation and will be required to decarbonise the UK's energy supply quickly whilst also bolstering a secure and affordable national energy supply. **Section 3.3** of this Planning Statement specifically outlines the other benefits of the Proposed Development that go beyond the Proposed Development being Critical National Priority infrastructure.

Summary

9.18.37. In accordance with Paragraph 5.9.32 of NPS EN-1 (and taking account of the principles set out under Paragraphs 4.2.16 and 4.2.7 of NPS EN-1), the substantial public benefits and critical need for the Proposed Development, including the delivery of CNP infrastructure to contribute towards meeting national energy security objective's and carbon reduction commitments, clearly and demonstrably outweigh the 'less than substantial harm' identified on designated heritage assets. Moreover, the policy tests relating to 'substantial

harm' are not triggered which means that the public benefits of the Proposed Development need to be considered against the Proposed Development's cultural heritage impact.

9.18.38. In conclusion, the Proposed Development is considered to comply with the relevant cultural heritage policies in NPS EN-1, NPS EN-3, the NPPF and the VALP.

9.19. Landscape and Visual

Policy Summary

9.19.1. This section reviews the Proposed Development in the context of planning policies relating to landscape and visual. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement and **Section 9.26** of this Planning Statement which considers the cumulative landscape and visual effects.

9.19.2. Paragraph 4.2.2 of NPS EN-1 explains that ensuring a smooth transition to abundant, low carbon energy generation will ensure the UK is energy independent, resilient and secure. It identifies the criticality of the deployment of *"new low carbon sources of energy at speed and scale"* in terms of our energy security and Net Zero ambitions. Meanwhile, Paragraph 3.1.2 of NPS EN-1 provides a position which is that *"it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impact"*.

9.19.3. Paragraph 5.10.5 of NPS EN-1 goes on to make clear that *"virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation"*. Further, *"all proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites" (*Paragraph 5.10.13 NPS EN-1).

9.19.4. With the above in mind, Paragraph 5.10.1 of NPS EN-1 establishes the context within which a project is proposed is important since *"landscape and visual effects of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development".*

9.19.5. With regard for the Proposed Development's context, Paragraph 5.10.12 of NPS EN-1 recognises that local landscapes may be highly valued locally. Should a local development document contain policies relating to landscape or waterscape character assessments, the Paragraph confirms that such *"locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development"*.

9.19.6. In decision making, it is recognised that the scale of energy projects mean that they tend to be visible across very wide areas (Paragraph 5.10.35 of NPS EN-

1). For this reason, the Secretary of State is to judge whether any adverse impact on landscape would be *"so damaging that it is not offset by the benefits (including need) of the project"*.

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

9.19.8. Notwithstanding the above, Paragraph 5.10.26 of NPS EN-1 recognises that any reduction in the scale of a project, to mitigate adverse effects, may result in a significant operational constraint or reduction in function, such that the Secretary of State should balance the loss of function, with any potential reduction in adverse landscape and/or visual effects.

9.19.9. It is therefore the role of the Secretary of State to judge, under Paragraph 5.10.14 of NPS EN-1, whether the visual effects on sensitive receptors (e.g., local residents) and other receptors (e.g., visitors to the local area) outweigh the benefits of the project.

9.19.10. Under Paragraph 5.10.16 of NPS EN-1, applicants are to carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects. Paragraph 2.10.97 of NPS EN-3 reaffirms the need for a landscape and visual assessment to support solar NSIPs meanwhile Paragraph 2.10.94 of NPS EN-3 talks to the need of assessing cumulative landscape and visual impacts.

9.19.11. As written into draft NPS EN-3, Paragraph 2.10.89 revises Paragraph 2.10.97 of NPS EN-3 to add that landscape and visual impact assessments are to consider *"sensitive or valued landscapes, particularly designated landscapes"* too.

9.19.12. With regard for cumulative effects, cumulative landscape and visual effects are assessed under **Section 9.26** of this Planning Statement.

9.19.13. As part of a landscape and visual assessment, applicants are to:

- include references to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project (Paragraph 5.10.17 of NPS EN-1);
- include the effects on landscape components and character during construction and operation (Paragraph 5.10.20 of NPS EN-1);
- consider the *"visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity"* (Paragraph 5.10.21 of NPS EN-1); and
- address the landscape and visual effects of noise and light pollution, and other emissions from construction and operational activities on residential

amenity and on sensitive locations, receptors and views (Paragraph 5.10.22 of NPS EN-1).

9.19.14. It is recognised, through Paragraph 5.10.4 of NPS EN-1, that landscape effects arise due to the combination of a landscape's sensitivity and the nature and magnitude of change proposed by development.

9.19.15. Paragraph 5.10.24 of NPS EN-1 makes clear, therefore, that applicants should consider how landscapes can be enhanced using landscape management plans to help enhance environmental assets where they contribute to landscape and townscape quality. Paragraph 187 of the NPPF also makes clear that planning decisions should contribute to and enhance the natural and local environment by, among other things, *"protecting and enhancing valued landscapes"* in *"a manner commensurate with their statutory status or identified quality in the development plan"*.

9.19.16. Paragraph 5.10.6 of NPS EN-1 establishes that projects need to be designed carefully to take account of potential impacts on the landscape whilst Paragraph 5.10.37 of NPS EN-1 confirms that, in decision making, the Secretary of State is to consider whether the development has been designed carefully to minimise harm to the landscape through the provision of appropriate mitigation. Policy NE4 (Landscape character and locally important landscape) of the VALP notes that development must recognise the individual character and distinctiveness of particular landscape character areas set out in the Landscape Character Assessment (LCA), their sensitivity to change and contribution to a sense of place. The Policy goes on to clarify that the first stage of mitigation is avoidance and that, where harm on landscape character is expected, *"specific on-site mitigation will be required to minimise that harm and, as a last resort, compensation may be required"*.

9.19.17. The VALP's Policies Map identifies that the southern part of Parcel 2 lies within the Quainton-Wing Hills AAL. Paragraph 9.25 of the VALP confirms that *"of the locally designated landscape, the areas of attractive landscape (AALs) are of the greatest significance followed by the local landscape areas (LLAs)".* Policy QP3 of the Quainton Neighbourhood Plan recognises key views and vistas and pays attention to the *"landscape around the hills area and the stepping stones"*.

9.19.18. The last resort compensatory approach outlined in Policy NE4 of the VALP goes beyond the requirements established in NPS EN-1. The key policy test for energy NSIPs, which has been outlined above, is captured under Paragraph 5.10.35 of NPS EN-1 and is therefore taken as prevailing over this conflict (in accordance with Paragraph 4.1.15 of NPS EN-1).

9.19.19. Good design has a role to play in siting infrastructure within landscapes. Paragraph 4.7.1 of NPS EN-1 recognises that the visual appearance of a development and how it sits within and relates to a landscape is sometimes considered the most important factor in good design but that the functionality of an object/infrastructure is equally important.

9.19.20. With regard for good design, Paragraph 2.10.98 of NPS EN-3 confirms that applicants are to follow the criteria for good design set out in Section 4.7 of NPS EN-1.

9.19.21. Paragraph 5.10.27 of NPS EN-1 notes that adverse landscape and visual effects may be minimised through the appropriate setting of infrastructure within the development site and wider setting. The careful consideration of colours can also support the delivery of a well-designed and sympathetic scheme.

9.19.22. However, Paragraph 4.7.6 of NPS EN-1 recognises that applicants may have very limited choice in the physical appearance of energy infrastructure. The Secretary of State must therefore weigh the ultimate purpose of the infrastructure (and bear in mind the operational, safety and security requirements of a proposed development) against consideration for aesthetics (Paragraphs 4.7.11 and 4.7.12 of NPS EN-1).

9.19.23. Paragraph 5.10.19 of NPS EN-1 notes the importance of giving landscape and visual matters early consideration in the establishment of design principles and early siting and design phase.

9.19.24. Paragraph 2.10.100 of NPS EN-3 states that applicants should *"consider as part of the design, layout, construction, and future maintenance plans how to protect and retain, wherever possible, the growth of vegetation on site boundaries, as well as the growth of existing hedges, established vegetation, including mature trees within boundaries"*.

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

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

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

9.19.28. It is also recognised that Buckinghamshire Council will enhance and protect PRoWs to ensure the integrity and connectivity of PRoWs is maintained (Policy C4 (Protection of public rights of way) of the VALP). Such benefits of consideration need to be reconciled with the benefits of new development.

Applicant Assessment

Approach to assessment

9.19.29. In accordance with Paragraph 5.10.16 of NPS EN-1 and Paragraph 2.10.97 of NPS EN-3, a landscape and visual impact assessment has been carried out and is included within **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** and is supported by **ES Volume 4, Appendices 10.1 – 10.6 [EN010158/APP/6.4]**. Cumulative landscape and visual effects are assessed under **Section 9.26** of this Planning Statement.

9.19.30. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** has been produced in accordance with the relevant requirements of a landscape and visual assessment as set out in NPS EN-1. In evidencing each requirement in turn:

- **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** is supported by **ES Volume 4, Appendix 10.2: Rosefield Extracts from Published LCA [EN010158/APP/6.4]** which has collated the relevant extracts from the published landscape character assessments which cover the study area in relation to the landscape and visual assessment of the Proposed Development (in accordance with Paragraph 5.10.17 of NPS EN-1). **ES Volume 4, Appendix 10.2: Rosefield Extracts from Published LCA [EN010158/APP/6.4]** includes consideration for National Character Areas and the Aylesbury Vale Landscape Character Assessment most notably.
- The scope of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** assesses all phases of the Proposed Development and considers both landscape components and landscape character, in accordance with Paragraph 5.10.20 of NPS EN-1.
- In order to assess the worst-case scenario of visibility (and associated conspicuousness) of the Proposed Development's construction and operational (including maintenance) phases, **ES Volume 3, Figure 10.7 a: ZTV of Solar PV Modules Combined Parcels – Bare Earth** to **Figure 10.12b: ZTV of Siting Zone for Structures up to 15m and 6m Parcel 3 – Standard Screening [EN010158/APP/6.3]** and **ES Volume 4, Appendix 10.6: LVIA Visualisations [EN010158/APP/6.4]** have been produced to assist with the assessment of the potential impacts and serve to inform the identification of any likely significant effects. This is compliant with the requirement under Paragraph 5.10.21 of NPS EN-1.
- In accordance with Paragraph 5.10.22 of NPS EN-1, Table 10.2 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** details that lighting impacts on landscape character and visual amenity is a matter/receptor which is scoped into the assessment with regard for the Proposed Development's construction and decommissioning phases. Given that lighting will primarily be used across the Proposed Development's construction and decommissioning phases, it was agreed with Buckinghamshire Council that the assessment did not need to consider the

operational (including maintenance) phase. Noise is principally assessed under **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** whilst intra-project combined effects are outlined in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**.

9.19.31. In accordance with Policy NE4 of the VALP, an appraisal of landscape sensitivity has been undertaken and is presented in **ES Volume 4, Appendix 10.3: Rosefield Landscape Sensitivity Appraisal [EN010158/APP/6.4]**. Appendix 10.3 of the ES assesses the value, susceptibility and overall sensitivity of landscape character in relation to the Proposed Development's construction, operation (including maintenance) and decommissioning phases. In accordance with Paragraph 5.10.4 of NPS EN-1, Appendix 10.3 of the ES establishes the sensitivity of the landscape and serves to inform the landscape and visual impact assessment which also takes account of the magnitude of change arising from the Proposed Development.

Good design, evolution and application of the mitigation hierarchy

9.19.32. In accordance with Paragraph 4.7.1 of NPS EN-1, Paragraph 2.10.98 of NPS EN-3 and Paragraph 135 of the NPPF, fulfilling the requirement for good design whilst demonstrating full adherence to the mitigation hierarchy has been of paramount importance. The Proposed Development's design and evolution has placed ongoing consideration for landscape and visual matters.

9.19.33. The **Site Selection Report** confirms that a key principle in the site selection process was to avoid areas of particular environmental and landscape sensitivity where possible in order to minimise potential impacts. This included consideration of Nationally Designated Landscapes; and there were no nationally designated sites identified within the Search Area. **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** adds that, among other considerations, the Applicant sought to develop a Proposed Development which would avoid impacts on sensitive landscapes and environmental features as far as practicable.

9.19.34. **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** also confirms that, at a site level, tracker panels had been discounted on the Site as a viable alternative to a fixed panel arrangement since, among other considerations, tracker panels have an increased height that was generally considered unsuitable across much of the Site due to anticipated visual effects.

9.19.35. With Paragraph 5.10.19 of NPS EN-1 in mind, **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** also notes a number of changes that took place at the Stage 2 Design phase of the Proposed Development with, for example, regard for mitigating landscape and visual impacts. Amongst these changes were:

- the removal of Fields D27, D30, D32, D33, D34, D35, D36, D37 for Solar PV development due to their topography, ecological consideration and visibility within an AAL (local designation) and the wider landscape;
- the partial removal of Solar PV development in Fields B6, B5, B13 and B22 to provide larger setbacks from residential properties and PRoWs;
- the removal of Solar PV development in Fields D1 and D3 (south) to provide larger setbacks from residential developments and the setting of Botolph Claydon and the Botolph Claydon Conservation Area; and
- the partial removal of Solar PV development in Fields D4, D11, D15 and D14 to reduce the impact on the landscape character and to retain views towards Quainton Hill and its landscape context from the Bernwood Jubilee Way.

9.19.36. Project Principle 6.2 in the **Design Approach Document [EN010158/APP/5.8]** secures that within parts of the Site that fall within the Quainton-Wing Hills AAL, careful consideration is to be given to the location of any development and that the special qualities of the designation are to be respected.

9.19.37. Consideration of the AAL's special qualities has formed part of the iterative design and EIA process and has been assessed in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**. The Proposed Development's iterative design included a key decision which was to retain more visually prominent slopes in panoramic views from Quainton Hill free from Solar PV development, as well as from PRoWs and local roads with views of the landscape. This decision involved the removal of Solar PV development from Fields D27 and D30 – D37 which resulted in a reduction in installed capacity.

9.19.38. Having given the Quainton-Wing Hills AAL due regard in the design evolution of the Proposed Development, **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** concludes that, with embedded mitigation measures in place, the Quainton-Wing Hills AAL would not experience a residual effect that is greater than moderate/minor adverse (not significant in EIA terms) across all phases of the Proposed Development. The nature of these residual effects is considered to demonstrate compliance with Paragraph 2.10.89 of draft NPS EN-3, Paragraph 187 of the NPPF, Policy NE4 of the VALP and Policy QP3 of the Quainton Neighbourhood Plan.

9.19.39. With Paragraph 5.10.26 of NPS EN-1 in mind, design amendments at Stage 2 design resulted in an approximate loss of 40% of Solar PV development and, therefore, a substantial loss of function to mitigate for, among other considerations, adverse landscape and/or visual impacts. The substantial reduction of Solar PV development at Stage 2 design is considered to accord with and be commensurate with Policy NE4 of the VALP which requires avoidance of harm be the first stage of mitigation.

9.19.40. The **Design Approach Document [EN010158/APP/5.8]** outlines, through Section 3.3, the relevant key landscape and visual issues that have influenced the design of the Proposed Development. These include consideration for:

- Effects on landscape character across Landscape Character Area (LCA) 5.7 – Hogshaw Claylands, LCA 7.3 – Claydon Bowl and LCA 9.1 – Finemere Hill;
- Visual effects on residential receptors, both in settlements and individual properties;
- Visual effects on local road users;
- Visual effects on users of recreational routes and receptors; and
- Visitors to Claydon House and Hogshaw Farm and Wildlife Park.

9.19.41. In recognition of Paragraph 5.10.24 of NPS EN-1 and Paragraph 187 of the NPPF, the **Design Approach Document [EN010158/APP/5.8]** includes Project Principles 6.1 – 6.5 which establish that the Proposed Development has to be led with the landscape. The Project Principles make clear that the Proposed Development has to be informed by relevant local studies (such as the Aylesbury Vale Landscape Character Assessment) (Project Principle 6.2) and is to conserve and, where possible, enhance designed landscape features such as Home Wood and Knowl Hill (Project Principle 6.4).

9.19.42. In accordance with the Project Principles established under the **Design Approach Document [EN010158/APP/5.8]** and the position of Paragraph 5.10.6 of NPS EN-1, the **Design Commitments [EN010158/APP/5.9]** provides the commitments for the detailed design of the Proposed Development. Design Commitments C1 to C8 develop on the 'lead with the landscape' Project Principles and include commitments to offsets and the protection of trees and hedgerows in design.

9.19.43. To minimise the landscape and visual impacts of new infrastructure, the **Design Commitments [EN010158/APP/5.9]** secures embedded mitigation measures which include but are not limited to the planting of new hedgerows, native woodland belts and scrub planting within the buffers.

9.19.44. The **Design Commitments [EN010158/APP/5.9]** also secure the colour of the most prominent electrical equipment as a form of embedded mitigation. An exhaustive list of the colours secured in design are outlined under design commitments D1 – D25 In accordance with Paragraphs 5.10.27 and 4.7.6 of NPS EN-1, it is confirmed that the colours committed to are the result of technological procurement limitations as well as discussions with Buckinghamshire Council's landscape officer.

9.19.45. With regard for the PRoW network and the provisions under Policy C4 of the VALP, the Proposed Development is proposing to enhance the connectivity in the local area through the inclusion of three new operational (including maintenance) phase permissive footpaths and one permissive bridleway within the Site as well as five permanent diversions to existing PRoWs to rationalise and improve the network. These beneficial measures are detailed further in **Section 3.3** of this Planning Statement.

9.19.46. In accordance with Paragraph 2.10.43 of NPS EN-3 and as secured in the **Design Commitments [EN010158/APP/5.9]**, the minimum offsets to perimeter fencing surrounding the Solar PV development would be:

- 10m from either side of existing PRoWs (Design Commitment F1);
- 55m from the Bernwood Jubilee Way within Fields D4, D11, D14 and D15 (Design Commitment F4); and
- 30m from the Mid Shires Way and North Bucks Way within Fields E21/E22 and E23 (Design Commitment F5).

9.19.47. The Proposed Development's embedded mitigation measures are broadly summarised above and explained in full in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**.

9.19.48. The Proposed Development also secures additional mitigation measures which serve to further mitigate (post-embedded mitigation measures) adverse landscape and visual effects as well as further enhancing the beneficial effects.

9.19.49. With regard for landscape and visual impacts, the additional mitigation measures evidence the Applicant's proper application of the mitigation hierarchy. The residual effects concluded in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** are not considered capable of being mitigated or compensated further.

9.19.50. In accordance with Paragraph 2.10.100 of NPS EN-3, the Proposed Development has secured the production of a number of management plans which have been submitted in outline in support of this DCO Application and form the additional mitigation which **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** relies upon.

9.19.51. During the construction phase, **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** confirms that the principles established in the **Outline CEMP [EN010158/APP/7.2]** would ensure that construction is undertaken sensitively with regard to the existing landscape fabric within the Site. The **Outline CTMP [EN010158/APP/7.5]** would ensure that HGV movements during construction would be routed in accordance with the strategy agreed with Buckinghamshire Council and avoid significant landscape and visual effects on additional receptors.

9.19.52. During the operation (including maintenance) phase, existing and newly established habitats and planting would be maintained in accordance with the principles established under the **Outline LEMP [EN010158/APP/7.6]**. Further, the Outline LEMP secures the replacement of defective planting to ensure all planting establishes successfully by Year 10 of operation. Whilst not relied upon in the assessment, the Outline LEMP also secures the establishment and management of early planting across the Site.

9.19.53. The **Outline LEMP**'s **[EN010158/APP/7.6]** benefits are multifaceted and, in accordance with Paragraph 4.6.13 of NPS EN-1, result in a substantial BNG together with the provisioning of landscape mitigation. **Appendix 1 - Green Infrastructure Parameters** of the **Outline LEMP [EN010158/APP/7.6]** secures that the Proposed Development would result in the planting of approximately 8.78ha of structural tree planting and approximately 4,336 linear meters of structural hedgerow planting. The planting of linear meters of structural hedgerow planting demonstrably outweighs the approximate 1,886 linear meters of hedgerow which is needing to be removed to facilitate construction. As is explained further below, this scale of structural tree planting and hedgerow planting secured by the Proposed Development is concluded to result in a moderate beneficial effect on existing landscape fabric (which is significant in EIA terms). Further, a total of 88.8ha of whole Fields have been set aside as proposed areas for mitigation and/or enhancement, as illustrated on **ES Volume 3, Figure 3.5: Zonal Masterplan [EN010158/APP/6.3]**.

9.19.54. The scale of planting secured under the **Outline LEMP [EN010158/APP/7.6]** the Proposed Development would deliver BNG in excess of 10%. **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, 21.16% for hedgerow units, and 12.73% for watercourse units while Requirement 7 of the **Draft DCO [EN010158/APP/3.1]** commits to delivering a minimum net gain of 40% for habitats area units, 17% for hedgerow units, and 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage

9.19.55. During the decommissioning phase, the **Outline DEMP [EN010158/APP/7.4]** would ensure that decommissioning is undertaken in a sensitive manner with regard for the existing and established hedgerows, trees and woodland.

Residual landscape and visual effects

9.19.56. Having applied the mitigation hierarchy properly (and with Paragraphs 3.1.2, 5.10.5, 5.10.13 of NPS EN-1 in mind), the secured embedded and additional mitigation measures lead **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** to conclude the following significant residual adverse impacts:

- For 'LCA 5.7: Hogshaw Claylands', there are moderate adverse effects across all phases of the Proposed Development.
- For 'LCA 7.3: Claydon Bowl', there are moderate adverse effects across all phases of the Proposed Development.
- For 'LCA 9.1: Finemere Hill', there are moderate adverse effects across the construction and decommissioning phases and major/moderate adverse effects at Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase.

- For 'North Buckinghamshire Way/Midshires Way', there are moderate adverse effects across construction, decommissioning and Year 1 of the Proposed Development's operational (including maintenance) phase. The adverse effect becomes moderate/minor adverse (not significant in EIA terms) by Year 10 of the Proposed Development's operational (including maintenance) phase.
- For 'Swan's Way/Outer Aylesbury Ring', there are moderate adverse effects at Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase.
- For 'Bernwood Jubilee Way', there are moderate adverse effects across the construction and decommissioning phases and major/moderate adverse effects at Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase.
- For 'PRoW between Calvert Road and HS2', there are major/moderate adverse effects identified across construction and decommissioning and major adverse effects identified at Years 1 and 10 of the Proposed Development's operational (including maintenance) phase.
- For 'PRoW between Botolph Claydon and Runt's Wood', there are major/moderate adverse effects identified across construction and decommissioning and at Year 10 of the of the Proposed Development's operational (including maintenance) phase and a major adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase.
- For 'PRoW to Finemere Hill', there are major/moderate adverse effects across all phases of the Proposed Development.
- For 'PRoW, lanes and roads between East Claydon/East Claydon Road and to within Parcel 3', there are moderate adverse effects identified across construction and decommissioning and at Year 10 of the Proposed Development's operational (including maintenance) phase and a major/moderate adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase.
- For 'Claydon House', there are moderate adverse visual effects at Years 1 and 10 of the Proposed Development's operational (including maintenance) phase.
- For 'Hogshaw Farm and Wildlife Park', there are moderate adverse visual effects across all phases of the Proposed Development.

9.19.57. Contrary to the above adverse effects, **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** concludes that, at Year 10 of the operational (including maintenance) phase of the Proposed Development, there will be a moderate beneficial effect upon the landscape fabric (woodland, trees and hedgerows) which is significant in EIA terms. This effect is concluded as, by Year 10, the new mitigation planting implemented during the construction phase would have become established and would far exceed the amount of hedgerow

loss during construction. The new vegetation would make a positive contribution to the landscape fabric whilst also providing biodiversity and ecological benefits (as discussed through **Section 9.16** of this Planning Statement).

9.19.58. In considering the residual landscape and visual effects (both adverse and beneficial) with Paragraphs 3.1.2, 4.2.2, 5.10.13, 5.10.14, 5.10.26 and 5.10.5 of NPS EN-1 in mind, the identified residual effects can be anticipated from the development of energy NSIPs and, on balance, are expected as the UK increases the critical and urgent deployment of renewable energy generation. Paragraph 5.10.5 of NPS EN-1 establishes this anticipation by stating that *"virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape"* where Paragraph 4.3.8 of NPS EN-1 clarifies that the term 'effect' should be *"understood to mean likely significant effects, likely significant impacts, or likely significant benefits"*. NPS EN-1 further recognises that there will be general adverse effects, particularly due to the scale at which NSIPs must be deployed at to work towards achieving UK energy security and Net Zero.

9.19.59. The landscape and visual context within which the Proposed Development is set is important as, in line with Paragraph 5.10.1 of NPS EN-1, landscape and visual effects will vary project to project. Therefore, the Proposed Development needs to be assessed within its context. As established above, **ES Volume 4, Appendix 10.3: Rosefield Landscape Sensitivity Appraisal [EN010158/APP/6.4]** recognises that the Proposed Development is set within a landscape whose character areas are of medium, medium/low and low sensitivity, meanwhile the relevant visual receptors are generally of a high/medium sensitivity with some high sensitivity receptors.

9.19.60. Naturally and in accordance with Paragraph 5.10.26 of NPS EN-1, the context of the Proposed Development has influenced the Proposed Development's ability to deliver a significant CNP asset that balances the adverse landscape and visual effects against the loss of function. The Proposed Development's Stage 2 design had seen the approximate 40% reduction in capacity. This loss took account of environmental and technical constraints, and, therefore, the Applicant is confident that balance has been struck, particularly with regard for the AAL (local designation) where the impacts of the Proposed Development across all phases are concluded to result in residual adverse effects that are not significant in EIA terms.

Residential visual amenity assessment

9.19.61. To understand the potential impacts on residential properties, a Residential Visual Amenity Assessment (RVAA) has been undertaken, and its detailed findings are presented in **ES Volume 4, Appendix 10.5: Residential Visual Amenity Assessment [EN010158/APP/6.4]**.

9.19.62. **ES Volume 4, Appendix 10.5: Residential Visual Amenity Assessment [EN010158/APP/6.4]** establishes that the study area used for the purposes of identifying properties for inclusion in the RVAA was any property within 200m of

any Solar PV modules, 400m of any siting zones for structures up to 6m and 800m from any siting zones for structures up to 15m. The RVAA covers operational phase only, however, it is assumed that any significant effects would also occur for construction.

9.19.63. The RVAA's initial assessment identified a total of 18 properties/property groups that could experience potentially significant effects with regard for views. Of these 18 properties/property groups, 13 were taken forward as requiring further assessment as part of a detailed RVAA.

9.19.64. **ES Volume 4, Appendix 10.5: Residential Visual Amenity Assessment [EN010158/APP/6.4]** provides detailed assessment for each relevant property in Table A10.5.4 – A10.5.16. The assessment describes the: location; details of survey; baseline visual amenity information; effect of Proposed Development on visual amenity; scale of change, magnitude of effect and significance of effect; and a RVAA judgement.

9.19.65. **ES Volume 4, Appendix 10.5: Residential Visual Amenity Assessment [EN010158/APP/6.4]** concludes the following significant effects:

- For 4-5 Catherine Cottages, a moderate (significant) effect is identified at Year 1 of the Proposed Development's operational (including maintenance) phase. The significant effect becomes moderate (not significant) at Year 10 of the Proposed Development's operational (including maintenance) phase.
- For 6-7 Catherine Cottages, a major/moderate (significant) effect is identified at Year 1 of the Proposed Development's operational (including maintenance) phase. The significant effect becomes moderate (not significant) at Year 10 of the Proposed Development's operational (including maintenance) phase.
- For Bernwood farm, a major/moderate (significant) effect is identified at Years 1 and 10 of the Proposed Development's operational (including maintenance) phase.
- For Sion Hill Farm, a major (significant) effect is identified at Year 1 of the Proposed Development's operational (including maintenance) phase. The significant effect becomes major/moderate (significant) at Year 10 of the Proposed Development's operational (including maintenance) phase.

9.19.66. **ES Volume 4, Appendix 10.5: Residential Visual Amenity Assessment [EN010158/APP/6.4]** concludes, through the relevant RVAA judgement sections, that none of the visual effects at the above properties would reach the Residential Visual Amenity Threshold.

Summary

9.19.67. With the critical and urgent need for the Proposed Development enshrined in national and local policy, it is considered that the identified residual adverse landscape and visual effects are demonstrably outweighed by the Proposed

Development's benefits and needs case in accordance with Paragraphs 5.10.12, 5.10.14 and 5.10.35 of NPS EN-1.

9.19.68. Further, the Secretary of State is to consider, under Paragraph 5.10.36 of NPS EN-1, whether significant residual adverse impacts are temporary. The majority of the identified residual adverse landscape and visual effects are of a temporary nature and, therefore, the Secretary of State should also take into account of the reversibility of the Proposed Development and its associated residual adverse effects.

9.19.69. Therefore, it is concluded that the wider benefits of the Proposed Development which include: the delivery of a significant level of low carbon energy generation; BNG; other benefits such as the provision of permissive paths (as outlined in **Section 3.3** of this Planning Statement) and the identification of a significant beneficial residual landscape and visual effect outweigh the residual adverse landscape and visual effects.

9.19.70. It should be restated that there are no national landscape designations which would be impacted by the Proposed Development. Further, it has been concluded that the Quainton-Wing Hills AAL (local designation) would not experience any residual adverse effects that are significant in EIA terms across all phases of the Proposed Development.

9.19.71. On balance and in accordance with Paragraph 5.10.35 of NPS EN-1, the residual adverse landscape and visual effects are not considered to be so damaging such that they are outweighed by the demonstrable benefits of the Proposed Development, particularly as the Proposed Development has been designed carefully.

9.19.72. Therefore, the Proposed Development is considered acceptable in terms of its overall landscape, visual and residential amenity impact.

9.19.73. The Proposed Development is therefore considered compliant with NPS EN-1, NPS EN-3, the NPPF and the VALP.

9.20. Land and Groundwater

Policy Summary

9.20.1. This section reviews the Proposed Development in the context of planning policies relating to land and groundwater. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.20.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative land and groundwater effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative land and groundwater effects.

9.20.3. Paragraph 5.11.1 of NPS EN-1 recognises that an *"energy infrastructure project will have a direct effect on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development"*.

9.20.4. Policy S7 (Previously Developed Land) of the VALP makes clear that development in Aylesbury Vale is expected to make efficient and effective use of land. This means the Local Planning Authority will encourage the reuse of previously developed land.

9.20.5. Paragraph 2.10.29 of NPS EN-3 shares the sentiment of Policy S7 of the VALP and confirms that, for Solar PV Generation, applicants should utilise previously developed land, brownfield land, contaminated land and industrial land where possible.

9.20.6. Should contaminated land be considered for development, Paragraph 5.11.5 of NPS EN-1 confirms that the site should be made suitable for its intended use. Paragraph 5.11.17 of NPS EN-1 similarly outlines that applicants are to ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks arising from land instability and contamination.

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

9.20.8. Policy NE5 (Pollution, Air Quality and Contaminated Land) of the VALP confirms that development near or on land that is or may be affected by contamination will only be permitted where a Contaminated Land Assessment has been carried out to identify risks to human health, the natural environment or water quality.

9.20.9. Paragraph 196 of the NPPF confirms that, in decision making, it should be ensured that a site is suitable for its proposed use (taking account of ground conditions and any risks arising from land instability and contamination).

9.20.10. Paragraph 5.11.15 of NPS EN-1 and Paragraph 187 of the NPPF both note that development should contribute to and enhance the natural and local environment. This means to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by *"unacceptable levels of soil, air, water or noise pollution or land instability"*.

9.20.11. With regard for groundwater, Paragraph 5.16.1 of NPS EN-1 recognises that development can have adverse effects on the water environment across all phases of development. Therefore, there may be an increased risk of discharges and spills and leaks of pollutants to the water environment (Paragraph 5.16.2 of NPS EN-1). Under Paragraph 5.16.6 of NPS EN-1, applicants are therefore encouraged to consider protective measures to control the risk of pollution to groundwater.

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

9.20.13. With regard for mineral resources, Paragraph 5.11.19 of NPS EN-1 confirms that applicants are to safeguard mineral resources on a proposed site as far as possible, *"taking into account the long-term potential of the land use after any future decommissioning has taken place"*.

9.20.14. Should a proposed development have an impact on a Mineral Safeguarding Area (MSA), Paragraph 5.11.28 of NPS EN-1 outlines that the Secretary of State is to ensure that appropriate mitigation measures are in place to safeguard mineral resources.

9.20.15. Policy 1 (Safeguarding Mineral Resources) of the MWLP recognises that minerals are a finite resource and that the purpose of MSAs is to prevent non-minerals development needlessly sterilising mineral resources. Policy 1 notes that proposals for development within MSAs, other than that which constitutes exempt development, must be accompanied by a Mineral Safeguarding Assessment that demonstrates (in summary): prior extraction is not practicable; the mineral is not of any value or potential value; the proposed development is of a temporary nature and would not inhibit the future extraction of the mineral, if required, and there is an overriding need for the development.

Applicant Assessment

9.20.16. In line with Policy S7 (Previously Developed Land) of the VALP and Paragraph 2.10.29 of NPS EN-3, the **Site Selection Report,** at Appendix 1 to this Planning Statement confirms that the Applicant had considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites. Furthermore, the latest brownfield register specifically identifies brownfield sites as being suitable for housing which are *"in the process of being implemented"* as defined in the VALP.

9.20.17. The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection.

9.20.18. **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** confirms the extent to which contaminated land has been scoped into the assessment. The Chapter confirms that:

- potential land contamination in Parcel 3 associated with former agricultural activities has been scoped into the assessment (for the construction phase);
- potential land contamination in all areas except Parcel 3 has been scoped in for assessment (for the construction phase) since Parcel 1 is located adjacent to a landfill site/infilled land (Calvert Pit) and Parcel 1 formed an extensive area of quarrying associated with brickworks and historic landfills. Potential land contamination associated with former agricultural activities has also been scoped into the assessment (for the construction phase);
- potential land contamination across the construction, operation (including maintenance) and decommissioning of the Proposed Development has been scoped into the assessment; and
- groundwater quality across the construction, operation (including maintenance) and decommissioning of the Proposed Development has been scoped into the assessment.

9.20.19. In order to assess the potential for land contamination (in accordance with Paragraphs 5.11.5 and 5.11.17 of NPS EN-1 and Paragraph 197 of the NPPF), a Preliminary Risk Assessment (**ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4]**) has been undertaken. The Risk Assessment serves to identify any land contamination constraints to the Proposed Development and the need for any additional investigation or remediation works to demonstrate that the Site is suitable for its proposed use.

9.20.20. As secured additional mitigation (implemented across the construction phase of the Proposed Development) and in accordance with Policy NE5 of the VALP, a site investigation and accompanying interpretative report will be required. This work will be completed prior to construction works commencing with the report being issued to Buckinghamshire Council and will provide further information relating to potential pollutant linkages identified in the Preliminary Risk Assessment. This additional mitigation is detailed within and secured by the **Outline CEMP [EN010158/APP/7.2]**.

9.20.21. Considering land and groundwater more widely, **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** considers the impacts of and likely effects upon geology (due to excavations, foundations or piling), contamination (human health) and groundwater during the Proposed Development's construction, operation (including maintenance) and decommissioning.

9.20.22. The Chapter concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse land and groundwater effects expected.

9.20.23. The residual effects identified in **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** rely on management measures within the **Outline CEMP** (including the Piling Risk Assessment that is secured by it) **[EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline DEMP [EN010158/APP/7.4]** and **Outline BSMP [EN010158/APP/7.9]**.

9.20.24. **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** confirms that, according to DEFRA's MAGIC maps, the Site is not located within a groundwater Source Protection Zone. As noted above, **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** confirms that groundwater receptors will not experience residual effects that are greater than slight adverse, not significant in EIA terms.

9.20.25. Therefore, the Applicant considers that the conclusions of the Chapter together with the protective measures secured within the management plans (to control the risks of pollution) are in accordance with Paragraphs 5.11.15, 5.16.1, 5.16.2 and 5.16.6 of NPS EN-1, Paragraph 187 of the NPPF and the relevant aspect of Policy I5 of the VALP.

9.20.26. With regard for minerals and the associated planning policy, **Appendix 2: Mineral Safeguarding Assessment** to this Planning Statement provides evidence that the Proposed Development would not result in the needless sterilisation of safeguarded minerals in relation to the construction, operation (including maintenance), and decommissioning of the Proposed Development.

9.20.27. Prior to the submission of this DCO Application, the Applicant shared **Appendix 2: Mineral Safeguarding Assessment** with Buckinghamshire Council for review to confirm whether the assessment was sufficient such as to not warrant assessment within **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]**. Prior to submission, Buckinghamshire Council confirmed that minerals consideration was not needed within the ES but requested that a commitment be included within the DCO Application to update the Mineral Safeguarding Assessment with information obtained from pre-construction ground investigations. This commitment has been added to the **Outline CEMP [EN010158/APP/7.2]**.

Summary

9.20.28. With the findings of **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]**, the assessment of **ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4]** and the associated embedded and additional mitigation measures secured, the Proposed Development is not anticipated to result in any residual adverse effects on land and groundwater receptors during the construction, operation (including maintenance) and decommissioning phases.

9.20.29. Therefore, the Proposed Development makes use of a suitable site for its proposed use and so, in decision making, is consentable in accordance with the

relevant land and groundwater policies in NPS EN-1, NPS EN-3, NPPF, VALP and the MWLP.

9.21. Soil

Policy Summary

9.21.1. This section reviews the Proposed Development in the context of planning policies relating to soil. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.21.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative soil effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative soil effects.

9.21.3. Paragraph 5.11.3 of NPS EN-1 explains that whilst the re-use of previously developed land for new development can make a major contribution to sustainable development, it may not be possible for many forms of energy infrastructure.

9.21.4. Where it is not possible to for new developments to avoid development in the countryside and/or on undeveloped greenfield land, applicants should seek to minimise impacts on best and most versatile (BMV) land. BMV is defined as Grades 1, 2 and 3a of the Agricultural Land Classification (ALC) while non-BMV agricultural land includes Grades 3b, 4 and 5 (Paragraph 5.11.12 of NPS EN-1). Agricultural land quality is graded by the system of ALC which is decided by Natural England and is the only approved system for grading agricultural quality in England (Paragraph 2.10.33 of NPS EN-3).

9.21.5. Paragraph 2.10.33 of NPS EN-3 goes on to note that, where necessary, field surveys should be conducted to establish the ALC grades to identify soil types and to inform soil management across all phases of an energy scheme.

9.21.6. As part of the decision-making process under Paragraph 5.11.34 of NPS EN-1, the Secretary of State is to ensure that applicants do not site schemes on BMV land without justification. Should a scheme be proposed on BMV land, the Secretary of State should take account of the economic and other benefits of that land. Paragraph 2.10.145 of NPS EN-3 reflects the position of Paragraph 5.11.34 of NPS EN-1 and adds specificity to Solar PV Generation by noting that the Secretary of State is to ensure that an applicant puts *"forward appropriate mitigation measures to minimise impacts on soils or soil resources"*. This approach is also reflected in the 2024 Written Ministerial Statement: 'Solar and protecting our Food Security and Best and Most Versatile Land (BMV) Land' (the '2024 WMS') **[Ref. 1-32]** which emphasises that BMV land should be avoided where possible and that due weight be given to proposed use of such land when considering whether planning consent should be granted for solar developments.

~~9.21.7. Further reference is made to the use of BMV in the 2015 Written Ministerial Statement: Planning Update (the 'WMS 2015') **[Ref. 1-33]**. The WMS 2015 is now ten years old and pre-dates more recent expressions of Government policy; particularly in the current NPPF where there is no longer a need to consider food production in land use planning terms.~~

~~9.21.8.~~9.21.7. Policy NE7 (Best and most versatile agricultural land) of the VALP confirms that the Council, too, will seek to protect BMV land for the long term. Proposals involving the development of agricultural land are required to be accompanied by an assessment identifying the ALC grades across the proposal. Policy NE7 goes on to establish that development on BMV land should be avoided and that, where a development would result in the loss of BMV land, consent would not be granted unless:

- there are no otherwise suitable sites of poorer quality that can accommodate the development; and
- the benefit of the proposal outweighs the harm resulting from the loss of agricultural land.

~~9.21.9.~~9.21.8. Naturally, the development of land affects soil resources where such effects can include physical loss of and damage to soil resources (Paragraph 5.11.4 of NPS EN-1). Under Paragraph 5.11.13 of NPS EN-1, Applicants should identify such effects and should seek to minimise impacts on and protect soil health by taking account of mitigation measures.

~~9.21.10.~~9.21.9. Whilst in the case of most energy infrastructure *"there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site"*, applicants should seek to minimise effects through the protection of soils (Paragraph 5.11.23 of NPS EN-3).

~~9.21.11.~~9.21.10. Paragraphs 5.11.14 of NPS EN-1 and 2.10.34 of NPS EN-3 note that applicants are encouraged to develop and implement Soil Management Plans/Soil Resources Management Plans in line with good practice guidance to ensure the sustainable reuse and storage of soils. Paragraph 2.10.127 of NPS EN-3 goes on to note that the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' provides guidance on mitigating and minimising damage to soils during the construction phase.

Applicant Assessment

~~9.21.12.~~9.21.11. In line with Paragraph 5.11.3 of NPS EN-1, the **Site Selection Report** at Appendix 1 to this Planning Statement confirms that the Applicant had considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites within the Search Area would have the capability of meeting the project objectives, largely due to the

size of the sites. As aforementioned, the latest brownfield register specifically identifies brownfield sites as being suitable for housing.

~~9.21.13.~~9.21.12. The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection.

~~9.21.14.~~9.21.13. Therefore, the Applicant sought to identify countryside/undeveloped greenfield land which according to the provisional ALC mapping (provided by DEFRA and Natural England) could meet the objectives of the Proposed Development whilst avoiding as far as practicable the take of BMV land. The **Site Selection Report** confirms that the south western extent of the Search Area, which took the point of connection as the anchor point to the Search Area, demonstrated a larger presence of Grade 4 non-BMV land.

~~9.21.15.~~9.21.14. Since selecting the Site, ALC surveys have been carried out across 605.12ha of the Proposed Development's 675.05ha. The ALC survey has confirmed that, of the surveyed land:

- 594.91ha constitutes Grade 3b;
- 7.19ha constitutes Grade 3a;
- 3.01ha constitutes Grade 2; and
- there is no Grade 1 land.

~~9.21.16.~~9.21.15. Of the unsurveyed land, 27.48ha constitutes non-agricultural land whilst the remaining 42.45ha is identified as Grade 3b due to the homogeneous soil identified across the Site. This grading of the unsurveyed land has been agreed as being acceptable with Natural England through pre-application engagement.

~~9.21.17.~~9.21.16. When including the unsurveyed areas within the overall calculations, it is concluded that:

- 94.42% of the Site is non-BMV;
- 4.07% of the Site is non-agricultural land; and
- 1.51% of the Site is BMV.

~~9.21.18.~~9.21.17. Further information on ALC is provided in **ES Volume 4, Appendix 12.1: Agricultural Land Classification Report [EN010158/APP/6.4]** and **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]**.

~~9.21.19.~~9.21.18. With Paragraph 5.11.34 of NPS EN-1, Paragraph 2.10.145 of NPS EN-3, Policy NE7 of the VALP and the 2024 WMS in mind, the Applicant confirms that the potential use of BMV land has been a key consideration in the development of the design and site selection.

~~9.21.20.~~9.21.19. The **Design Approach Document [EN010158/APP/5.8]** outlines the key reasons why the Site was selected, and how it has been informed by considerations of good design. Minimising the take of BMV land was a key consideration in selecting the Site and the Applicant considers that the site selection process has successfully limited the Proposed Development's impact on BMV land since the proportion of BMV land within the Order Limits is low at 1.51%.

~~9.21.21.~~9.21.20. Furthermore, the **Design Commitments [EN010158/APP/5.9]** contain Design Commitment G1 (Support Agricultural Productivity) which states *"Rosefield Substation, BESS, Collector Compounds and Construction Compounds will avoid Best and Most Versatile (BMV) land and new access tracks will avoid BMV land as far as reasonably possible"*. This Commitment is secured by Requirement 4 of the **Draft DCO [EN010158/APP/3.1]** and the **Works Plans [EN010158/APP/2.3]**.

~~9.21.22.~~9.21.21. The Applicant is cognisant of the need to protect BMV land for the long term and that BMV land take should be avoided. The Applicant considers that the site selection process (which limited BMV within the Order Limits to 1.51%) and Design Commitment G1 (which will minimise impacts on the BMV within the Order Limits) has successfully avoided and will further limit the impact on BMV land.

~~9.21.23.~~9.21.22. The **Statement of Need [EN010158/APP/5.6]** confirms that a rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets and that solar generation is a critical part of the UK's strategy to achieve these targets. With this need in mind, the small take of BMV land is considered to be demonstrably outweighed by the benefits associated with the Proposed Development.

~~9.21.24.~~9.21.23. Moreover, the operational life of the Proposed Development is up to a period of 40 years, which is controlled by a Requirement 18 of the **Draft DCO [EN010158/APP/3.1]**. Following this period, the Proposed Development will require decommissioning which would see the land returned to the landowner. The **Outline DEMP [EN010158/APP/7.4]** secures that, for soil, the land would be returned back to its prior ALC grade and all concrete, hardstanding areas, foundations for the infrastructure and internal tracks would be removed to a depth of up to 1m (BGL). All the below-ground cables which are at a depth greater than 1m (BGL) would be left in situ, however, this will be dependent upon the legislation and industry standards at the time of decommissioning. This approach reflects common practice for Electricity Distribution Network Operators infrastructure (such as substations) and the associated export cables. All mounting structures (being helical or driven piled vertical posts or screw piles) to which the Solar PV modules would be fixed would be removed.

~~9.21.25.~~9.21.24. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** presents an assessment of likely significant effects arising from the construction, operation (including maintenance), and decommissioning of the Proposed Development upon soil (including agricultural land).

~~9.21.26.~~9.21.25. The Chapter concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse soil effects expected across the construction, operation (including maintenance), and decommissioning phases of the Proposed Development.

~~9.21.27.~~9.21.26. The residual effects identified in **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** rely on management measures within the **Outline Soil Management Plan (Outline SMP) [EN010158/APP/7.7]**, **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]**.

~~9.21.28.~~9.21.27. In accordance with Paragraphs 5.11.14 of NPS EN-1 and 2.10.34 of NPS EN-3, an **Outline SMP [EN010158/APP/7.7]** has been prepared to: ensure the protection and conservation of soil resources on Site; identify best practice measures to maintain the physical properties of the soil on Site; and provide measures for the management of the soil resource for Site operators.

~~9.21.29.~~9.21.28. The **Outline SMP [EN010158/APP/7.7]** confirms that soil handling and soil storage will be undertaken as per the DEFRA 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites', in accordance with Paragraph 2.10.127 of NPS EN-3.

Summary

~~9.21.30.~~9.21.29. In summary, the Proposed Development is not anticipated to result in any residual adverse effects on soil receptors during the construction, operation (including maintenance) and decommissioning phases.

~~9.21.31.~~9.21.30. The Applicant has continually sought to minimise the use of BMV agricultural land, by focusing the initial site selection exercise on areas identified as provisional Grades 3 and 4 by Defra and Natural England mapping, to the extent that only a very small proportion of BMV is included in the development area. The Proposed Development's Order Limits is concluded to have a BMV take of 1.51% which, in the wider context of solar NSIPs, is exceptionally low.

~~9.21.32.~~9.21.31. Therefore, the Proposed Development is considered to comply with NPS EN-1, NPS EN-3 and the VALP with regard to effects on soils and BMV.

9.22. Noise and Vibration

Policy Summary

9.22.1. This section reviews the Proposed Development in the context of planning policies relating to noise and vibration. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.22.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative noise and vibration effects identified,

this Section and **Section 9.26** of the Planning Statement do not consider cumulative noise and vibration effects.

9.22.3. Paragraph 5.12.5 of NPS EN-1 identifies the factors that will determine the likely noise and vibration impacts of developments. This includes inherent operational noise, proximity to sensitive noise receptors, proximity to 'quiet places' and other potential impacts upon wildlife.

9.22.4. Paragraph 5.12.6 of NPS EN-1 sets out specific requirements for noise and vibration assessments and includes for example, but not limited to, the requirement that applicants: describe noise generating aspects of a proposal; identify noise sensitive receptors and areas; establish the baseline condition; assess the changes to the noise environment and provision reasonable mitigation to minimise effects on health.

9.22.5. In accordance with Paragraph 5.12.6 of NPS EN-1, Policy NE5 (Pollution, air quality and contaminated land) of the VALP confirms that noise impact studies may be required to assess effects that result from noise. The Policy goes on to outline that developments generating more significant levels of noise will only be permitted where appropriate noise attenuation measures are incorporated to make the development acceptable in accordance with Government guidance.

9.22.6. Further to the above, Paragraph 5.12.8 of NPS EN-1 makes clear that applicants should also consider the noise impacts of ancillary activities associated with the development such as increases in road traffic.

9.22.7. In further shaping the assessment, Policy NE4 (Landscape character and locally important landscape Development) of the VALP notes that development must recognise the importance of the areas set out in the Landscape Character Assessment and that areas have varying sensitivities to change. This means that proposals must, among other things, ensure that unacceptable levels and/or frequencies of noise in areas of high sensitivity remain relatively undisturbed by noise.

9.22.8. In undertaking a noise and vibration assessment, Paragraph 5.12.9 of NPS EN-1 clarifies that operational noise (with respect to human receptors) should be assessed using the principles of the relevant British Standards and other guidance.

9.22.9. Paragraph 5.12.15 of NPS EN-1 confirms that, as forms of embedded mitigation, projects are to demonstrate good design through the selection of the quietest and most acceptable cost-effective plant available. The Paragraph also recognises that containment of noise within buildings is acceptable but may give rise to, for example, landscape and visual impacts.

9.22.10. It is noted in NPS EN-3 (through Paragraph 2.10.161) that, once operational, traffic movements to and from proposed solar farms are generally 'very light' and so under Paragraph 2.10.162 of NPS EN-3, the Secretary of State is

unlikely to give any more than limited weight to traffic and transport noise and vibration.

9.22.11. In decision-making, Paragraph 5.12.17 of NPS EN-1 outlines that the Secretary of State should not grant consent unless development proposals meet with the following aims:

- Avoid significant adverse impacts on health and quality of life from noise;
- Mitigate and minimise other adverse impacts on health and quality of life from noise; and
- Where possible, contribute to improvements to health and quality of life through the effective management and control of noise.

9.22.12. With Paragraph 5.12.17 of NPS EN-1 in mind, Paragraph 5.12.13 of NPS EN-1 notes that the Secretary of State is to consider whether further mitigation, beyond that which is proposed as part of a project, is needed to mitigate for construction and operational noise. Paragraph 5.12.14 of NPS EN-1 goes on to identify the kinds of mitigation measures that can be employed to mitigate for noise impacts.

9.22.13. In some cases, it may be requested by the local highway authority for the Secretary of State to impose controls on the number of vehicle movements during the construction phase over vehicle movements and routing such as to make traffic and transport noise and vibration effects acceptable (Paragraph 2.10.139 of NPS EN-3).

9.22.14. Paragraph 187 of the NPPF states that planning decisions should prevent new development from contributing to unacceptable levels of noise pollution. Paragraph 198 of the NPPF adds to Paragraph 187 by requiring new development to mitigate, and reduce to a minimum, potential adverse impacts resulting from noise and to avoid significant adverse impacts of noise on health and quality of life.

Applicant Assessment

9.22.15. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** includes a noise and vibration assessment of the Proposed Development which was prepared in accordance with the requirements set out in Paragraph 5.12.6 of NPS EN-1 and Policy NE5 of the VALP.

9.22.16. In accordance with Paragraphs 5.12.5 and 5.12.8 of NPS EN-1 and Policy NE4 of the VALP, the scope of the noise and vibration assessment is outlined through Section 13.4 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** which confirms that: noise and vibration across the construction and decommissioning phases; road traffic noise across the construction and decommissioning phases and noise across the operational (including maintenance) phase have been scoped in and that the noise sensitive receptors assessed are residential properties only.

9.22.17. The guidance section of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** confirms that, in accordance with Paragraph 5.12.9 of NPS EN-1, operational noise has been assessed against the relevant British Standards (being BS 4142:2014+A1:2019, BS 5228-1:2009+A1:2014, BS 5228-2:2009+A1:2014, BS 7445-1:2003, BS 8233:2014, BS EN IEC 60942:2018, BS EN 61672-1:2013 and BS ISO 9613-2:2024).

9.22.18. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse noise and vibration-related effects expected across the Proposed Development's construction operation (including maintenance) and decommissioning phases.

9.22.19. The Chapter confirms that, as a forms of embedded mitigation, the Proposed Development has sought to maximise the separation distances between proposed infrastructure and the surrounding noise-sensitive receptors, where practicable, and orientate noise emitting equipment to minimise offsite emissions.

9.22.20. In compliance with Paragraph 5.12.15 of NPS EN-1, the Proposed Development has sought to design in the quietest and most acceptable cost-effective plant. For example, BESS units can be noisy. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** confirms that BESS units may also include externally mounted noise reduction kits. The maximum height of the BESS units, as written into the **Design Commitments [EN010158/APP/5.9]**, provides flexibility for noise reduction kits to be installed.

9.22.21. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** outlines the additional mitigation that has been relied upon in the assessment. As forms of additional mitigation, **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** confirms that both mitigation at source and mitigation through transmission is to be employed. For mitigation at source, the main transformers are recognised as a major component of the acoustic emissions from the Proposed Development. The **Outline OEMP [EN010158/APP/7.3]** has therefore secured that a minimum 5 dB(A) reduction be obtained at source through the refinement of the engineering requirements in order to adopt lower noise emitting transformers. For mitigation through transmission, the **Outline OEMP [EN010158/APP/7.3]** secures that acoustic barriers would be places around BESS container areas, the Rosefield Substation, Central Inverters and main transformers within the Rosefield Substation and Satellite Collector Compounds.

9.22.22. The additional mitigation measures relied upon at the construction phase include the **Outline CEMP [EN010158/APP/7.2]** and **Outline CTMP [EN010158/APP/7.5]** where the former includes best practicable means of construction, the use of temporary noise barriers, adoption of piling mitigation and community liaison.

9.22.23. In decommissioning the Proposed Development, the **Outline DEMP [EN010158/APP/7.4]** secures best practicable means of decommissioning, the use of temporary noise barriers and community liaison.

9.22.24. With the conclusions of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** in mind, the Proposed Development is considered to comply wholly with Paragraph 5.12.17 of NPS EN-1 and that the local highway authority and/or Secretary of State should not need to consider requesting or making amendments to the mitigation secured as part of the Proposed Development as the effects from noise and vibration are assessed to be acceptable.

Summary

9.22.25. In summary, the Proposed Development is not anticipated to result in any residual adverse noise and vibrational effects across the Proposed Development's construction, operation (including maintenance) and decommissioning phases on noise-sensitive receptors, which are limited to 29 residential receptors.

9.22.26. The assessment's conclusions are compliant with Paragraph 5.12.17 of NPS EN-1 and, therefore, enables the Secretary of State to grant consent from a noise and vibration perspective. Furthermore, the Applicant considers that the assessment's conclusions are compliant with Paragraph 198 of the NPPF and therefore also complies with Paragraph 187 of the NPPF and Policy NE4 of the VALP.

9.22.27. Overall, the Proposed Development is considered to be in compliance with NPS EN-1, NPS EN-3, the NPPF and the VALP with regard for noise and vibrational effects.

9.23. Population

Policy Summary

9.23.1. This section reviews the Proposed Development in the context of planning policies relating to population. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.23.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative population effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative population effects.

9.23.3. Section 4.4 of NPS EN-1 outlines the assessment principles for health and how the direct impacts of development to health may include, for example, increased traffic, air or water pollution, noise pollution and increases in pests. **Section 9.6**

(Health) of this Planning Statement considers the policy under Section 4.4 of NPS EN-1 in detail and is therefore not considered further here.

9.23.4. Paragraph 5.13.2 of NPS EN-1 establishes that, where a project is likely to have socio-economic impacts at local or regional levels, an applicant is to undertake an assessment of these impacts as part of an ES.

9.23.5. Paragraph 5.13.4 of NPS EN-1 goes on to outline the considerations that such an assessment of socio-economics may contain.

9.23.6. In recognising that the assessment of socio-economic effects is multifaceted, Paragraph 5.13.6 of NPS EN-1 outlines that socio-economic impacts may be linked to other impacts (such as visual impacts). Furthermore, applicants are specifically encouraged to demonstrate how local supplies have been considered in supply chains.

9.23.7. Under Paragraph 5.13.3 of NPS EN-1 and Paragraph 39 of the NPPF, there is also encouragement for applicants to engage with the relevant local authorities to understand the socio-economic fabric of an area in order to secure developments that improve the economic, social and environmental conditions of the area.

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

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

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

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

9.23.12. In assessing a development proposal, the Secretary of State is required to consider whether there are any additional mitigation measures necessary to mitigate any adverse socio-economic impacts of a development under Paragraph 5.13.8 of NPS EN-1.

9.23.13. With regard for residents, Policy BE3 (Protection of the amenity of residents) of the VALP makes clear that planning permission would not be granted for development's that unreasonably harm any aspect of an existing or future resident's amenity.

9.23.14. Importantly, the Secretary of State is also to consider on balance, under Paragraph 5.13.11 of NPS EN-1, any relevant positive provisions an applicant has made or proposes to make in mitigating impacts and any other legacy benefits of the development. Further, Paragraph 5.13.12 outlines that the Secretary of State may wish to include a specific requirement for the provision of an employment and skills plan.

Applicant Assessment

9.23.15. In response to Paragraph 5.13.2 of NPS EN-1, an assessment of likely significant effects arising from the construction, operation (including maintenance), and decommissioning of the Proposed Development upon population and socio-economics is presented in **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]**.

9.23.16. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** goes on to outline the number of and different study area scales considered within the assessment, noting that there is no single, standard guidance for undertaking population assessments within the EIA. Section 12.4 of the Chapter confirms that the assessment has considered a Construction Labour Market Area (CLMA) within 50 miles from the Order Limits and a CLMA Focus Area (within 10 miles from the Order Limits) as well as the Local Authority/County Area (Buckinghamshire), Regional (South East) and National (England) scales.

9.23.17. The assessment presented in **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** complies with Paragraph 5.13.4 of NPS EN-1 and has, for example, scoped into the assessment:

- socio-economic effects on employment and workforce spending and contribution to output gross value added (GVA) during the construction and decommissioning phases;
- socio-economic effects on the agricultural economy and on the employment capacity and output of the agricultural economy across all phases of the Proposed Development;
- socio-economic effects on development land and other (non-agricultural) business across all phases of the Proposed Development;
- socio-economic effects on tourism and the tourist economy across all phases of the Proposed Development; and
- socio-economic effects on community access to use the PRoW network and permissive paths for recreational use and community connectivity.

9.23.18. With regard for the first half of Paragraph 5.13.6 of NPS EN-1, it is confirmed that **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** considers the multifaceted and cumulative effects associated with population effects. These are considered further under **Section 9.26** of this Planning Statement.

9.23.19. In compliance with the second half of Paragraph 5.13.6 and Paragraph 5.13.12 of NPS EN-1, an **Outline ESSCP [EN010158/APP/7.14]** has been provided as part of the DCO Application. The Outline ESSCP has been informed by the context established within **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** and seeks to, among a longer list of objectives: support Buckinghamshire's economic strategies; underpin the conditions required to promote economic benefits and set core objectives to promote access to employment, workforce development and business prosperity.

9.23.20. During the pre-application stage and in compliance with Paragraph 5.13.3 of NPS EN-1 and Paragraph 39 of the NPPF, the Applicant has had ongoing engagement with Buckinghamshire Council on population matters to better understand the socio-economic fabric of the area and to agree the scope of the assessment within **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]**. It is worth noting that some elements of population-related engagement are inter-related with other technical assessments within the ES (for example, where engagement relating to a heritage asset has been material to the assessment of effects on tourism) and so the Applicant's population-related engagement with Buckinghamshire Council is spread across the ES, as noted within Section 12.3 of **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]**.

9.23.21. The **Outline ESSCP [EN010158/APP/7.14]**, which has already been informed in part by Buckinghamshire Council, confirms that Buckinghamshire Council's Planning, Economic Development Services, Education and Adult Learning Services are key stakeholders from a regional and local Government perspective and that these services are to inform the detailed plan, if the DCO Application is granted consent. Therefore, the **Outline ESSCP [EN010158/APP/7.14]** (which is secured by Requirement 15 in the **Draft DCO [EN010158/APP/3.1]**) demonstrates compliance with Policy S1 of the VALP.

9.23.22. With regard for the PRoW network, Design Commitment F1 within **Design Commitments [EN010158/APP/5.9]** confirms that the Proposed Development's perimeter fencing surrounding the Solar PV development will be offset by at least 10m from either side of existing PRoWs. This measure is secured in order to reduce potential environmental and visual impacts.

9.23.23. The Applicant has sought to retain existing PRoWs that cross the Site as far as practicable in accordance with Paragraph 2.10.40 of NPS EN-3 and Policy C4 of the VALP. However, as it is noted within **Section 6.3** of this Planning Statement and **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**, the Proposed Development is, in accordance with Paragraph 2.10.44 of NPS EN-3 and Policy T7 of the VALP,

proposing to enhance the connectivity in the local area through the inclusion of three new operational (including maintenance) phase permissive footpaths and one permissive bridleway within the Site as well as five permanent diversions to existing PRoWs to rationalise and improve the network. The five permanent diversions to existing PRoWs would serve to better connect the local network of piecemeal PRoWs whilst also minimising the extent to which PRoWs interact with Work Nos. 1 – 9 as detailed in the **Draft DCO [EN010158/APP/3.1]**.

9.23.24. In drawing this assessment back to the conclusions of **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** and in accordance with Policy BE3 of the VALP, the Chapter concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse population-related effects expected across the Proposed Development's construction, operational (including maintenance) and decommissioning phases.

9.23.25. The residual effects outlined in the Chapter rely on controls established within the **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline DEMP [EN010158/APP/7.4]**, **Outline CTMP [EN010158/APP/7.5]**, **Outline LEMP [EN010158/APP/7.6]** and **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application and, when taken together, set out measures to manage any potential population effects that may arise across all phases of the Proposed Development. The outline management plans are secured by Requirements in the **Draft DCO [EN010158/APP/3.1]**.

9.23.26. The Applicant therefore considers that the Secretary of State should not need to consider (under Paragraph 5.13.8 of NPS EN-1) additional mitigation measures with regard for the residual adverse socio-economic impacts identified within **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]**.

9.23.27. Furthermore, **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes a total of five residual effects which are up to a level of significance that is slight beneficial (not significant in EIA terms). Whilst not significant in EIA terms, these identified beneficial effects should be taken into account as a result of positive provisions made by the Applicant (in accordance with Paragraph 5.13.12 of NPS EN-1).

9.23.28. The conclusions of **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** should also be read together with **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4]** as this statement provides an assessment of effects of the Proposed Development on human health and wellbeing (both physical and mental health), which is linked to population.

Summary

9.23.29. In summary, the Proposed Development is not anticipated to result in any residual adverse effects on population receptors across the Proposed

Development's construction, operation (including maintenance) and decommissioning phases.

9.23.30. The Proposed Development is considered, therefore, to comply with the relevant planning policy provisions in NPS EN-1, NPS EN-3, the NPPF and the VALP.

9.24. Transport and Access

Policy Summary

9.24.1. This section reviews the Proposed Development in the context of planning policies relating to transport and access. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.24.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are no cumulative transport and access effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative transport and access effects.

9.24.3. Paragraph 5.14.1 of NPS EN-1 recognises that the *"transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks"*. Such impacts may result particularly from trips generated on roads, which may increase noise and pollution, as well as result in GHG (Paragraph 5.14.2 of NPS EN-1). Therefore, the consideration and mitigation of transport impacts is key and forms an essential part of the Government's wider policy objectives for delivering sustainable development (Paragraph 5.14.4 of NPS EN-1).

9.24.4. Paragraph 109 of the NPPF makes clear that transport matters should be considered from the earliest stages of development proposals, using a vision-led approach to identify transport solutions.

9.24.5. Where a project is likely to have significant transport implications, Paragraph 5.14.5 of NPS EN-1 confirms that an applicant's ES should include a transport appraisal.

9.24.6. Paragraph 5.14.7 of NPS EN-1 states that the applicant should also prepare a travel plan which includes demand management measures to mitigate transport impacts.

9.24.7. Paragraph 5.14.11 of NPS EN-1 goes on to make clear that, where mitigation is needed, possible demand management measures must be considered before requirements for provisions of new infrastructure to deal with any remaining transport-related impacts.

9.24.8. Paragraph 5.14.12 of NPS EN-1 then states that maritime and inland waterway transport methods or rail transport is preferred over road transport across all stages of a project, where cost-effective. At a site level, Paragraph 2.10.35 of NPS EN-3 notes that applicants also need to consider the suitability of access routes to a proposed solar farm site across both the construction and operational phases.

9.24.9. Paragraph 2.10.161 of NPS EN-3 recognises that, once operational, traffic movements to and from sites of the Proposed Development's nature are generally very light unless there is a need to replace components. Resultingly, the Secretary of State is *"unlikely to give any more than limited weight to traffic and transport noise and vibration impacts from the operational phase of a project"* (Paragraph 2.10.162 of NPS EN-3).

9.24.10. Where road transport methods are preferred or proposed, Paragraph 2.10.125 of NPS EN-3 establishes that it is the responsibility of applicants to ensure that all sections of roads and bridges on the proposed delivery route can accommodate the weight and volume of delivery vehicles, inclusive of their loads. Should modifications be required to roads and/or bridges, these are to be identified and addressed in the ES.

9.24.11. It is within the remit of the Secretary of State to attach requirements to a consent should the Secretary of State conclude that there is likely to be substantial HGV traffic (Paragraph 5.14.14 of NPS EN-1). For example, the Secretary of State may attach requirements that: control the number of HGV movements; ensure the provision of sufficient parking and facilities for HGVs on-site or elsewhere, or ensure satisfactory arrangements are in place for reasonably foreseeable abnormal disruption.

9.24.12. Paragraphs 2.10.139 and 2.10.140 of NPS EN-3 tie in with Paragraph 5.14.14 of NPS EN-1 as they make clear that a local highway authority may make a request to the Secretary of State to impose controls on the number of vehicle movements, if such a measure is deemed to be a necessary requirement.

9.24.13. In providing balance to Paragraph 5.14.14 of NPS EN-1, Paragraph 5.14.15 of NPS EN-1 makes clear that the Secretary of State *"should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure"*.

9.24.14. NPS EN-1 Paragraph 5.14.18 notes that new NSIPs may give rise to substantial impacts on surrounding transport infrastructure and that applicants should seek to mitigate these impacts, including during the construction phase of the Proposed Development. This matter is especially relevant to the Proposed Development since many solar farms are sited in areas served by minor road networks (Paragraph 2.10.121 of NPS EN-3). Therefore, higher volumes of smaller delivery vehicles tend to be expected.

9.24.15. As part of the Secretary of State's decision making, the Secretary of State should only consider refusing the Proposed Development on *"highways grounds*

if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision" (Paragraph 5.14.21 of NPS EN-1). Paragraph 116 of the NPPF is worded similarly to Paragraph 5.14.21 of NPS EN-1 and establishes similar grounds under which development should be determined on transport matters under the TCPA 1990.

9.24.16. Policy T4 (Capacity of the transport network to deliver development) of the VALP makes clear that *"new development will be permitted where there is evidence that there is sufficient capacity in the transport network to accommodate the increase in travel demand as a result of the development"*.

9.24.17. Further to the above, Policy T5 (Delivering transport in new development) of the VALP establishes that *"new development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development"*.

Applicant Assessment

9.24.18. In accordance with Paragraph 5.14.5 of NPS EN-1, **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** presents an assessment of likely significant effects arising from the construction of the Proposed Development on transport and access and includes a transport appraisal (**ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4]**).

9.24.19. In accordance with Paragraph 5.14.7 of NPS EN-1, an outline Staff Travel Plan is embedded within the **Outline CTMP [EN010158/APP/7.5]** which has been prepared to support the DCO Application and is secured through Requirement 13 of the **Draft DCO [EN010158/APP/3.1]**.

9.24.20. As evidenced through **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** and in compliance with Paragraph 109 of the NPPF, early engagement (October and December 2023) was had separately between the Applicant and Oxfordshire County Council, National Highways and Buckinghamshire Council to scope and consider the impacts of the Proposed Development with key consultees. This engagement allowed for early impact reviews to inform **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]**.

9.24.21. In compliance with Paragraph 5.14.11 of NPS EN-1, **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** outlines the demand management mitigation that is embedded into the design of the Proposed Development as set out in the **Outline CTMP [EN010158/APP/7.5]**.

9.24.22. The demand management measures secured have limited the need for new transport infrastructure. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** identifies several opportunities for enhancement in relation to transport and access which include, for example, enhancements to

Granborough Road in the form of the passing places and road widening, should Buckinghamshire Council agree to the works being permanent, as noted in the **Outline CTMP [EN010158/APP/7.5]**. The approach to managing the Proposed Development's demands of the highway network is considered to comply with Paragraph 5.14.15 of NPS EN-1.

9.24.23. Given the location of the Order Limits, the duration of the construction and decommissioning phases and the limited impact on the public road network during the operational (including maintenance) phase, it is considered that rail and/or water transport methods would not be feasible and operationally reasonable.

9.24.24. More granular consideration has also been given, during the site selection process, to the suitability of the access routes to the Proposed Development for both construction and operation in accordance with Paragraph 2.10.35 of NPS EN-3. The **Site Selection Report,** at Appendix 1 to this Planning Statement, concludes that the Applicant's Search Area, as a whole, is largely accessible by the Local Road Network (LRN) and is well serviced by the SRN with the A41 to the south, the A421 to the north and the A4146 to the east. The Report concludes that the Site is suitably accessible by both the LRN and SRN.

9.24.25. In response to Paragraph 2.10.125 of NPS EN-3, **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** and **ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4]** confirm that all sections of roads and bridges can accommodate the weight, volume and widths of vehicles required during the Proposed Development's construction, operation (including maintenance) and decommissioning subject to highways infrastructure improvements and safety works comprising: minor junction improvement works; road widening; passing places; and works to facilitate vehicular access to the Site.

9.24.26. All road users during the operational (including maintenance) phase of the Proposed Development have been scoped out of **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]**. As such, Paragraphs 2.10.161 and 2.10.162 of NPS EN-3 are not considered to be engaged for the Secretary of State's consideration of impacts in decision making.

9.24.27. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operation (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter.

9.24.28. The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, set out measures to manage any potential

transport and access effects that may arise from construction activities and are secured by Requirements 11 and 13 of the **Draft DCO [EN010158/APP/3.1]**.

9.24.29. With the above in mind, the Applicant does not consider it necessary (under Paragraphs 2.10.139 and 2.10.140 of NPS EN-3 and Paragraph 5.14.14 of NPS EN-1) for the local highway authority to request and/or have the Secretary of State impose transport-related requirements beyond those secured in **Draft DCO [EN010158/APP/3.1]** that accompanies this DCO Application.

Summary

9.24.30. In summary, the Proposed Development is not anticipated to result in any residual adverse effects on transport and access receptors across the Proposed Development's construction, operation (including maintenance) and decommissioning phases.

9.24.31. Paragraph 5.14.21 of NPS EN-1 advises that the Secretary of State should only consider *"refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network that would be severe"*. There are no grounds for refusal relating to highways impacts in this regard and therefore the Applicant considers that it is compliant with the relevant policy test in this regard. The Applicant considers also that the Proposed Development, therefore, complies with Paragraph 116 of the NPPF and Policies T4 and T5 of the VALP.

9.24.32. Overall, the Proposed Development is considered compliant with NPS EN-1, NPS EN-3, the NPPF and the VALP with regard to traffic and access effects.

9.25. Water

Policy Summary

9.25.1. This section reviews the Proposed Development in the context of planning policies relating to water, specifically water quality, flood risk and surface water drainage. This section should be read in conjunction with **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.25.2. Since **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that as there are no cumulative water effects identified, this Section and **Section 9.26** of the Planning Statement do not consider cumulative water effects.

9.25.3. Fundamentally, Paragraph 5.8.1 of NPS EN-1 recognises that flooding is a natural process which, as well as playing an important role in shaping the natural environment, can threaten life and cause substantial disruption and damage to property.

9.25.4. Paragraph 5.8.2 of NPS EN-1 goes on to note the importance of resilient energy infrastructure and how resilience not only reduces the risk of flood damage to

the infrastructure but also reduces disruptive impacts on homes and businesses that rely on that same infrastructure.

9.25.5. Paragraph 5.8.18 of NPS EN-1 states that projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the Environment Agency, and, where appropriate, other bodies.

9.25.6. Paragraph 5.8.6 of NPS EN-1 recognises that the aim of planning policy with regard to development and flood risk is to ensure that flood risks from all flooding sources (i.e., pluvial and fluvial factoring climate change) is taken account of at all stages of the planning process in order to steer new development to areas with the lowest risk of flooding.

9.25.7. Paragraph 5.8.7 of NPS EN-1 notes that should new energy infrastructure be, exceptionally, *"necessary in flood risk areas"*, planning policy aims to make it safe for its lifetime without increasing flood risk elsewhere while, and where possible, seeking to reduce flood risk overall. Paragraph 5.8.7 of NPS EN-1 also notes that new energy infrastructure should be designed and constructed to remain operational in times of flood.

9.25.8. Paragraph 5.8.21 of NPS EN-1 establishes that a sequential, risk-based approach is to be followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites within medium-risk areas and then, only where there are no reasonably available sites in low- and medium-risk areas, within high-risk areas.

9.25.9. Paragraph 5.8.9 of NPS EN-1 and Policy I4 (Flooding) of the VALP explain that if, following the application of the Sequential Test, it is not possible for a project to be located in areas of lower flood risk, the Exception Test can be applied. However, the application of the Exception Test is only appropriate where the Sequential Test alone cannot deliver an acceptable site (Paragraph 5.8.10 of NPS EN-1).

9.25.10. Paragraph 5.8.23 of NPS EN-1 goes on to state that the consideration of alternative sites should take account of the policy on alternatives and that all projects should apply the Sequential Test to locating development within the Order Limits. NPS EN-1 continues on the theme of design through Paragraph 5.8.29 by advising that the sequential approach should be applied to layout and design. The Paragraph also states that *"vulnerable aspects of development should be located on parts of the site at lower risk and residual risk of flooding"*.

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

9.25.12. Paragraph 2.4.11 of NPS EN-3 recognises that *"solar photovoltaic (PV) sites may also be proposed in low lying exposed sites. For these proposals, applicants should consider, in particular, how plant will be resilient to:*

- *increased risk of flooding; and*
- *impact of higher temperatures".*

9.25.13. Paragraph 170 of the NPPF confirms that inappropriate development in flood risk areas should be avoided but where development is necessary in such areas, it should be made safe for its lifetime without increasing risk elsewhere.

9.25.14. As made clear under Paragraph 5.8.13 of NPS EN-1, applications for energy projects of 1 hectare or greater in Flood Zone 1 in England and all proposals for energy projects located in Flood Zone 2 and 3 in England should be accompanied by a flood risk assessment (FRA). The minimum requirements of an FRA are established through Paragraph 5.8.15 in NPS EN-1 and Policy I4 (Flooding) of the VALP.

9.25.15. Further to the requirements established under Paragraph 5.8.15 in NPS EN-1, Paragraph 2.10.88 of NPS EN-3 outlines that an FRA will need to consider the impact of drainage. However, since solar PV panels drain to existing ground the impact is recognised as not normally being significant.

9.25.16. With regard for surface water mitigation, Paragraph 5.8.27 of NPS EN-1 confirms that surface water drainage arrangements for any project, accounting for climate change impacts, should not result in increases to the existing surface water baseline conditions.

9.25.17. Paragraph 182 of the NPPF and Policy I4 (Flooding) of the VALP make clear that applications affecting drainage should incorporate SuDS in a proportionate nature to the scale of the proposal. The NPPF Paragraph goes on to confirm SuDS should provide multifunctional benefits where possible.

9.25.18. With regard for water quality, Paragraph 5.16.1 of NPS EN-1 recognises that development can have adverse effects on the water environment across all phases of development. Therefore, there may be an increased risk of discharges and spills and leaks of pollutants to the water environment (Paragraph 5.16.2 of NPS EN-1). Under Paragraph 5.16.7 of NPS EN-1, an ES should therefore describe the existing quality of waters and the impacts of a development on water quality.

9.25.19. Paragraph 5.16.7 of NPS EN-1 also makes clear that an ES should describe *"any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions"*.

9.25.20. Full consideration of Section 5.16 (Water Quality and Resources) of NPS EN-1 is provided for in **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.25.21. In determining an application, the Secretary of State must be satisfied that, where relevant, the criteria established under Paragraph 5.8.36 of NPS EN-1 is met. With regard for the Proposed Development, these criteria include:

- the DCO Application being supported by an appropriate FRA;
- evidencing the successful application of the Sequential Test at the site selection and site-level to steer vulnerable uses;
- ensuring the proposal is in line with any relevant national and local flood risk management strategy;
- SuDS have been used; and
- ensuring the Proposed Development is designed and constructed to remain safe for its operational life, without increasing flood risk elsewhere.

9.25.22. Policy I5 (Water resources and Wastewater Infrastructure) of the VALP confirms that water quality is also to be maintained and enhanced by avoiding adverse effects of development affecting the water environment.

Applicant Assessment

9.25.23. **Appendix 5: Sequential and Exception Tests** to this Planning Statement provides a detailed assessment of the Proposed Development's relationship with flood risk and offers an assessment of the passing of the Sequential and Exception Tests.

9.25.24. Specifically, **Appendix 5: Sequential and Exception Tests** considers the Proposed Development's compliance with NPS EN-1 (Paragraphs 5.8.2, 5.8.6, 5.8.7, 5.8.9, 5.8.10, 5.8.21, 5.8.23, 5.8.29 and 5.8.41), relevant paragraphs in NPS EN-3 and NPS EN-5, the NPPF (Paragraph 170) and the VALP (Policy I4). Therefore, these policies are generally not reassessed under this assessment and, instead, the Proposed Development's compliance with these policies should be drawn from **Appendix 5: Sequential and Exception Tests** and **Appendix 4: Policy Compliance Assessment Tables** which are both appended to this Planning Statement. Notwithstanding this, it is confirmed in summary that only Solar PV modules and string inverters can be located within Flood Zone 2, 3a and 3b areas, as secured by the **Works Plans [EN010158/APP/2.3]** whilst **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** confirms that there would be a negligible displacement of flood water and storage within functional flood plains (Flood Zone 3b).

9.25.25. In accordance with Paragraph 5.8.13 of NPS EN-1, this DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**. The FRA undertaken has been prepared in accordance

with the requirements of Policy 5.8.15 of NPS EN-1 and Policy I4 of the VALP. Section 6 of the FRA responds directly to the requirements of Policy 5.8.15 NPS EN-1 where these relate to the surface water drainage strategy.

9.25.26. With Paragraph 2.10.88 of NPS EN-3 in mind, **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** concludes that Solar PV modules will not increase the impermeable area across the Site; therefore, no formal drainage is required for the areas of Solar PV development. Further, Solar PV modules do not increase runoff rates as surface water runoff discharges from the panel onto vegetated strips between rows.

9.25.27. The **Outline Drainage Strategy [EN010158/APP/7.11]** secures how surface water runoff from the Site will be managed in line with the national, regional and local requirements regarding flood risk and drainage. It also includes requirements for surface water retention within the site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development. The **Outline Drainage Strategy [EN010158/APP/7.11]** is secured by Requirement 9 of the **Draft DCO [EN010158/APP/3.1]**.

9.25.28. A key commitment of the **Outline Drainage Strategy [EN010158/APP/7.11]** that addresses Paragraph 5.8.27 of NPS EN-1 is that the runoff rate from the development will be limited to 4 l/s/ha from any positively drained area and the peak rainfall intensity for the 1 in 100-year storm event will be increased by 25% to account for long-term climate change impacts

9.25.29. The **Outline Drainage Strategy [EN010158/APP/7.11]** also introduces and secures suitable SuDS measures to control surface water runoff and provide adequate runoff treatment. The SuDS measures identified within the Outline Drainage Strategy are considered proportionate to the nature and scale of the Proposed Development and are therefore compliant with Paragraph 182 of the NPPF and Policy I4 of the VALP.

9.25.30. Work No. 10 (Green and Blue Infrastructure) of the Proposed Development, which is described in full in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and secured by **Draft DCO [EN010158/APP/3.1]**, proposes the establishment of ecological ponds (either former ponds for recreation or new ponds). From a water perspective, these ponds will also provide surface water attenuation following the capture of runoff from hardstanding areas. Therefore, and in accordance with Paragraph 182 of the NPPF, SuDS across the Proposed Development will provide multifunctional benefits in line with the four pillars of SuDS as outlined in the **Outline Drainage Strategy [EN010158/APP/7.11]**.

9.25.31. With regard for water more holistically, **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** presents an assessment of likely significant effects arising from the construction, operation (including maintenance) and decommissioning of the Proposed Development upon the water environment, particularly water quality, flood risk and surface water drainage.

9.25.32. The Chapter confirms that: flood risk and surface water drainage; water quality and the Water Framework Directive (WFD) waterbody (Claydon Brook Tributary) have been scoped into the assessment across all phases of the Proposed Development. The scoping in of water quality across all phases of the Proposed Development is in accordance with Paragraph 5.16.7 of NPS EN-1. Further, and in compliance with Paragraph 5.16.7 of NPS EN-1, **ES Volume 4, Appendix 16.2: WFD Waterbodies Stage 1 Screening Assessment [EN010158/APP/6.4]** builds on the assessment within **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** and serves to consider how the Proposed Development could result in both detriment and benefit to the achievement of WFD objectives. The assessment concludes that none of the activities associated with the Proposed Development have the potential to cause a deterioration in status of WFD surface water bodies or groundwater bodies.

9.25.33. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse water-related effects expected across the Proposed Development's construction, operation (including maintenance) and decommissioning phases.

9.25.34. The residual effects outlined in the assessment rely on controls established within the **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline DEMP [EN010158/APP/7.4]** and **Outline Drainage Strategy [EN010158/APP/7.11]**. These outline management plans and Drainage Strategy have been prepared in support of the DCO Application and set out the water-related measures to manage any potential water effects that may arise from the Proposed Development's construction, operation (including maintenance) and decommissioning. Each document is secured by Requirement in the **Draft DCO [EN010158/APP/3.1]**.

9.25.35. Further to the assessment outcomes reported in **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]**, the Applicant confirms that, in accordance with Paragraph 5.8.18 of NPS EN-1, pre-application discussions with the Environment Agency, Buckinghamshire Council (Lead Local Flood Authority), Buckingham and River Ouzel Internal Drainage Board, Anglian Water and the Buckinghamshire Fresh Water Resilience Project have taken place and are reported in Section 16.3 of the Chapter.

Summary

9.25.36. In summary, the Proposed Development is not anticipated to result in any residual adverse effects on water receptors across the Proposed Development's construction, operation (including maintenance) and decommissioning phases.

9.25.37. Paragraph 5.8.36 of NPS EN-1 provides the key water policy tests that the Secretary of State must be satisfied are met in order to grant development consent from a water perspective. In turn, the Applicant considers that:

- The DCO Application is accompanied by an appropriate FRA;
- **Appendix 5: Sequential and Exception Tests** to this Planning Statement evidences and successfully demonstrates the application of the Sequential and Exception Tests at both the site selection and site-level;
- The **Outline Drainage Strategy [EN010158/APP/7.11]** has been developed in line with the relevant national, regional and local requirements on flood risk and drainage;
- The **Outline Drainage Strategy [EN010158/APP/7.11]** introduces and secures the use of suitable SuDS measures; and
- As outlined in **Appendix 5: Sequential and Exception Tests** to this Planning Statement and **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**, the Proposed Development has and will be designed and constructed to remain safe across the operational (including maintenance) phase and will not result in an increase of flood risk elsewhere.

9.25.38. It is therefore considered that the Secretary of State should be satisfied that the Proposed Development has adequately assessed and applied the mitigation hierarchy in order to satisfy water matters, specifically water quality, flood risk and surface water drainage.

9.25.39. Overall, the Proposed Development is considered to be in compliance with NPS EN-1, NPS EN-3, the NPPF and the VALP with regard for water effects and the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 **[Ref. 1-34]**.

9.26. Cumulative Effects

Policy Summary

9.26.1. This section reviews the Proposed Development in the context of planning policies relating to cumulative effects. This section should be read in conjunction with the relevant topic assessment earlier in **Section 9** of this Planning Statement and **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

9.26.2. In establishing the relevant policy context within which to frame this assessment, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** confirms that where a significant effect has been stated within the relevant environmental factor chapter, this has been taken forward into the Stage 2 intra-project combined assessment. Where there has been only one significant effect concluded on a receptor/receptor group, on a precautionary basis, this has then been categorised as a significant intra-project combined effect. However, this is not classified as a new significant effect, in addition to or separate from that identified in the relevant environmental factor chapter.

9.26.3. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** goes on to confirm that there are potentially significant and significant residual adverse inter-project cumulative effects in relation to biodiversity and landscape and visual matters. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** confirms that there are no potentially significant and significant residual adverse inter-project cumulative effects in relation to: air quality; climate; cultural heritage; land and groundwater; soil; noise and vibration; population; transport and access and water.

9.26.4. For the above reasons, the policy context established below is limited to general cumulative development considerations and policies relating to biodiversity and landscape and visual matters only.

9.26.5. The EIA Regulations require an assessment of the likely significant effects of a proposed project on the environment. These assessments are to consider any cumulative effects (Paragraph 4.3.3 of NPS EN-1).

Landscape and Visual

9.26.6. Under Paragraph 5.10.16 of NPS EN-1, it is made clear that applicants are to carry out a landscape and visual impact assessment. This assessment is required to include consideration of cumulative effects and is to be reported in the ES.

9.26.7. Whilst solar farms are likely to be in low lying areas of good exposure, paragraph 2.10.94 of NPS EN-3 confirms that the approach to assessing cumulative landscape and visual impacts of large-scale solar farms is likely to be similar to assessing other onshore energy infrastructure.

9.26.8. Paragraph 2.10.157 of NPS EN-3 makes clear that visual impacts and impacts upon landscape character should be considered cumulatively with any existing or proposed development.

Biodiversity

9.26.9. Paragraph 2.10.25 of NPS EN-3 recognises that applicants may, in order to minimise disruption to biodiversity, choose a site based on the site's proximity to capacity in the grid.

9.26.10. With regard for biodiversity and protected sites, Policy NE1 (Biodiversity and Geodiversity) of the VALP makes clear that development proposals that would lead to an *"individual or cumulative adverse impact on an internationally or nationally important Protected Site or species, such as SSSIs or irreplaceable habitats such as ancient woodland or ancient trees, will be refused unless exceptional circumstances can be demonstrated"*. Exceptional circumstances include the benefit of the development (should it significantly and demonstrably outweigh its impact) and that any loss can be mitigated or compensated for to achieve BNG.

9.26.11. Like Policy NE1 of the VALP, Policy NE8 (Trees, hedgerows and woodlands) confirms that development that would lead to an *"individual or cumulative significant adverse impact on ancient woodland or ancient trees will be refused unless exceptional circumstances can be demonstrated that the impacts to the site are clearly outweighed by the benefits of the development"*.

9.26.12. Paragraph 4.2.11 of NPS EN-1 makes clear that *"applicants must apply the mitigation hierarchy and demonstrate that it has been applied".* Further, applicants are to *"demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated"*.

9.26.13. Paragraph 198 of the NPPF makes clear that planning decisions should ensure new development is appropriate for its location and takes account of its likely effects, including cumulative effects, as well as the potential sensitivity of the site or the wider area to impacts.

9.26.14. Where residual impacts remain, Paragraph 4.2.12 of NPS EN-1 establishes that applicants should set out how residual impacts will be compensated for as far as possible and that such compensation should also be considered where cumulative impacts with residual effects are identified.

9.26.15. As written into draft NPS EN-1, Paragraph 4.2.25 confirms that compensation, by definition, does not reduce an adverse effect resulting from a development. However, *"applicants should set out how residual impacts will be compensated for as far as possible"*.

9.26.16. Policy C3 (Renewable Energy) of the VALP confirms that renewable energy developments will be encouraged provided that there is no *"unacceptable adverse impact, including cumulative impact, on"* for example, but not limited to, *"landscape and biodiversity including designations, protected habitats and species"*, *"visual impacts on local landscapes"* and *"residential amenity"*.

9.26.17. Paragraph 4.1.5 of NPS EN-1 makes clear that, when considering a proposed development, the Secretary of State is ultimately to weigh a proposed development's adverse impacts against its benefits. This includes the consideration of any long-term and cumulative adverse impacts.

Applicant Assessment

9.26.18. The ES is supported by **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** which presents the approach to the assessment and identification of cumulative effects. The Chapter complies with the EIA Regulations in accordance with Paragraphs 4.3.3 and 5.10.16 of NPS EN-1.

Landscape and Visual

9.26.19. In accordance with Paragraph 2.10.94 of NPS EN-3, the landscape and visual assessments undertaken in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects**

[EN010158/APP/6.2] have been developed with regard for appropriate legislation, policy and guidance.

9.26.20. Table 17.13 in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** lays out and clearly identifies the landscape and visual inter-project cumulative effects. In accordance with Paragraph 2.10.157 of NPS EN-3, Table 17.13 differentiates between visual and landscape impacts and effects and also identifies which existing development or approved development the residual effect(s) relates.

9.26.21. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** identifies residual inter-project landscape and visual cumulative effects.

9.26.22. The below summary categorises these effects as being 'joint' or 'independent'. 'Joint' effects are identified in reference to a single effect arising from the Proposed Development in combination with the outlined cumulative developments. 'Independent' effects are identified in reference to a single or number of effects arising from the Proposed Development when taken in combination with each outlined cumulative development individually.

9.26.23. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** identifies cumulative developments for assessment with ID Nos., as summarised below. For ease of understanding, the ID Nos. and corresponding development being considered has been outlined below:

- ID No. 1 is the East Claydon BESS scheme;
- ID No. 2 is the East Claydon Greener Grid Park scheme;
- ID No. 3 is the Tuckey Solar Farm scheme;
- ID No. 5 is HS2;
- ID No. 8 is East West Rail; and
- ID No. 8 is the Longbreach Solar Farm scheme.
- ID No. 32 is the Littleton Manor Farm scheme.

9.26.24. The cumulative effects with the above developments is summarised below:

- <u>During the Construction phase of the Proposed Development only -</u>
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on 'PRoW between Botolph Claydon and Runt's Wood'.
  - In combination with development ID Nos. 1-3, 8 and 9 independently, moderate adverse effects on 'PRoW between East Claydon/East Claydon Road and to within Parcel 3'.
  - In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, moderate adverse effects on 'PRoW between East Claydon Road/Parcel 3 and Granborough/Hogshaw Road'.

- In combination with development ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on ‘PRoW between East Claydon/East Claydon Road and to within Parcel 3’.

- <u>During the Construction and Decommissioning phases of the Proposed Development -</u>
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on ‘LCA 5.7: Hogshaw Claylands’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on ‘LCA 7.3: Claydon Bowl’.
  - In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, moderate adverse effects on ‘Granborough’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on ‘North Buckinghamshire Way and The Midshires Way’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on ‘Bernwood Jubilee Way’.
- <u>At Year 1 of Operation of the Proposed Development -</u>
  - In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on ‘Granborough’.
  - In combination with development ID Nos. 1-3, 8, 9 and 32 jointly and also independently, moderate adverse effects on ‘North Buckinghamshire Way and The Midshires Way’.
  - In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on ‘PRoW between East Claydon Road/Parcel 3 and Granborough/ Hogshaw Road’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on ‘PRoW between East Claydon/East Claydon Road and to within Parcel 3’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major adverse effects on ‘PRoW between Botolph Claydon and Runt's Wood’.
- <u>At Year 10 of Operation of the Proposed Development -</u>
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on ‘PRoW between Botolph Claydon and Runt's Wood’.
  - In combination with development ID No. 32 independently and jointly with development ID Nos. 1-3, 8, 9 and 32, moderate adverse effects on ‘North Buckinghamshire Way and The Midshires Way’.
- <u>At Years 1 and 10 of Operation of the Proposed Development -</u>

- In combination with development ID Nos. 1-3, 8 and 9 jointly, a moderate adverse effect on 'LCA 5.6: Claydon Valley'.
- In combination with development ID Nos. 1-3, 8 and 9 independently, moderate adverse effects on 'LCA 5.7: Hogshaw Claylands'.
- In combination with development ID Nos. 1-3, 8 and 9 jointly, a major/moderate adverse effect on 'LCA 5.7: Hogshaw Claylands'.
- In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on 'LCA 7.3: Claydon Bowl'.
- In combination with development ID No. 32 independently and jointly with development ID Nos. 1-3, 8, 9 and 32, moderate adverse effects on 'LCA 9.2: Quainton Hill'.
- In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on 'Swan's Way/Outer Aylesbury Ring'.
- In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on 'Bernwood Jubilee Way'.
- In combination with development ID Nos. 1 and 9 independently and ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on 'Sion Hill Farm'.

9.26.25. With regard for the residual adverse landscape and visual effects identified above, it is important to re-establish that Paragraph 5.10.1 of NPS EN-1 makes very clear that *"landscape and visual effects of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development".* This means to say that the identification of residual effects will be driven, in part, by the context that surrounds a proposed development.

9.26.26. The location of developments such as the Proposed Development is primarily determined by available capacity and grid connection opportunities (Section 4.11 of NPS EN-1). In early 2020, following engagement with National Grid regarding potential connections in Buckinghamshire, the Applicant received a grid connection offer for capacity at East Claydon. This established the initial context for the Proposed Development. To narrow this context, the Applicant defined a Search Area to identify suitable land for NSIP-scale solar development, prioritising proximity to the connection point to minimise environmental impacts, disruption to multiple landowners, crossing challenges, process losses, and the cost and delay associated with a longer cable route. Consideration of these technical and environmental constraints has informed the design of the Proposed Development for which this DCO Application is submitted.

9.26.27. With Paragraph 2.10.157 of NPS EN-3 in mind, the Applicant has been cognisant of the need to consider landscape and visual impacts cumulatively.

The consideration of cumulative development was not a significant driver in the search for an available site as it is generally recognised as being acceptable to locate infrastructure, such as the Proposed Development, adjacent to other forms of infrastructure; particularly infrastructure of a road and/or rail nature. The proximity of HS2 and East West Rail (EWR) to the Proposed Development both have demonstrably greater impacts than that of the Proposed Development and will serve to form the future context that **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** assesses. Furthermore, identified existing and future connection capacity at the East Claydon Substation has given rise to a natural growth of energy developments in proximity to the East Claydon Substation. This has further shaped the context and identification of residual effects in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**.

9.26.28. It should also be recognised that a great number of significant residual inter-project landscape and visual cumulative effects identified at Year 1 of Operation are reduced to a position of non-significance (in EIA terms) at Year 10 of Operation of the Proposed Development. The reduction in significant residual inter-project landscape and visual cumulative effects is, in part, due to the embedded and additional mitigation measures that are secured within the Proposed Development's design, namely under the **Outline LEMP [EN010158/APP/7.6]**.

9.26.29. Furthermore, the residual inter-project landscape and visual cumulative effects arise as a result of other developments (existing or approved). These should also be recognised as further serving to shape the landscape and visual context from which the assessment and application of the mitigation hierarchy is based. Critically, Paragraph 4.2.11 requires applicants to demonstrate that all residual impacts *"are those that cannot be avoided, reduced or mitigated"*. The Applicant is confident that those in combination landscape and visual effects cannot and could not be avoided.

9.26.30. As other developments emerged during the design of the Proposed Development, the Applicant has taken them into account as relevant information became available. In addition, the scale and necessity of nearby infrastructure, notably HS2 and EWR, have resulted in residual adverse cumulative effects that exceed those of the Proposed Development in isolation.

Biodiversity

9.26.31. As established under **Section 9.16** (biodiversity) of this Planning Statement, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, across all phases of the Proposed Development, there would be no loss of ancient woodland and, therefore, no need to mitigate this. Further, the biodiversity assessment presented in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** does not conclude any significant residual inter-project cumulative effects with regard for ancient woodland or ancient trees, in accordance with Policy NE1 of the VALP.

9.26.32. The residual inter-project effects specifically relate to potential significant effects on Bechstein's bats, including displacement from the Claydon Brook in combination with developments ID Nos. 1 and 3, and displacement from extensive areas of their core sustenance zone in combination with developments ID Nos. 2, 5, and 8 at the local level. As set out in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** and summarised in Table 17.11 of that Chapter, these residual adverse cumulative biodiversity effects are greater than those of the Proposed Development in isolation, with the greatest impacts arising from combined effects that are beyond the scope of the Proposed Development to mitigate or compensate for.

9.26.33. With regard for the residual adverse inter-project cumulative biodiversity effects, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** importantly concludes that these effects are 'potentially significant'. In this case, the potentially significant effects have been identified in an abundance of caution and does not mean that significant effects will definitely occur. These potentially significant effects have been identified as the impact of solar farms on bat species is not well understood at present, with limited research available on which to build a common consensus. Therefore, the potentially significant effects have been identified to capture the precautionary worst-case effects. However, these effects should not be taken to carry the same weight in decision making as identified likely significant effects.

9.26.34. It is therefore concluded that the Proposed Development, when considered in combination with other projects (existing or approved) is compliant with the cumulative biodiversity policy tests set out under Policy NE1 of the VALP. Further, there is a clear presumption under the Energy NPSs that the urgent need for Critical National Priority infrastructure, such as the Proposed Development, will outweigh any residual effects in all but the most exceptional cases. Requirement 7 of the **Draft DCO [EN010158/APP/3.1]** also secures delivering a net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units.

9.26.35. Therefore, the 'exceptional circumstances' tests provisioned under Policy NE1 of the VALP are also met.

9.26.36. In tying **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** the residual adverse inter-project cumulative effects together with policy, the Applicant is confident that, in accordance with Paragraph 4.1.5 of NPS EN-1 and Paragraph 198 of the NPPF, the Proposed Development has been proposed on a suitable Site and designed in such a way that takes account of the sensitivity of the area.

9.26.37. Therefore, and in accordance with Paragraph 4.1.5 of NPS EN-1 and Policy C3 of the VALP, it is considered that the Proposed Development delivers substantial benefits that demonstrably outweigh the residual adverse inter-project cumulative effects.

Summary

9.26.38. It is recognised that the cumulative effects assessment has identified a number of residual adverse inter-project cumulative effects. Notwithstanding this, there is a critical and urgent need of the Proposed Development that is enshrined in national and local policy that is considered to demonstrably outweigh these residual adverse effects.

9.26.39. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** confirms that there are no potentially significant and significant residual adverse inter-project cumulative effects in relation to: air quality; climate; cultural heritage; land and groundwater; soil; noise and vibration; population; transport and access and water.

9.26.40. The identified biodiversity effects are classified as 'potentially significant' rather than likely significant. Impacts of solar farms on bat species are currently poorly understood, with limited research available. The potentially significant effects have been assessed to capture a cautious worst-case scenario, where further mitigation would compromise the function of the Proposed Development. These 'potentially significant' effects should not be afforded the same weight as likely significant effects in decision-making.

9.26.41. Where landscape and visual impacts are assessed and identified, the critical and urgent need for development such as the Proposed Development must not be unduly restricted or minded for refusal. Paragraph 5.10.5 of NPS EN-1 recognises that *"virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape"* and, therefore, it is understandable that the ES has identified a greater number of significant adverse landscape and visual effects where the Proposed Development is considered in combination with other nationally significant infrastructure (e.g., HS2 and EWR) and other critically required energy infrastructure.

9.26.42. Therefore, it is concluded that the wider benefits of the Proposed Development which include: the delivery of a significant level of low carbon energy generation; BNG and other benefits such as the provision of permissive paths (as outlined in **Section 3.3** of this Planning Statement) outweigh the residual adverse inter-project cumulative effects identified in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**.

9.26.43. The Proposed Development is therefore considered to comply with the policy tests set out in NPS EN-1, NPS EN-3, the NPPF and the VALP.

10. Conclusion and Planning Balance

10.1.1. The Proposed Development is required to be determined in accordance with Section 104 of the PA 2008. As set out in **Section 7** of this Planning Statement, Section 104(2) of the PA 2008 requires that, in deciding an application for development consent, the Secretary of State must have regard to:

(a) Any relevant national policy statement;

(aa) The appropriate marine policy documents;

(b) Local impact reports;

(c) Prescribed matters; and,

(d) Any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

10.1.2. In respect of part '(a)', the NPSs which have effect in relation to the Proposed Development are:

- Overarching National Policy Statement for Energy 2023 (NPS EN-1);
- National Policy Statement for Renewable Energy 2023 (NPS EN-3); and
- National Policy Statement for Electricity Networks Infrastructure 2023 (NPS EN-3).

10.1.3. In respect of part '(aa)', there are no relevant marine policy documents to the Proposed Development therefore the Secretary of State is not required to consider this matter.

10.1.4. With regard to part '(b)', a LIR is expected to be submitted by the host authority, being Buckinghamshire Council. The Proposed Development accords with the relevant local policy, as set out in Tables 6 and 7 of **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement.

10.1.5. With regard to part '(c)', it has been demonstrated that a decision to grant a DCO for the Proposed Development would have regard to the matters prescribed by Regulations 3 and 7 of the Infrastructure Planning (Decisions) Regulations 2010 **[Ref. 1-34]**.

10.1.6. The Proposed Development has regard to preserving heritage assets and their setting as set out in **Section 9** of this Planning Statement and **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]**. Biodiversity and conservation enhancement is also addressed in **Section 9** of this Planning Statement and **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**.

10.1.7. Section 104(3) of the PA 2008 requires that applications for development consent must be determined by the Secretary of State in accordance with any

relevant national policy statement except to the extent that one or more of subsections 104(4) to 104(8) apply.

10.1.8. None of the limited exceptions in subsections 104(4) to 104(8) of the PA 2008 are engaged for the reasons summarised below.

10.1.9. Section 104(4) applies if deciding an application in accordance with any relevant national policy would lead to the UK being in breach of any of its international obligations. There is no evidence to suggest that the granting of the DCO Application made for the Proposed Development would lead to the UK being in breach of any of its international obligations.

10.1.10. Section 104(5) applies if deciding an application in accordance with any relevant national policy would lead to the Secretary of State being in breach of any duty imposed on the Secretary of State by or under any enactment. There is no evidence to suggest that the granting of the DCO Application made for the Proposed Development would lead the Secretary of State to be in breach of any such duty.

10.1.11. Section 104(6) applies if deciding an application in accordance with any relevant national policy would be unlawful by virtue of any enactment. There is no evidence to suggest that the granting of the DCO Application made for the Proposed Development would be unlawful by virtue of any enactment.

10.1.12. Section 104(7) applies should the adverse impact of a proposed development would outweigh its benefits. **Section 9** of this Planning Statement and **Appendix 4: Policy Compliance Assessment Tables** to this Planning Statement set out how the Proposed Development accords with NPS EN-1, NPS EN-3, NPS EN-5, the NPPF, NPPG, the VALP and the MWLP. The overall planning balance of the Proposed Development is considered below. The limited adverse impacts of the Proposed Development in isolation after mitigation (which are limited to biodiversity, heritage and landscape and visual effects) and adverse inter-project impacts remaining after mitigation (which are limited to biodiversity and landscape and visual effects) are not considered to outweigh the Proposed Development's demonstrable and substantial benefits.

10.1.13. Section 104(8) applies if any condition prescribed for deciding an application otherwise in accordance with a national policy statement is met. There is no evidence to suggest that any condition is met in relation to the Proposed Development.

10.1.14. This Planning Statement sets out how the Proposed Development complies with both adopted and drafted national energy policy, the relevant national planning policy and other matters that the Applicant considers to be important and relevant to the Secretary of State's decision as to whether to grant development consent.

10.1.15. At the heart of policy and the framework delivered in the Energy NPSs is the legally binding requirement for the UK to achieve Net Zero by 2050. Net Zero by

2050 is the ultimate target. Still, the target milestones ahead of that are perhaps even more critical as they establish the pathway to ensure that Net Zero is achievable. Critical to determining the overall planning balance is, therefore, the strength of the needs case that is written into the Energy NPSs.

10.1.16. Paragraph 3.3.62 of NPS EN-1 defines low carbon energy infrastructure as a Critical National Priority. Meeting the urgent need for CNP is integral to meeting legally binding Government decarbonisation targets and delivering on ambitious national strategies to achieve Net Zero, increase affordability of energy and improve overall energy security.

10.1.17. **Section 9** of this Planning Statement and **Appendix 4: Policy Compliance Assessment Tables** and **Appendix 5: Sequential and Exception Tests** to this Planning Statement have considered the Proposed Development and its potential impacts and associated assessed effects against the detailed policy criteria set out in NPS EN-1, NPS EN-3, NPS EN-5 and, where relevant, the NPPF, NPPG, the VALP and the MWLP.

10.1.18. Where significant residual adverse effects have been identified, the Applicant has demonstrated its proper application of the mitigation hierarchy which has materialised in the carefully considered design of the Proposed Development. Residual adverse effects on landscape and visual and biodiversity receptors and a cultural heritage receptor cannot be further avoided, reduced, mitigated or compensated for by the Proposed Development and therefore, in accordance with Paragraph 4.2.7 of NPS EN-1, it is relevant for the Secretary of State in decision making to have specific regard to residual effects that have been identified.

10.1.19. With the above in mind, Paragraph 4.2.15 of NPS EN-1 is therefore engaged. It states that *"where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts"*.

10.1.20. The **ES [EN010158/APP/6.1 – 6.4]** provides a robust assessment of the potential impacts of the Proposed Development and finds that there are some residual significant adverse effects (in isolation) remaining post-mitigation. These are summarised below:

- In **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**
  - For 'Bechstein's bats (foraging, commuting and roosting)', there is a potentially significant district-level effect across the Proposed Development's operational (including maintenance) phase, not resulting in substantial harm.
- In **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]**

- For ‘changes to the setting of Pond Farmhouse (NHLE 1214849)’, there is a moderate adverse effect across the Proposed Development’s operational (including maintenance) phase, not resulting in substantial harm.

- In **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**
  - For ‘LCA 5.7: Hogshaw Claylands’, there are moderate adverse effects across all phases of the Proposed Development.
  - For ‘LCA 7.3: Claydon Bowl’, there are moderate adverse effects across all phases of the Proposed Development.
  - For ‘LCA 9.1: Finemere Hill’, there are moderate adverse effects across the construction and decommissioning phases and major/moderate adverse effects at Years 1 and 10 of the Proposed Development’s operational (including maintenance) phase.
  - For ‘North Buckinghamshire Way/Midshires Way’, there are moderate adverse effects across construction, decommissioning and at Year 1 of the Proposed Development’s operational (including maintenance) phase. The adverse effect becomes moderate/minor adverse (not significant in EIA terms) by Year 10 of the Proposed Development’s operational (including maintenance) phase.
  - For ‘Swan’s Way/Outer Aylesbury Ring’, there are moderate adverse effects at Years 1 and 10 of the Proposed Development’s operational (including maintenance) phase.
  - For ‘Bernwood Jubilee Way’, there are moderate adverse effects across the construction and decommissioning phases and major/moderate adverse effects at Years 1 and 10 of the Proposed Development’s operational (including maintenance) phase.
  - For ‘PRoW between Calvert Road and HS2’, there are major/moderate adverse effects identified across construction and decommissioning and major adverse effects identified at Years 1 and 10 of the Proposed Development’s operational (including maintenance) phase.
  - For ‘PRoW between Botolph Claydon and Runt’s Wood’, there are major/moderate adverse effects identified across construction and decommissioning and at Year 10 of the of the Proposed Development’s operational (including maintenance) phase and a major adverse effect identified at Year 1 of the Proposed Development’s operational (including maintenance) phase.
  - For ‘PRoW to Finemere Hill’, there are major/moderate adverse effects across all phases of the Proposed Development.
  - For ‘PRoW, lanes and roads between East Claydon/East Claydon Road and to within Parcel 3’, there are moderate adverse effects identified across construction and decommissioning and at Year 10 of the Proposed Development’s operational (including maintenance) phase and a

major/moderate adverse effect identified at Year 1 of the Proposed Development's operational (including maintenance) phase.

- For 'Claydon House', there are moderate adverse visual effects identified at Years 1 and 10 of the Proposed Development's operational (including maintenance) phase.
- For 'Hogshaw Farm and Wildlife Park', there are moderate adverse visual effects across all phases of the Proposed Development.

10.1.21. Further to **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**, **ES Volume 4, Appendix 10.5: Residential Visual Amenity Assessment [EN010158/APP/6.4]** concludes the following significant RVAA effects which are not significant in EIA terms:

- For 4-5 Catherine Cottages, a moderate (significant) effect is identified at Year 1 of the Proposed Development's operational (including maintenance) phase. The significant effect becomes moderate (not significant) at Year 10 of the Proposed Development's operational (including maintenance) phase.
- For 6-7 Catherine Cottages, a major/moderate (significant) effect is identified at Year 1 of the Proposed Development's operational (including maintenance) phase. The significant effect becomes moderate (not significant) at Year 10 of the Proposed Development's operational (including maintenance) phase.
- For Bernwood farm, a major/moderate (significant) effect is identified at Years 1 and 10 of the Proposed Development's operational (including maintenance) phase.
- For Sion Hill Farm, a major (significant) effect is identified at Year 1 of the Proposed Development's operational (including maintenance) phase. The significant effect becomes major/moderate (significant) at Year 10 of the Proposed Development's operational (including maintenance) phase.

10.1.22. **ES Volume 4, Appendix 10.5: Residential Visual Amenity Assessment [EN010158/APP/6.4]** concludes, through the relevant RVAA judgement sections, that none of the visual effects at the above properties would reach the Residential Visual Amenity Threshold.

10.1.23. Meanwhile, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** provides the assessment of the Proposed Development's intra-project combined effects and inter-project cumulative effects. Inter-project cumulative effects arise as a result of the Proposed Development when considered in combination with one or more other existing development and/or approved developments.

10.1.24. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that there are residual inter-project cumulative effects. These are summarised below:

For biodiversity:

- In combination with development ID No. 1, a potential significant effect on Bechstein's bats that could be displaced from the Claydon Brook at the local level.
- In combination with development ID No. 2, a potential significant effect on Bechstein's bats that could be displaced from extensive areas of their core sustenance zone at the local level.
- In combination with development ID No. 3, a potential significant effect on Bechstein's bats that could be displaced from the Claydon Brook at the local level.
- In combination with development ID No. 5, a potential significant effect on Bechstein's bats that could be displaced from extensive areas of their core sustenance zone at the local level.
- In combination with development ID No. 8, a potential significant effect on Bechstein's bats that could be displaced from extensive areas of their core sustenance zone.
- In combination with development ID No. 11, a potential significant effect on foraging bats at the local level.

For Landscape and Visual:

- During the Construction phase of the Proposed Development only -
  - In combination development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on 'PRoW between Botolph Claydon and Runt's Wood'.
  - In combination with development ID Nos. 1-3, 8 and 9 independently, moderate adverse effects on 'PRoW between East Claydon/East Claydon Road and to within Parcel 3'.
  - In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, moderate adverse effects on 'PRoW between East Claydon Road/Parcel 3 and Granborough/Hogshaw Road'.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on 'PRoW between East Claydon/East Claydon Road and to within Parcel 3'.
- During the Construction and Decommissioning phases of the Proposed Development -
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on 'LCA 5.7: Hogshaw Claylands'.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on 'LCA 7.3: Claydon Bowl'.

- In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, moderate adverse effects on ‘Granborough’.
- In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on ‘North Buckinghamshire Way and The Midshires Way’.
- In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on ‘Bernwood Jubilee Way’.

- At Year 1 of Operation of the Proposed Development -
  - In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on ‘Granborough’.
  - In combination with development ID Nos. 1-3, 8, 9 and 32 jointly and also independently, moderate adverse effects on ‘North Buckinghamshire Way and The Midshires Way’.
  - In combination with development ID No. 1 and ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on ‘PRoW between East Claydon Road/Parcel 3 and Granborough/Hogshaw Road’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on ‘PRoW between East Claydon/East Claydon Road and to within Parcel 3’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major adverse effects on ‘PRoW between Botolph Claydon and Runt's Wood’.
- At Year 10 of Operation of the Proposed Development -
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on ‘PRoW between Botolph Claydon and Runt's Wood’.
  - In combination with development ID No. 32 independently and jointly with development ID Nos. 1-3, 8, 9 and 32, moderate adverse effects on ‘North Buckinghamshire Way and The Midshires Way’.
- At Years 1 and 10 of Operation of the Proposed Development -
  - In combination with development ID Nos. 1-3, 8 and 9 jointly, a moderate adverse effect on ‘LCA 5.6: Claydon Valley’.
  - In combination with development ID Nos. 1-3, 8 and 9 independently, moderate adverse effects on ‘LCA 5.7: Hogshaw Claylands’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly, a major/moderate adverse effect on ‘LCA 5.7: Hogshaw Claylands’.
  - In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on ‘LCA 7.3: Claydon Bowl’.

- In combination with development ID No. 32 independently and jointly with development ID Nos. 1-3, 8, 9 and 32, moderate adverse effects on 'LCA 9.2: Quainton Hill'.
- In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, moderate adverse effects on 'Swan's Way/Outer Aylesbury Ring'.
- In combination with development ID Nos. 1-3, 8 and 9 jointly and also independently, major/moderate adverse effects on 'Bernwood Jubilee Way'.
- In combination with development ID Nos. 1 and 9 independently and ID Nos. 1-3, 8 and 9 jointly, major/moderate adverse effects on 'Sion Hill Farm'.

10.1.25. The **ES [EN010158/APP/6.1 – 6.4]** also concludes a number of beneficial effects (in isolation). These are summarised below:

- In **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**
  - For 'Ground nesting birds', there is a significant beneficial effect at the local level across the operational (including maintenance) phase of the Proposed Development.
- In **ES Volume 2, Chapter 8: Climate Change [EN010158/APP/6.2]**
  - For 'GHG emissions', there is a significant beneficial effect across all phases of the Proposed Development.
- In **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**
  - For 'Landscape fabric (woodland, trees and hedgerows)', there is a moderate beneficial effect at Year 10 of the Proposed Development's operational (including maintenance) phase.

10.1.26. Further to the beneficial effects identified above, **Section 3** of this Planning Statement presents the overarching urgent needs case for the Proposed Development. The Proposed Development would make a significant contribution to the UK's meeting of policy commitments and legal decarbonisation targets.

10.1.27. In addition to the generation of a significant quantity of low carbon energy (which will make a meaningful contribution to the UK's legally binding Net Zero commitment and is a source of domestic energy security that limits UK consumers exposure to volatile energy prices), the Proposed Development will also deliver:

- Proposed permanent enhancements to connectivity within the local area through the rationalising and enhancement of the network of PRoWs, as summarised below:

- A diversion to the existing PRoW Footpath (reference 'ECL/4/2') (463m to-be-stopped up) to the north of Parcel 3 to align the PRoW Footpath with the field boundaries of Fields E10 and E11, rather than crossing Field E11 (new length 559m).
- A diversion to the existing PRoW Footpath (reference 'ECL/7/2') (243m to-be-stopped up) to the east of Parcel 2 to align the PRoW Footpath with the field boundary of Field D19 (new length 274m).
- A diversion to the existing PRoW Footpath (reference 'SCL/13/2') (323m to-be-stopped up) to the south of Parcel 1 (between Shrubs Wood and Decoypond Wood) to align the PRoW Footpath with the field boundary of Field B7 (new length 410m).
- Diversions to three existing PRoW Footpaths (references 'SCL/13/1', 'SCL/12/2' and a further diversion to 'SCL/13/2') (1,087m to-be-stopped up) to rationalise them into a single PRoW Footpath providing access between Pond Farm and Calvert Road (new length 1,027m), whilst ensuring no dead ends are created on the routes.

- The creation of three permissive paths and one bridleway link:
  - A new permissive path connecting a rationalised PRoW before tracking east to the south of Shrubs Wood, east across Knowl Hill and then tracking north towards Three Points Lane (approximate length 1.9km).
  - A new permissive path connecting the above permissive path to Calvert Road, providing wider connectivity with the local network of PRoWs (approximate length 0.7km).
  - A new permissive path to the south of Botolph Claydon connecting the Bernwood Jubilee Way to an existing PRoW (approximate length 0.5km).
  - A new bridleway link connecting two existing PRoW Bridleways 'ECL/10/5' with 'QUA/40/2'/'QUA/40/3' in proximity to Runts Wood in Parcel 2, (approximate total length 0.9 km, of the northern section of 0.6km follows the alignment of the proposed internal access track/permissive path and the southern section of 0.3 km follows the alignment of PRoW Footpath reference 'QUA/41/1').
- Significant planting gains of approximately 8.78ha of structural tree planting and approximately 4,336 linear meters of structural hedgerow planting.
- A total of 88.8ha of whole Fields have been set aside as proposed areas for mitigation and/or enhancement.
- A variety of biodiversity benefits including: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds.

- A BNG that is significantly in excess of 10% and equates to a secured net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units.
- An estimated net addition of 420 to 470 full time equivalent construction jobs within the CLMA per year of the Proposed Development's construction.
- An estimated net addition of 18 full time equivalent operational jobs supported by the Proposed Development's operational (including maintenance) phase.
- The provision of an **Outline ESSCP [EN010158/APP/7.14]** which, among other things:
  - Outlines the key elements of the socio-economic baseline analysis that have informed the Outline Plan and would guide the scale and balance of actions required to generate economic benefits;
  - Underpins the conditions required to successfully promote economic benefits;
  - Establishes a set of core objectives to promote access to employment, workforce development and business prosperity; and
  - The Applicant's commitment to an Education and Skills Fund to increase opportunities in the renewable and sustainable development sector. It is envisaged that the Education and Skills Fund would support the priorities set out in the Detailed Plan. The sum of £50,000 would be allocated annually, from the Date of Commencement until the Date of Decommissioning. Arrangements for allocating the Fund would be agreed by the Applicant and Buckinghamshire Council.
- Interpretation boards for Claydon House and Claydon Registered Park and Garden on the proposed permissive path to Knowl Hill to better reveal the significance of the assets and improve appreciation and understanding of it as secured by the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** and the **Outline RoWAS [EN010158/APP/7.8]**.

10.1.28. The combined nature of these additional benefits is considered to carry substantial weight in favour of the Proposed Development.

10.2. The Planning Balance

10.2.1. The Applicant set out with the objective to deliver a significant quantity of renewable energy, of NSIP scale, to the National Grid and contribute to the UK's wider decarbonisation of energy supply. From the careful selection of a suitable site which benefited from favourable topography, irradiance, connection and proximity to the National Grid through to the detailed design measures, the Applicant has developed a proposal which is appropriate to its local context.

10.2.2. Paragraph 4.1.3 of NPS EN-1 notes that, given the urgency for the type of infrastructure covered in the Energy NPSs, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs.

10.2.3. The need for development is such that the Government has concluded a Critical National Priority for the provision of nationally significant low carbon infrastructure under Paragraph 4.2.4 of NPS EN-1.

10.2.4. The Proposed Development, a solar generation NSIP, is therefore regarded as low carbon infrastructure and its needs case is therefore afforded substantial weight under Paragraph 3.2.7 of NPS EN-1. It is also recognised in policy that this needs case will, in general, *"outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy"* (Paragraph 3.3.63 of NPS EN-1). Therefore, the Proposed Development benefits from the strongest policy position as set out in the Energy NPSs.

10.2.5. The policy landscape established under the Energy NPSs illustrates the Government's position in a very clear way and confirms that the principle of the development is not just accepted, it is of critical importance and priority at a national level. This landscape paves the way for well-considered projects to receive favourable recommendations from the Planning Inspectorate and an eventual grant of consent by the Secretary of State. However, despite the strength of the policy, it does not immediately imply that all proposals for such infrastructure will receive approval. There are a number of tests and justifications that are required to be demonstrated by the Applicant as to why a chosen site is an appropriate location for the proposed infrastructure, and that any adverse environmental impacts have been mitigated as far as practicable with the application of the mitigation hierarchy. NPS EN-1 also places significant emphasis on the importance of good design through the development process. This means more than sensitive siting of infrastructure and includes consistent decision making based on sound, environmentally-led principles.

10.2.6. With regard to landscape and visual matters, good design has been embedded into the Proposed Development from the outset of the site selection process with the search process seeking to avoid areas of higher landscape sensitivity. In this context, the first tier of the mitigation hierarchy has been applied and is evidenced as there are no national landscape designations which would be impacted by the Proposed Development.

10.2.7. At the site level, a comprehensive mitigation package has been embedded into the design of the Proposed Development to date with further additional mitigation commitments made to minimise any likely significant impacts. However, the nature of the Proposed Development, the sensitivity of receptors, the local context of cumulative development and the existing rural context mean that there are some impacts which cannot be mitigated further without giving rise to significant operational constraints and/or a reduction in function which fundamentally undermines the commercial viability of the Proposed Development (Paragraphs 5.10.26 and 4.3.27 NPS EN-1).

10.2.8. With regard for the residual adverse biodiversity effects, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** importantly conclude that these effects are 'potentially significant'. Potentially significant effects are not synonymous with and as certain as an identified likely significant effect. These potentially significant effects have been identified as the impact of solar farms on bat species is not well understood at present, with limited research available on which to build a common consensus. Therefore, the potentially significant effects have been identified to capture the precautionary worst-case effects. However, these effects should not be taken to carry the same weight in decision making as identified likely significant effects. Further, **ES Volume 2, Chapter 7: Biodiversity** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** both confirm that the identified potentially significant effects do not amount to significant harm. Therefore, this means that the Proposed Development is compliant with Paragraphs 5.4.42 and 5.4.43 of NPS EN-1.

10.2.9. Regarding the residual adverse cultural heritage effect on the change to the setting of Pond Farmhouse, **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that this effect amounts to 'less than substantial harm' within the middle of this range and not approaching substantial harm. Annex D of **ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment and Setting Assessment [EN010158/APP/6.4]** assesses a total of 42 designated heritage assets (including the Grade I Claydon House, Grade II Claydon Registered Park and Garden and Grade II* Church of St Mary and Botolph House) and three non-designated heritage assets (the medieval field systems and two buildings associated with the registered park and garden of Claydon) and concludes that they would experience less than substantial harm within the lower end of the scale. These effects are concluded to be not significant.

10.2.10. As a result, one of the key tests under Paragraph 4.2.17 of NPS EN-1 is not engaged and neither is the wider 'substantial harm' policy test.

10.2.11. With regard for the residual adverse landscape and visual effects, it is important to re-establish that Paragraph 5.10.1 of NPS EN-1 makes very clear that *"landscape and visual effects of energy projects will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development".* This means to say that the identification of residual effects will be driven, in part, by the context that surrounds a proposed development.

10.2.12. The location of development, such as the Proposed Development, is largely driven by available capacity and the offering of a grid connection (Section 4.11 of NPS EN-1). The Applicant engaged with National Grid regarding connection opportunities in Buckinghamshire and, in early 2020, received a grid connection offer for capacity at East Claydon. This established the context for the Proposed Development, within which a commercially viable Search Area was defined,

taking account of Paragraph 2.10.25 of NPS EN-3. This Search Area and the consideration of technical and environmental constraints have ultimately shaped the Proposed Development for which this DCO Application is made.

10.2.13. With reference to Paragraph 5.10.1 of NPS EN-1, the Applicant is confident that the mitigation hierarchy has been appropriately applied, as demonstrated within the **ES [EN010158/APP/6.1 - 6.4]** and **Section 9** of this Planning Statement.

10.2.14. The residual landscape and visual effects are primarily identified through the inter-project assessment, reflecting the influence of existing and approved developments that shape the wider context for both assessment and the application of the mitigation hierarchy. In line with Paragraph 4.2.11, which requires applicants to demonstrate that residual impacts are only those that cannot be avoided, reduced, or mitigated, the Applicant is confident that the combined landscape and visual effects could not reasonably have been avoided. This is due either to the timing and emergence of other developments during the evolution of the Proposed Development or to the scale and necessity of major infrastructure (such as HS2 and EWR), which have made it technically challenging to deliver the grid connection agreement and meet the critical need for the Proposed Development without some residual effects.

10.2.15. The residual effects in the Proposed Development's case are limited to biodiversity, cultural heritage and landscape and visual effects. It is considered that these residual impacts do not engage the *"exceptional circumstances"* test that is outlined in Paragraph 4.2.15 of NPS EN-1, and so the Proposed Development does not warrant refusal.

10.2.16. Furthermore, there is no unacceptable interference with human health and public safety, defence (particularly in relation to MOD assets), irreplaceable habitats or unacceptable risk to the achievement of Net Zero. Accordingly, the balance is firmly in favour of approval. In addition, there is a significant number of additional other benefits that would be achieved by the Proposed Development, as outlined above.

10.2.17. The Proposed Development is a well-considered and successfully designed proposal that responds to its locality and is sensitive to the local environment.

10.2.18. Overall, an increase in the amount of energy generated by the Proposed Development will contribute to a position of better energy security for the UK, lower costs for consumers and a resilient and electricity network which will be required to meet the demands of tomorrow whilst keeping the lights on today.

10.3. References

Ref. 1-1 Department for Energy Security and Net Zero. (2023). *Overarching National Policy Statement for Energy (NPS EN-1).* Available online: https://www.gov.uk/Government/publications/overarching-national-policy-statement-for-energy-en-1

Ref. 1-2 Department for Energy Security and Net Zero. (2023). *National Policy Statement for Renewable Energy Infrastructure (NPS EN-3).* Available online: https://www.gov.uk/Government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3

Ref. 1-3 Department for Energy Security and Net Zero. (2023). *National Policy Statement for Electricity Networks Infrastructure (NPS EN-5).* Available online: https://www.gov.uk/Government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5

Ref. 1-4 National Infrastructure Commission Design Group. (2020). *Design Principles for National Infrastructure.* Available online: [redacted]

Ref. 1-5 Department for Communities and Local Government. (2013). *Planning Act 2008: associated development applications for major infrastructure projects.* Available online: https://assets.publishing.service.gov.uk/media/5a7b5f04ed915d3ed9063f36/Planning_Act_2008_-_Guidance_on_associated_development_applications_for_major_infrastructure_projects.pdf

Ref. 1-6 The Labour Party. (2024). *Change, Labour Party Manifesto 2024.* Available online: [redacted]

Ref. 1-7 Department for Energy Security and Net Zero. (2024, updated 2025). *Policy paper, Clean Power 2030 Action Plan.* Available online: https://www.gov.uk/Government/publications/clean-power-2030-action-plan/clean-power-2030-action-plan-a-new-era-of-clean-electricity-main-report

Ref. 1-8 UK Government. (2008). *Planning Act 2008.* Available online: https://www.legislation.gov.uk/ukpga/2008/29/contents

Ref. 1-9 Ministry of Housing, Communities & Local Government. (2025). *National Planning Policy Framework.* Available online: https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

Ref. 1-10 Ministry of Housing, Communities & Local Government. (2024). *National Planning Practice Guidance.* Available online: https://www.gov.uk/Government/collections/planning-practice-guidance

Ref. 1-11 Buckinghamshire Council. (2021). *Vale of Aylesbury Local Plan (VALP) 2013 – 2033.* Available online: [redacted]

Ref. 1-12 Buckinghamshire County Council. (2019). *Buckinghamshire Minerals and Waste Local Plan 2016-2036.* Available online: [redacted]

Ref. 1-13 Department for Energy Security and Net Zero. (2025). Overarching National Policy Statement for Energy (April 2025 Draft) (EN-1). Available online: https://www.gov.uk/Government/consultations/planning-for-new-energy-infrastructure-2025-revisions-to-national-policy-statements

Ref. 1-14 Department for Energy Security and Net Zero. (2025). *National Policy Statement for Renewable Energy Infrastructure* (April 2025 Draft) *(NPS EN-3).* Available online: https://www.gov.uk/Government/consultations/planning-for-new-energy-infrastructure-2025-revisions-to-national-policy-statements

Ref. 1-15 Department for Energy Security and Net Zero. (2025). *National Policy Statement for Electricity Networks Infrastructure (NPS EN-5).* Available online: https://www.gov.uk/Government/consultations/planning-for-new-energy-infrastructure-2025-revisions-to-national-policy-statements

Ref. 1-16 Planning Inspectorate. (2024). *Nationally Significant Infrastructure Projects: Advice for Local Authorities.* Available online: https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-for-local-authorities

Ref. 1-17 National Energy System Operator. (2024) *Centralised Strategic Network Plan (CSNP) High-level methodology principles.* Available online: [redacted]

Ref. 1-18 Buckinghamshire Council. (2025). *Local Development Scheme.* Available online: https://www.buckinghamshire.gov.uk/planning-and-building-control/local-development-plans-info/local-development-scheme/

Ref. 1-19 UK Parliament. (2025). Planning and Infrastructure Bill. Available online: [redacted]

Ref. 1-20 UK Government. (2021). *Environment Act 2021.* Available online: https://www.legislation.gov.uk/ukpga/2021/30/contents

Ref. 1-21 UK Government. (2008). *Climate Change Act 2008.* Available online: https://www.legislation.gov.uk/ukpga/2008/27/contents

Ref. 1-22 Department for Energy Security and Net Zero. (2023). *Policy paper, Powering up Britain.* Available online: https://www.gov.uk/Government/publications/powering-up-britain

Ref. 1-23 Department for Energy Security and Net Zero, Prime Minister's Office, 10 Downing Street and Department for Business, Energy & Industrial Strategy. (2022). *Policy paper, British energy security strategy.*

Available online: https://www.gov.uk/Government/publications/british-energy-security-strategy

Ref. 1-24 Department for Energy Security and Net Zero and Department for Business, Energy & Industrial Strategy. (2021). *Net Zero Strategy: Build Back Greener.* Available online: https://assets.publishing.service.gov.uk/media/6194dfa4d3bf7f0555071b1b/net-zero-strategy-beis.pdf

Ref. 1-25 HM Treasury. (2025). *UK Infrastructure: A 10 Year Strategy.* Available online: https://www.gov.uk/government/publications/uk-infrastructure-a-10-year-strategy

Ref. 1-26 Department for Energy Security and Net Zero and Department for Business, Energy & Industrial Strategy. (2020, updated 2022). *Collection, Contracts for Difference (CfD): Allocation Round 4.* Available online: https://www.gov.uk/Government/collections/contracts-for-difference-cfd-allocation-round-4#auction-results

Ref. 1-27 Department for Environment, Food & Rural Affairs. (2018). *A Green Future: Our 25 Year Plan to Improve the Environment.* Available online: https://assets.publishing.service.gov.uk/media/5ab3a67840f0b65bb584297e/25-year-environment-plan.pdf

Ref. 1-28 National Infrastructure Commission. (2020). *Net zero: Opportunities for the power sector.* Available online: [redacted]

Ref. 1-29 Department for Energy Security and Net Zero. (2025). *Accredited official statistics, Solar photovoltaics deployment.* Available online: https://www.gov.uk/Government/statistics/solar-photovoltaics-deployment

Ref. 1-30 Planning Inspectorate. (2025). *Guidance Nationally Significant Infrastructure Projects: Advice on Good Design.* Available online: https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-good-design

Ref. 1-31 Natural England and Forestry Commission. (2022). Ancient woodland, ancient trees and veteran trees: advice for making planning decisions guidance. Available online: https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions#:~:text=Ancient%20woodland%20takes

Ref. 1-32 UK Parliament. (2024). *Solar and protecting our Food Security and Best and Most Versatile (BMV) Land.* Available online: https://questions-statements.parliament.uk/written-statements/detail/2024-05-15/hcws466

Ref. 1-33 UK Government. (2015). *Written Statement to Parliament, Planning update March 2015.* Available online:

https://www.gov.uk/government/speeches/planning-update-march-2015

Ref. 1-34 UK Government. (2017). *The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.* Available online: https://www.legislation.gov.uk/uksi/2017/407/contents

Ref. 1-34 UK Government. (2010). *Infrastructure Planning (Decisions) Regulations 2010.* Available online: https://www.legislation.gov.uk/uksi/2010/305/contents/made

Ref. 1-35 Granborough Parish Council. 2021. *Granborough Neighbourhood Plan (2020-2035) Referendum Version July 2022.* Available online: https://media.buckinghamshire.gov.uk/documents/220714_Final_GNP_for_referendum.pdf

Ref. 1-36 North Marston Parish Council. 2021. *North Marston Neighbourhood Plan (2020-2035) Referendum Version.* Available online: https://media.buckinghamshire.gov.uk/documents/North_Marston_Neighbourhood_Plan_final.pdf

Ref. 1-37 Quainton Parish Council. 2022. *Quainton Neighbourhood Plan (2015 – 2033) Modified Version – June 2022.* Available online: https://www.quainton.org.uk/media/Neighbourhood%20Plan/To%20be%20Made-Modified-QNP-June-2022.pdf

Ref. 1-38 Steeple Claydon Parish Council. 2017. *Steeple Claydon Neighbourhood Plan (Referendum Plan 2013–2033) September 2017.* Available online: https://media.buckinghamshire.gov.uk/documents/01_SCNP_Neighbourhood_Plan_Referendum_0_4oJjA7F.pdf

Ref. 1-39 Winslow Town Council. 2022. *Winslow Neighbourhood Plan (2022-2033) Modified Neighbourhood Plan.* Available online: https://media.buckinghamshire.gov.uk/documents/wnp22-neighbourhood-plan-wtc-FINAL_MADE_PLAN.pdf

Ref. 1-40 Calvert Green Parish Council. 2024. *Calvert Green Neighbourhood Plan (2024 – 2034) Pre-Submission Version.* Available online: https://www.calvertgreenparish.co.uk/media/Council%20Documents/Neighbourhood%20Plan/DRAFT_Calvert%20Green%20NP_%20Pre%20Submission_May%202024%20(11%20June).pdf

Rosefield Solar Farm

Appendix 1 - Site Selection Report



Table of Contents

Table of Contents 1

1. Introduction 2
   - 1.1. Foreword 2
   - 1.2. The Order Limits 2
   - 1.3. Proposed Development 2
   - 1.4. Purpose of this Report 2
2. Site Selection Methodology 4
   - 2.2. Relevant Considerations from Recent Solar NSIP Decisions 4
3. Planning Policy 6
   - 3.1. National Planning Policy 6
   - 3.2. National Planning Policy Framework 10
   - 3.3. National Planning Practice Guidance 11
   - 3.4. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations') 11
   - 3.5. Local Planning Policy 11
4. Site Selection Assessment 13
   - 4.1. Site Selection Principles 13
   - 4.2. Initial Constraints Consideration 14
   - 4.3. Identifying Potential Solar Development Areas 28
5. Suitability of available land 30
6. Conclusions 34

1. Introduction

1.1. Foreword

1.1.1. This Site Selection Report (the 'Report') has been prepared on behalf of Rosefield Energyfarm Limited (the 'Applicant') in relation to the Development Consent Order (DCO) application for the construction, operation and decommissioning of Rosefield Solar Farm (hereafter referred to as the 'Proposed Development').

1.2. The Order Limits

1.2.1. The extent of the Order Limits are shown in the **Location, Order Limits and Grid Coordinate Plans [EN010158/APP/2.1]** and the Proposed Development is described in full in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and shown spatially on the **Works Plans [EN010158/APP/2.3].**

1.3. Proposed Development

1.3.1. The Proposed Development comprises the construction, operation (including maintenance), and decommissioning of solar photovoltaic ('PV') development and energy storage, together with associated infrastructure and an underground cable connection to the National Grid East Claydon Substation.

1.3.2. The Proposed Development would include a generating station with a total exporting capacity exceeding 50 megawatts ('MW').

1.3.3. The location of the Proposed Development is shown on **ES Volume 3, Figure 1.1: Location Plan [EN010158/APP/6.3]**. The Proposed Development would be located within the Order Limits (the land shown on the **Works Plans [EN010158/APP/2.3]** within which the Proposed Development can be carried out). The Order Limits plan is provided as **ES Volume 3, Figure 1.2: Order Limits [EN010158/APP/6.3]**. Land within the Order Limits is known as the 'Site'.

1.4. Purpose of this Report

1.4.1. The purpose of this Report is to present the reasoning for why the Proposed Development and Order Limits are located in this particular location.

1.4.2. **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** explains the legal and policy background relevant to the consideration of alternatives and the design development of the Order Limits. The Chapter then covers the evolution of the design of the Proposed Development from the identification of the initial Order Limits through to the final Proposed Development design.

1.4.3. The **Planning Statement [EN010158/APP/5.7],** to which this Report forms an appendix, explains the planning tests and policy background relevant to the consideration of alternatives. The need for the Proposed Development is explained within the **Statement of Need [EN010158/APP/5.6]**.

1.4.4. The **Design Approach Document [EN010158/APP/5.8]** discusses the ongoing evolution of the Proposed Development from the identification of the Site to the final scheme now included within the Order Limits.

2. Site Selection Methodology

2.1.1. There is no standard methodology for the site selection of solar farms. The site selection methodology has therefore been informed by the following relevant national and local policy documents:

- Overarching National Policy Statement for Energy 2023 (NPS EN-1);
- National Policy Statement for Renewable Energy Infrastructure 2023 (NPS EN-3);
- National Policy Statement for Electricity Networks Infrastructure 2023 (NPS EN-5);
- National Planning Policy Framework (NPPF) published in December 2024;
- Vale of Aylesbury Local Plan (VALP) 2013 – 2033 (adopted September 2021);
- National Planning Practice Guidance (NPPG) (2024); and
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations').

2.1.2. The Applicant recognises that in April 2025 the Government opened a consultation on material and minor updates to NPS EN-1, NPS EN-3 and NPS EN-5. These updates do not propose to change any policy with regards to the site selection criteria for solar developments. As such, they have not been considered in any more detail within this Report.

2.1.3. NPS EN-1, NPS EN-3 and NPS EN-5 all have effect in relation to the Secretary of State's decision making in relation to the Proposed Development and are therefore the primary policy documents informing the Secretary of State's determination of the DCO Application. They are also the primary policy documents which have informed the site selection process.

2.1.4. The policies within the NPPF and the VALP are considered both important and relevant to the Secretary of State's decision although it is noted that, as stated in NPS EN-1 and in the event of a conflict, the policies in the NPSs take precedence. Further information on the role and status of relevant planning policy documents is provided for in the **Planning Statement [EN010158/APP/5.7]**, to which this Report forms an appendix.

2.1.5. There are also certain legal tests with regard to the consideration of alternative sites, for instance where there would be an adverse effect on the integrity of a European protected site or where land and / or rights are being proposed to be acquired compulsorily. These are addressed in **Section 3.1** below.

2.2. Relevant Considerations from Recent Solar NSIP Decisions

2.2.1. NPS EN-3, paragraphs 2.10.23 – 2.10.25 establishes that the starting point for the site selection process can be determined by the availability of a nearby and

suitable connection to transmission network. Recent Solar NSIP decisions have confirmed that the Planning Inspectorate and Secretary of State supports the application of this approach to commencing the site selection process as highlighted in the following extracts from Secretary of State Decision Letters for four recently consented projects.

West Burton Solar Project

2.2.2. *"4.41. The ExA considered that the Applicant had adequately explained the site selection methodology and it was reasonable to use the PoC [point of connection] as a starting point and to seek to maximise the grid connection opportunity that had been secured here [ER 3.2.116]."*

Heckington Fen Solar Park

2.2.3. *"4.49. The Secretary of State notes paragraph 5.11.34 of 2024 NPS EN-1 which states that the Secretary of State must ensure that Applicants do not site their scheme on BMV land without justification, and where schemes are to be sited on BMV land, the Secretary of State should take into account the economic and other benefits of the land. The Secretary of State notes the Proposed Development's site is owned by a single landowner and accompanied by an available grid connection at Bicker Fen. The Secretary of State considers this corroborates the Applicant's disproval of alternatives to this site regarding BMV and that other sites with similar BMV are less suitable overall when economic factors are also considered."*

Mallard Pass Solar Farm

2.2.4. *"4.65. The ExA is satisfied that the availability of the grid connection at Ryhall is a significant factor in the site selection process and that there are no other realistic alternatives that would meet the same objectives of the Proposed Development [ER 3.2.128]."*

Gate Burton Energy Park

2.2.5. *"4.30. The ExA concluded on alternatives at ER 3.2.75 - 3.2.87. The ExA was satisfied that choosing a starting point accessible to the grid connection point at Cottam substation is in line with 2024 NPS EN-3 and not an unreasonable approach [ER 3.2.77]."*

3. Planning Policy

3.1. National Planning Policy

Overarching National Policy Statement for Energy ('NPS EN-1')

3.1.1. The compliance of the Proposed Development with planning policy is set out in the main body of the **Planning Statement [EN010158/APP/5.7]**, to which this Report forms an appendix. This Section sets out the policy from NPS EN-1 and NPS EN-3 that is relevant to the consideration of matters relating to site selection.

3.1.2. There is a strong relationship between the site selection and consideration of alternatives. Site selection sets out the process that an applicant has followed in order to determine the appropriate location for a proposed development. It should demonstrate a trail of logical steps followed in order to determine a location that will deliver the objectives of the project. These steps will normally be driven by a number of technical and environmentally led criteria. This allows an applicant to propose development in a location which is able to accommodate functional requirements but which has also been subject to robust consideration of environmental constraints, seeking to avoid areas of highest sensitivity.

3.1.3. Section 4.3 of NPS EN-1 establishes the circumstances under which NPS EN-1 requires the consideration of alternatives. Paragraph 4.3.9 of NPS EN-1 states that *"this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective"*.

3.1.4. Paragraph 4.3.22 of NPS EN-1 advises that, in considering alternatives, the Secretary of State should be guided by the following principles:

- *"the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and*
- *only alternatives that can meet the objectives of the proposed development need to be considered."*

3.1.5. Paragraph 4.3.23 of NPS EN-1 advises that the Secretary of State *"should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development"*.

3.1.6. Paragraph 4.3.24 of NPS EN-1 states that the Secretary of State *"should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for*

future proposals". In a similar sense to paragraph 4.3.9 of NPS EN-1, this paragraph recognises that a proposed project does not have to demonstrate that it is the best option but rather that it is acceptable under the provisions of the relevant policy. This paragraph also recognises that alternative sites may come forward under other applications and that, critically, proposals are to be determined on their individual merits in accordance with the relevant policy which forms the basis for decision making in planning in England.

3.1.7. Paragraph 4.3.25 of NPS EN-1 states that "*alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision"*.

3.1.8. Paragraphs 4.3.15 to 4.3.17 of NPS EN-1 establish the circumstances where there is a requirement to consider alternatives. These are as follows:

- As part of an ES, applicants are to provide information on the reasonable alternatives studied. This should include an indication of the main reasons for the applicant's choice, taking account of the environmental, social and economic effects and including, where relevant, technical and commercial feasibility matters;
- Where an NPS(s) may impose a policy requirement to do so; and
- Where there is a policy or legal requirement to consider alternatives, applicants should do so in compliance with these requirements.

3.1.9. The Planning Inspectorate's Advice Note 7 sets out that the Inspectorate considers that a good ES is one that, amongst several other factors, *"explains the reasonable alternatives considered and the reasons for the chosen option taking into account the effects of the Proposed Development on the environment"*.

3.1.10. There are also certain legal and policy tests with regard to the consideration of alternative sites, as contained within Sections 4.3, 5.2, 5.4, 5.8 and 5.10 of NPS EN-1. The circumstances relating to when the consideration of alternatives is required and the Applicant's response to these circumstances is set out below:

- Where a proposal would involve the compulsory acquisition of land or interests in land (NPS EN-1 paragraph 4.3.9). The DCO Application is seeking compulsory acquisition powers. Please see the **Statement of Reasons [EN010158/APP/4.1]** for more detail on this**.**
- Where a development would be located near a sensitive receptor site for air quality (NPS EN-1 paragraph 5.2.7). The Proposed Development is not within an Air Quality Management Area (AQMA) and there are no AQMAs within the surrounding area.
- Where a development would lead to significant harm to biodiversity and geological conservation interests (NPS EN-1 section 5.4). Biodiversity and geological conservation considerations of reasonable alternatives have

informed the design of the Proposed Development from the outset and have been integrated as part of the design process, as described in the **Design Approach Document [EN010158/APP/5.8]** and **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1].** The Proposed Development would not likely give rise to significant harm to geological conservation receptors, as reported in **ES Volume 2, Chapter 11: Land and Groundwater**, **Chapter 12: Soil** and **Chapter 16: Water [EN010158/APP/6.2]**. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** reports that the Proposed Development would not give rise to significant harm to biodiversity conservation interests.

- Where a development would result in an adverse effect on the integrity of a European site that cannot be avoided (NPS EN-1 section 5.4). The **HRA No Significant Effects Report [EN010158/APP/5.3]** has been submitted alongside the DCO Application which confirms the Proposed Development would not result in an adverse impact on the integrity of a European Site, therefore there is no requirement to consider alternatives.
- Where a development would be located within, or partially within, Flood Zone 2 or Flood Zone 3 (NPS EN-1 section 5.8). In this case the Sequential Test should be undertaken. If following application of the Sequential Test, it is not possible for the Proposed Development to be located in areas of lower flood risk, the Exception Test can be applied, which provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. With regard to applying the Sequential Test, paragraph 5.8.23 of NPS EN-1 sets out that consideration of alternative sites should take account of the policy on alternatives described in section 4.3 of NPS EN-1. A small area of the Order Limits is within Flood Zone 2 and 3. **Appendix 5: Sequential and Exception Tests** of the **Planning Statement [EN010158/APP/5.7]** advises how the Sequential Test has been met.
- Where a development would be located within a National Park, the Broads or a National Landscape (NPS EN-1 section 5.10). The Proposed Development is not located in or near such designations, therefore no further consideration of alternatives in this regard is required.

National Policy Statement for Renewable Energy Infrastructure (NPS EN-3)

3.1.11. Section 2.10 of NPS EN-3 relates specifically to Solar Photovoltaic generation, including factors influencing site selection, and notes that "*the government has committed to sustained growth in solar capacity to ensure that we are on a pathway that allows us to meet net zero emissions by 2050.*"

3.1.12. Paragraph 2.10.18 states:

"The key considerations involved in the siting of a solar farm are likely to be influenced by factors set out in the following paragraphs, in addition to considerations specific to individual projects".

3.1.13. Paragraphs 2.10.19 to 2.10.48 then lists the following factors influencing site selection:

- Irradiance and site topography;
- Network connection;
- Proximity of a site to dwellings;
- Agriculture land classification and land type;
- Accessibility;
- Public rights of ways; and
- Security and lighting.

3.1.14. Paragraphs 2.10.19 - 2.10.20 advise that irradiance will be a key consideration for applicants as it will impact the amount of electricity that can be generated and that irradiance can be influenced by topography.

3.1.15. Paragraphs 2.10.21 - 2.10.26 discuss mostly technical matters relating to the network connection. Importantly paragraphs 2.10.24 and 2.10.25 recognise that distance to a connection can have a significant effect on project viability and that applicants may *"may choose a site based on a nearby available grid export capacity".*

3.1.16. Paragraph 2.10.27 explains that NSIP scale development may have a significant zone of visual influence recognising that likely impacts relate to visual amenity and glint and glare. These topics are considered in detail in **Section 9** of the **Planning Statement [EN010158/APP/5.7]**.

3.1.17. Paragraphs 2.10.28 - 2.10.34 relate to agricultural land classification and land type. It sets out a preference for the use of non or lower grade agricultural land but accepts that: land type should not be a predominating factor in site selection; that solar development is not prohibited on BMV, and that large scale solar is likely to include some agricultural land. A detailed response to these paragraphs is set out in the following Section of this Report and **Section 9** of the **Planning Statement [EN010158/APP/5.7]**.

3.1.18. Paragraphs 2.10.35 - 2.10.39 discuss matters relating to accessibility and recognises that NSIP scale solar is likely to be located in rural areas and access is likely to be a significant factor in site selection. This is dealt with in **Section 4** of this Report and under Transport and Access in **Section 9** of the **Planning Statement [EN010158/APP/5.7]**.

3.1.19. Paragraphs 2.10.40 - 2.10.45 discuss public rights of way (PRoW) and acknowledge temporary closures may be required but that efforts should be made to ensure continued use during construction and operation. These

paragraphs also advise that applicants should seek to ensure continued recreational use while seeking opportunities to facilitate enhancements. These paragraphs require that applications include a Public Rights of Way Management Plan (see the **Outline Rights of Way and Access Strategy [EN010158/APP/7.8]**). Consideration of impacts on PRoW from a planning policy perspective are set out in **Section 9** of the **Planning Statement [EN010158/APP/5.7],** however there are no guidelines set out in these paragraphs of the NPS EN-3 about how these should be considered from a site selection perspective, with NPS EN-3 focusing on how PRoWs are addressed within an application and so there is no further assessment of these within this Report.

3.1.20. Paragraphs 2.10.46 - 2.10.48 advise that security may be a key consideration for applicants and that natural features of a landscape may assist in site security as well as items such as CCTV and perimeter fencing. The nature of the landscape of the Proposed Development is such that natural features which may assist in security measures are less available, noting that it is a gently undulating topography. No further consideration is provided on this matter.

3.2. National Planning Policy Framework

3.2.1. The National Planning Policy Framework (NPPF) was published in March 2012 and most recently updated in February 2025. The NPPF sets out the Government's planning policies for England and how these are to be applied including in respect of the development of agricultural land and renewable energy. The NPPF does not contain specific policies for NSIPs and therefore does not have direct effect in relation to the Proposed Development however it may be a relevant matter in the Secretary of State's decision making.

3.2.2. Paragraph 161 of the NPPF states that *'the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure'.*

3.2.3. Paragraph 168 of the NPPF continues on to state that, local planning authorities should '*not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future'*.

3.2.4. Paragraph 187 of the NPPF states that local planning authorities should balance the economic and other benefits of BMV agricultural land. Furthermore, where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher

quality. Whilst this provides some context, the approach to site selection has been led by the policy on agricultural land in NPS EN-3.

3.3. National Planning Practice Guidance

3.3.1. The policies contained within the NPPF are expanded upon and supported by the National Planning Practice Guidance (NPPG), which was originally published in March 2014 and has been updated periodically since. The most recent update to the NPPG was made in February 2024.

3.3.2. With regards to the location of solar farms, paragraph 013 Reference ID: 5-013-20150327 cites the following factors that local planning authorities should consider. These factors include, but are not limited to:

- Encouraging the effective use of land by focusing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value; and

- Where a proposal involved greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

3.3.3. As is the case for the NPPF (refer to **Section 3.2** above), the NPPG does not contain specific guidance in relation to NSIPs and therefore does not have direct effect in relation to the Proposed Development, however it may be a relevant matter in the Secretary of State's decision making.

3.4. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations')

3.4.1. Regulation 14(2)(d) of the EIA Regulations requires that "a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment" is presented in the ES. In compliance with the EIA Regulations, the alternatives considered by the Applicant has been fully described through **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]**.

3.5. Local Planning Policy

3.5.1. The Vale of Aylesbury Local Plan (VALP) 2013 – 2033 (adopted September 2021) does not include any policies which relate specifically to site selection for renewable energy development.

3.5.2. The VALP 2013 – 2033 provides general support for energy generation projects, and Policy C3 Renewable Energy sets out that planning applications

involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on issues including landscape and biodiversity, visual impacts on local landscapes, the historic environment, the Green Belt, aviation activities, highways and access and residential amenity.

4. Site Selection Assessment

4.1. Site Selection Principles

4.1.1. This section sets out the background and approach to the site selection process which the Applicant has undertaken and has resulted in the land that is subject to the Proposed Development being brought forward.

4.1.2. The Report should be read in conjunction with the **Statement of Need [EN010158/APP/5.6]** which presents further detail on the need for the Proposed Development, its locational value and its contribution to meeting the UK's decarbonisation requirements.

4.1.3. In determining a suitable location for the Proposed Development, the Applicant sought to develop a single new Nationally Significant Infrastructure Project (NSIP) generating between 250 - 500MW (based on a site comprising a minimum of 1,000 acres) which would meet the following objectives:

- contribute to meeting the UK's urgent need for low carbon energy generation;
- be in close proximity to an available grid connection or part of the transmission network in which capacity exists;
- avoid impacts on sensitive landscapes and environmental features as far as practicable;
- be readily accessible from existing strategic road network to facilitate; construction access; and,
- be delivered on land which could be acquired voluntarily thereby avoiding the need for large scale compulsory acquisition.

4.1.4. NPS EN-3 identifies three fundamental core attributes, amongst other considerations, which large scale solar developments require:

- existence of sufficient land to deliver the project and meet the scale of the Proposed Development's aims;
- availability and capacity of a suitable point of connection to the National Electricity Transmission System; and
- solar irradiation levels to support a solar development's potential to produce an efficient and economic energy yield.

4.1.5. There are limited locations in the UK which satisfy all three of the above core site selection requirements (land availability and suitability, feasible irradiation levels and grid connection availability). For example, the need for proximity to existing and available grid connection capacity may limit opportunities in areas where irradiation is at its highest.

4.1.6. Therefore, it cannot be expected that large-scale solar is located only where all three criteria are met in full. Developments will therefore be proposed in locations which have a blend of the required characteristics, albeit is unlikely that each of the required characteristics will be at their most advantageous in a single location.

4.2. Initial Constraints Consideration

4.2.1. Buckinghamshire is crossed by a number of high voltage transmission lines. These lines are important arteries of the National Electricity Transmission System, located between the demand centres of the south and the midlands. The number of lines in Buckinghamshire is sufficient to continue distributing electricity reliably to users while also having capacity to connect large-scale generation facilities for transmission of power nationally. It is also an area with relatively high levels of irradiation.

4.2.2. The starting point for the Order Limits was the identification of capacity at National Grid East Claydon Substation. The Applicant engaged with National Grid to discuss potential opportunities for a connection offer within the Buckinghamshire area and in early 2020 a grid connection offer was made for capacity in East Claydon, Buckinghamshire, as set out within the **Grid Connection Statement [EN010158/APP/7.1]**.

4.2.3. A 10km radius from the National Grid East Claydon Substation was then established as a viable search area (the 'Search Area') for a potential solar scheme and is shown in **Figure 1** below. The radius of the Search Area was restricted by the cable length distance, with a 10km radius being the commercially viable cable distance for this project, taking into account the capacity, distance from the grid connection, underground cable costs, capital costs and market conditions at the time. However, areas closest to the National Grid East Claydon Substation were preferred in principle on the basis that a shorter cable route has benefits in terms of ease and timeliness of the delivery of key infrastructure, minimising disruption to residents and businesses along the route, minimising environmental disturbance and cost.

4.2.4. The site selection process then focused on the factors influencing site selection and design outlined in section 2.10 of NPS EN-3.

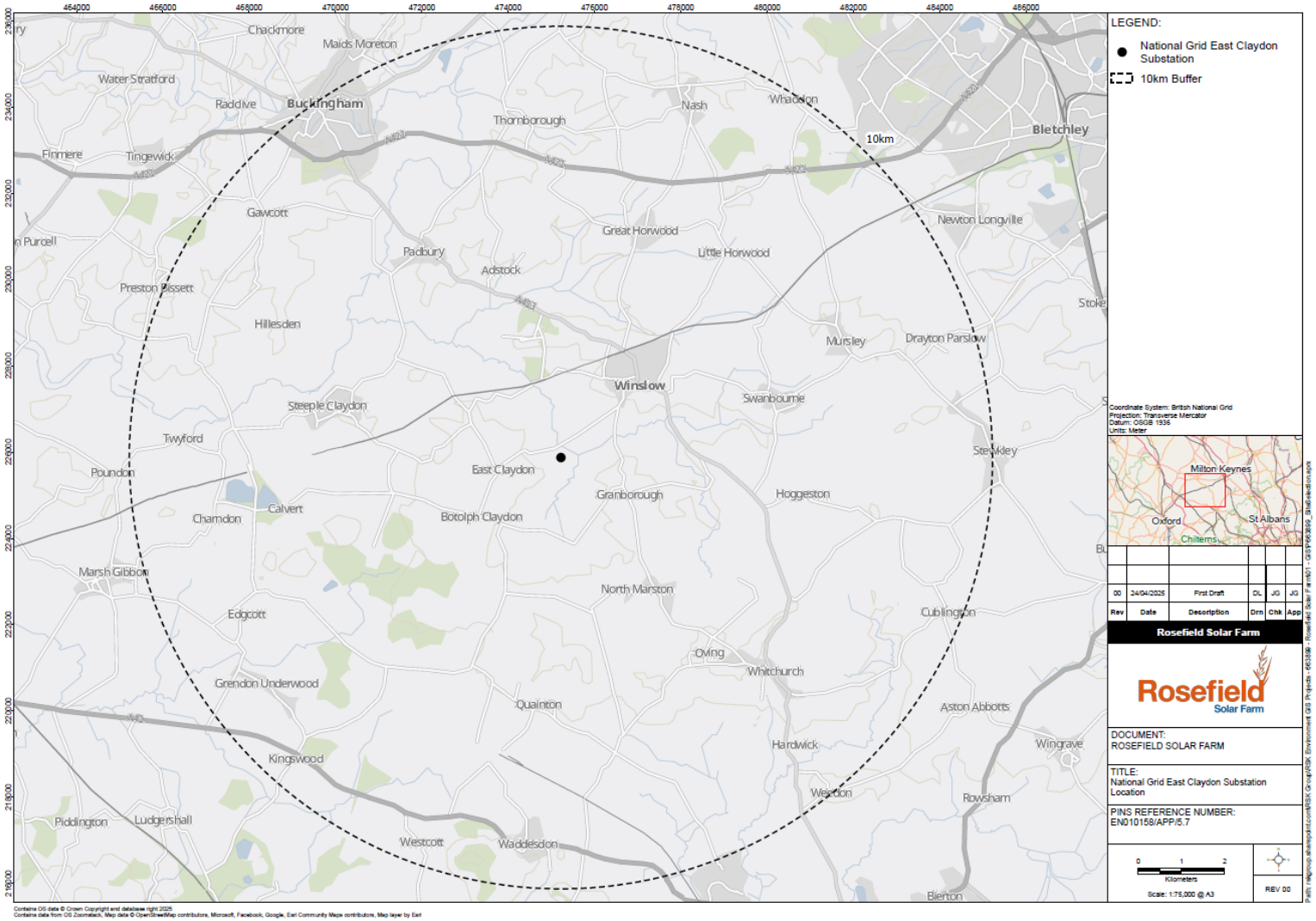


Figure 1: 10km radius from the National Grid East Claydon Substation

Irradiance and topography

4.2.5. NPS EN-3 notes at paragraph 2.10.19 that "*Irradiance will be a key consideration for the applicant in identifying a potential site as the amount of electricity generated on site is directly affected by irradiance levels. Irradiance…will in turn be affected by surrounding topography…*"

4.2.6. Buckinghamshire represents a good location within the UK to construct a solar farm as demonstrated below (noting the constraints in other locations). The area benefits from higher levels of photovoltaic power and irradiance compared to the UK average, as shown in **Figure 2**.

4.2.7. With regards to topography, the general topography of the area surrounding the National Grid East Claydon Substation is gently undulating, with much of the land sloping north to south, making it generally suitable for solar.

4.2.8. The favourable nature of the irradiance and topography, in combination with other elements outlined below, makes the area an appropriate location for solar development.

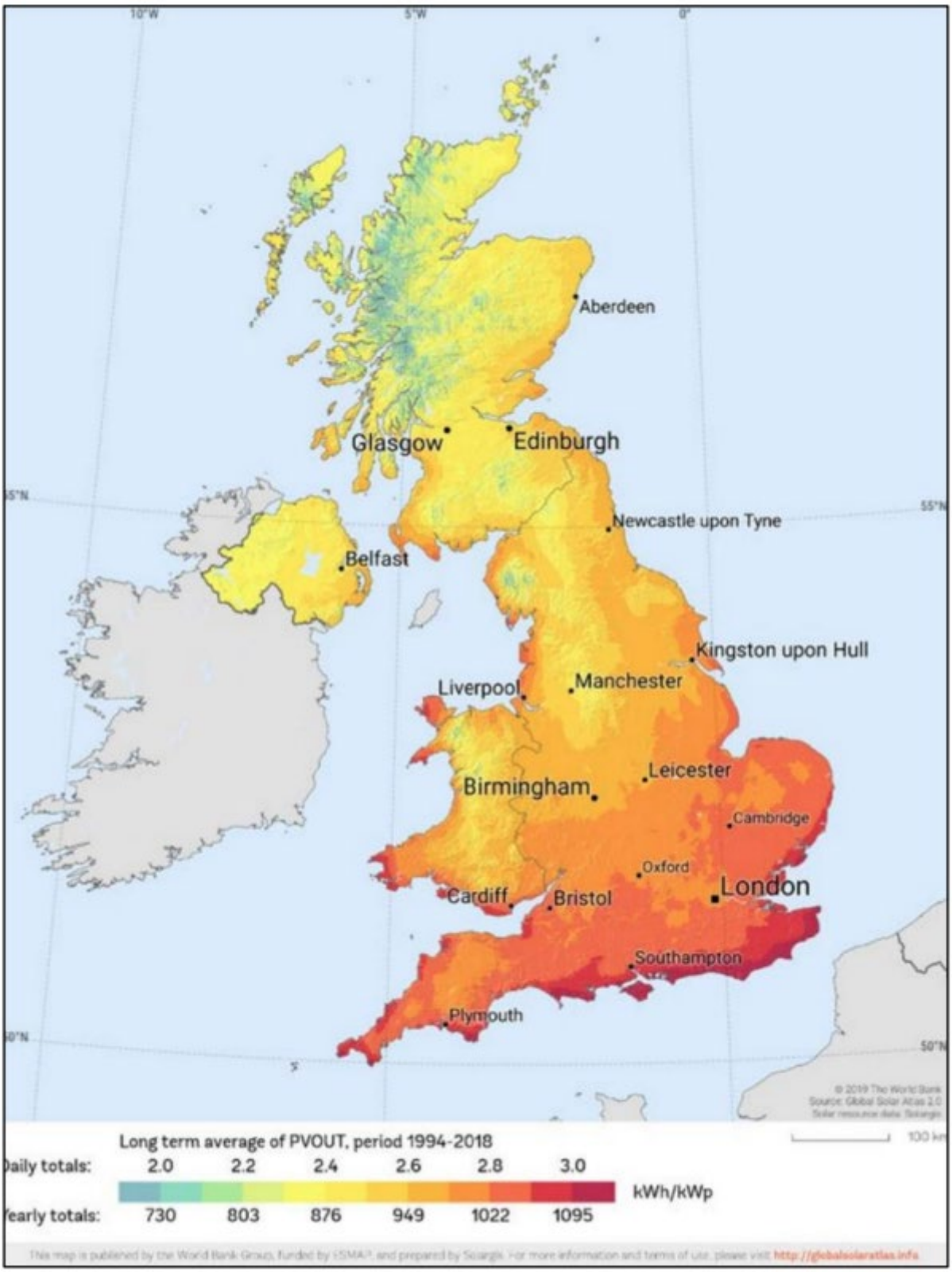


Figure 2: Average Irradiance Levels within the UK

Grid Connection and Capacity

4.2.9. A viable grid connection is an essential material consideration for proceeding with a development and is instrumental in defining the Search Area.

4.2.10. The Search Area was based on the availability of a suitable grid connection at the National Grid East Claydon Substation, with sufficient capacity available to support a solar scheme of a viable size.

4.2.11. NPS EN-3 paragraph 2.10.24 sets out that the *"connection voltage, availability of network capacity, and the distance from the solar farm to the existing network can have a significant effect on the commercial feasibility of a development proposal"*. Paragraph 2.10.25 of NPS EN-3 recognises, "*applicants may choose a site based on nearby available grid export capacity" to "maximise existing grid infrastructure, minimise disruption to existing local community infrastructure or biodiversity and reduce overall costs*".

4.2.12. It is also important to note that the National Grid East Claydon Substation is a 400kv substation at a strategic location on the transmission line near demand centres, connecting the south of England to the midlands. This is helpful in an electricity generating context because:

- power has less distance to travel to where it is needed, thus reducing transmission losses; and
- there is less opportunity for the power to be constrained (i.e. too much power flowing for the capacity of the wires), which might be the case if the Proposed Development was located, for example, much further north, or behind a boundary constraint.

4.2.13. Having identified the point of connection and securing a connection agreement, the Applicant used the Search Area to identify suitable areas of land for NSIP scale solar development, driven by the desire to be as close to the point of connection as possible, in order to minimise the risk of environmental impacts, disruption to multiple landowners, challenges with crossings and process losses and the cost and delay of a longer cable route.

4.2.14. It should be noted that there is relatively limited consistency between the size of search areas adopted for solar NSIPs, due to the significant variability of site and area characteristics. As an example, other consented solar NSIPs have adopted the following search areas:

- Longfield: 5km
- Mallard Pass: No search area adopted; suitable site found within close proximity to National Grid Substation
- Cottam: 5km to 20km
- Gate Burton: 8km search area with constraints mapped to 15km

4.2.15. The Applicant understands that National Grid needs to replace the existing East Claydon Substation (originally built in the 1960s) as it is coming to the end of its useful life. To be able to meet National Grid's commitments to new connections at this location (of which Rosefield's connection would be less than 10% of the proposed capacity) permission for the replacement of National Grid East Claydon Substation is expected to be sought by National Grid in due course through a Town and Country Planning Act 1990 application.

Proximity of the site to dwellings

4.2.16. NPS EN-3 advises in section 2.10 that large-scale utility solar farms may have a significant zone of visual influence with the likely impacts to sensitive receptors being that of residential amenity and glint and glare.

4.2.17. The area surrounding the National Grid East Claydon Substation is characterised by dispersed small settlements, including East Claydon, Botolph Claydon, Granborough and Steeple Claydon, with the larger towns of Winslow to the east and Buckingham to the north.

4.2.18. The Applicant focused on areas away from the major settlements to ensure there would be sufficient separation between the Order Limits and surrounding towns and villages to minimise adverse visual and residential amenity impacts.

Agricultural land classification and land type

4.2.19. NPS EN-3 places emphasis on large scale solar utilising either previously developed land, brownfield land, contaminated land, industrial land or lower grade (3b, 4 or 5) land and, where possible, avoiding BMV agricultural land. Importantly, however, it goes on to state that "*land type should not be a predominating factor in determining the suitability of the site location*". NPS EN-3 continues to acknowledge that solar development is not prohibited on BMV land, land recognised for its natural beauty or ecological or archaeological importance and that it is recognised that, at scale, developments may use some agricultural land. However, applicants should explain site selection noting a preference for development on brownfield and non-agricultural land.

4.2.20. In line with this, the Applicant considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The Buckinghamshire Council brownfield register shows that there are currently 21 brownfield sites located within the Search Area, none of which would have the capability of meeting the project objectives, largely due to the size of the brownfield sites, the largest of which was 11.83 hectares (ha), with the majority being less than 1 ha each in size. Twenty of these sites also have planning permission for housing development while the only site which does not have planning permission for housing would be much too small to accommodate a utility scale solar farm, at 0.04 ha. The list of these sites, their size, distance to the National Grid East Claydon Substation, and status is set out in **Table 1** below.

Table 1: Sites identified on Buckinghamshire Brownfield Land Register within 10km of National Grid East Claydon Substation

Site Name	Size (ha)	Distance from East Claydon substation (km)	Status
Adstock Manor, Main Street, Adstock, Buckinghamshire	0.28	4.31	Planning permission for residential development
Ladymead Farm, Denham, Quainton, Buckinghamshire	0.27	5.89	Planning permission for residential development
The Old Sandpit Oving Road Whitchurch Buckinghamshire	0.36	6.06	Planning permission for residential development
Fair Lorna Cottage, Bletchley Road	0.63	6.68	Planning permission for residential development
Dunsty Hill Farm, Edgcott Road, Calvert Green, Buckinghamshire	0.43	7.17	Planning permission for residential development
7-8 School Hill, Charndon, Buckinghamshire	0.27	7.19	Planning permission for residential development
Wychwood Stud Whaddon Road Mursley Buckinghamshire	0.43	7.41	Planning permission for residential development
Manor Farm, Manor Farm Road, Hillesden, Buckinghamshire	0.35	8.03	Planning permission for residential development
Gawcott Plant Centre, Hillesden Road	0.28	9.63	Planning permission for residential development
39 Bernardines Way, Buckingham, Buckinghamshire	0.03	9.15	Planning permission for residential development
Old Forge Farm, Dunton Road, Stewkley	11.83	9.29	Planning permission for residential development
Eagles Farm, Cow Lane, Gawcott	0.41	9.4	Planning permission for residential development
36 Chandos Road, Buckingham	0.07	9.45	Planning permission for residential development
Land Adj Walnuts, 4 Aston Abbotts Road, Cublington	0.51	9.73	Planning permission for residential development

Site Name	Size (ha)	Distance from East Claydon substation (km)	Status
Land between Bridge Street and Well Street	0.04	9.74	No planning permission
Old Manor Farm, Reads Lane	1.08	9.74	Planning permission for residential development
Stables At Glebe Farm, Northcroft	0.28	9.77	Planning permission for residential development
Glebe Farm, Northcroft, Weedon, Buckinghamshire	0.29	9.77	Planning permission for residential development
19 Castle Street	0.01	9.83	Planning permission for residential development
19 Market Square, Buckingham,	0.02	9.87	Planning permission for residential development
12 - 13 Market Hill, Buckingham	0.18	9.91	Planning permission for residential development
Pole Barn, Primrose Hill Farm, Preston Road, Gawcott	0.27	9.98	Planning permission for residential development

4.2.21. As set out above, none of the above sites were pursued given their inability to meet the objectives of the Proposed Development.

4.2.22. A search also identified one operational industrial area to the south of Buckingham within the Search Area. As this is operational, it was not available for solar development. This does not rule out such sites being considered for roof top solar, but this is needed in addition to ground-mounted solar projects. This need for both large scale and smaller scale (roof top) solar is clearly established within NPS EN-3, paragraph 2.10.10 which states *'the government expects a five-fold increase in combined ground and rooftop solar deployment by 2025'* and confirmed within the recently published UK Solar Roadmap (2025).

4.2.23. The Buckinghamshire Council Public register of contaminated land currently has no entries and concludes that they currently have no sites that have been formally determined as contaminated. As such, consideration of contaminated sites for development purposes was not possible for the Proposed Development.

4.2.24. According to the provisional Agricultural Land Classification (ALC) mapping (DeFRA and Natural England), the Search Area is predominantly made up of a mixture of Grade 3 and 4 land with only small pockets of Grade 2 land, as shown in **Figure 3** below. It is noted that the provisional ALC mapping does not

differentiate between sub-grades 3a and 3b. The north of the Search Area was largely Grade 3, while the southern portion, particularly the south west showed a larger percentage of Grade 4 land. The Applicant took into account agricultural land quality when identifying an appropriate Site, based on publicly available national level data and field surveys.

4.2.25. This approach to considering ALC values, in terms of the use of provisional and predictive mapping, has been considered as both satisfactory and proportionate by the Examining Authorities in relation to, for example, the Gate Burton Energy Park DCO and Mallard Pass Solar Farm DCO.

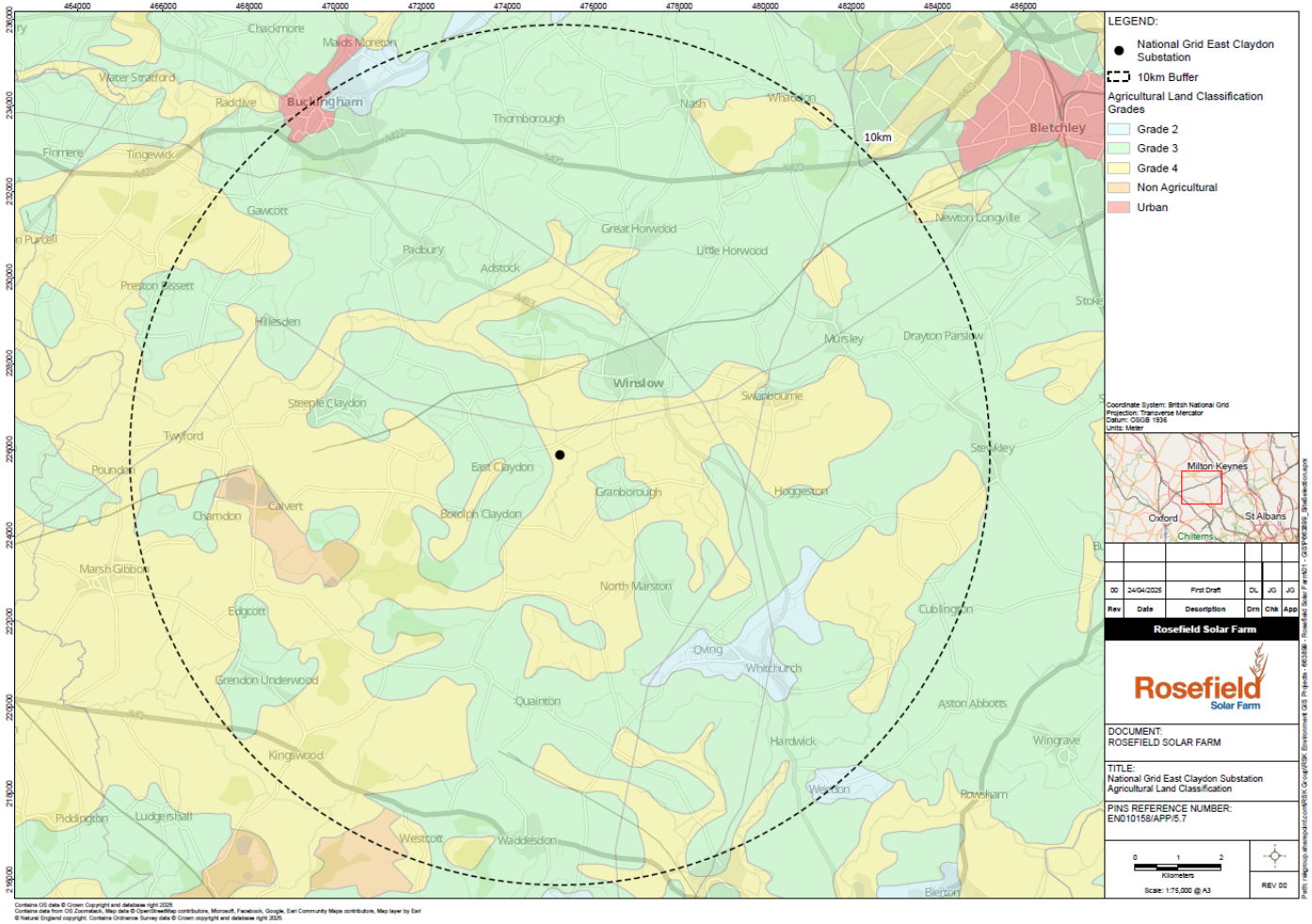


Figure 3: Provisional Agricultural Land Classification within 10km of National Grid East Claydon Substation

Accessibility

4.2.26. In accordance with NPS EN-3 paragraphs 2.10.35 to 2.10.39, consideration has been given in the site selection process to the suitability of the access routes to the Proposed Development for both construction and operation. Paragraph 2.10.36 emphasises the importance of accessibility, "*Given that potential solar farm sites are largely in rural areas, access for the delivery of solar arrays and associated infrastructure during construction can be a significant consideration for solar farm siting*".

4.2.27. The Search Area as a whole is largely accessible by the rural road network and well serviced by the strategic road network with the A41 to the south, the A421 to the north and the A4146 to the east.

Environmental Constraints

4.2.28. A key principle in the site selection process was to seek to avoid areas of particular environmental and landscape sensitivity where possible in order to minimise potential impacts.

4.2.29. The Applicant had regard to several environmental and spatial considerations when determining an appropriate location for the Order Limits in accordance with sections 2.3 and 2.10 of NPS EN-3, as shown on **Figure 4** and **Figure 5** and detailed below:

- **Designated international and national ecological and geological sites** – nationally recognised designations such as Sites of Special Scientific Interest (SSSIs), National Nature Reserves, National Parks, Registered Parks and Gardens, and World Heritage Sites were considered as part of the site selection process in accordance with NPS EN-3 paragraph 2.3.6 (see Table 4.1). As outlined in paragraph 3.1.10 above, NPS EN-1 also outlines specific tests where development would lead to significant harm to biodiversity and geological conservation interests (NPS EN-1 section 5.4). **Figure 4** shows that there are a few international and national ecological and geological sites within the Study Area. The Applicant sought to find appropriate land that avoided these sites.
- **Nationally Designated Landscapes** – in accordance with NPS EN-3 paragraph 2.3.6 nationally designated landscapes, previously referred to as 'Areas of Outstanding National Beauty' were considered as part of the site selection process. There were no nationally designated sites identified within the Search Area.
- **Flooding** – The site selection process considered areas of lower flood risk in accordance with paragraph 2.10.75 of NPS EN-3 and section 5.8 of NPS EN1. Flood Zones within the Search Area are as shown on **Figure 5**. This identifies that water courses and Flood Zones 2 and 3 are distributed evenly across the entire Search Area and that there are no large areas of solely Flood Zone 1 within which the Applicant could focus its search on.

- **Heritage** – in accordance with paragraph 2.3.8 of NPS EN-3 and section 5.9 of NPS EN-1, the impact on the historic environment was considered as part of the site selection process. **Figure 4** identifies Listed Buildings, Scheduled Monuments, Registered Parks and Gardens and Conservation Areas within the Search Area. In determining an appropriate site, the Applicant sought to avoid these heritage assets and also any potential impacts on the settings of these assets as a result of the Proposed Development.

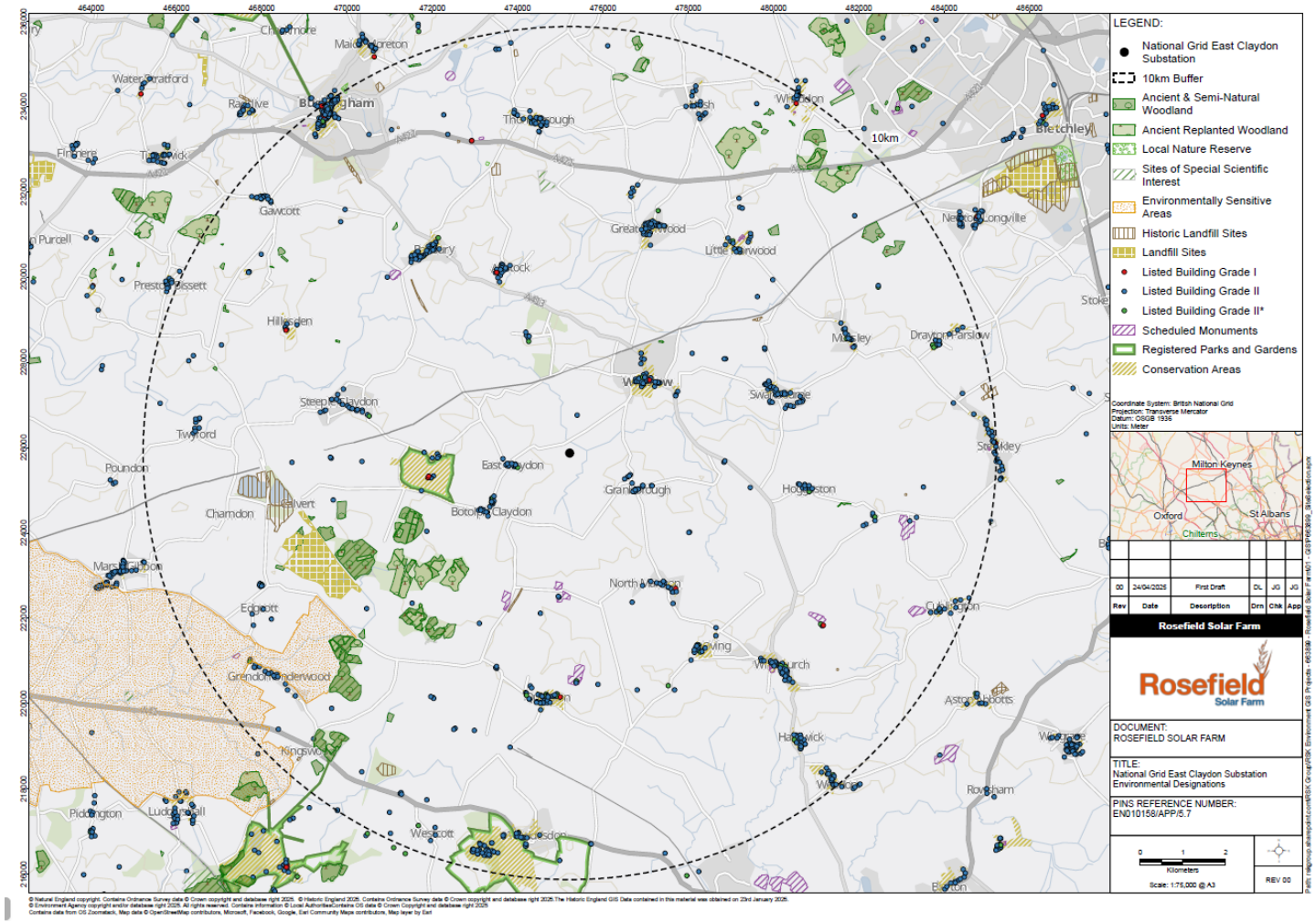


Figure 4: Environmental designations within 10km of National Grid East Claydon Substation

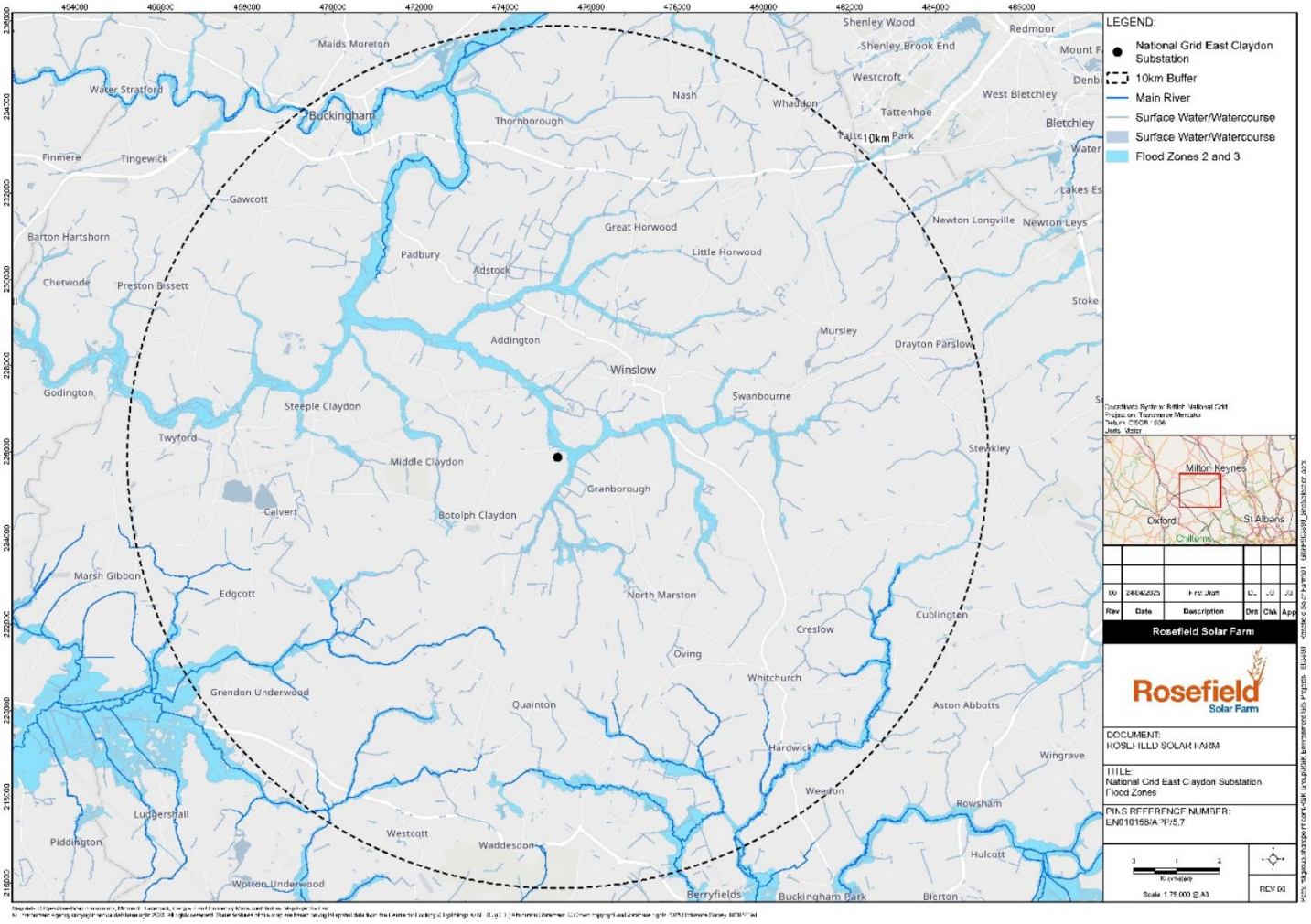


Figure 5: Flood Zones within 10km of National Grid East Claydon Substation

4.3. Identifying Potential Solar Development Areas

4.3.1. Following the identification of available capacity and recognising the irradiance, topography and relationship to environmental constraints of the Search Area around the National Grid East Claydon Substation, the Applicant started initial discussions with landowners to identify a suitable area of land for a solar farm capable of reflecting the capacity agreement with National Grid.

4.3.2. In the initial stages of discussions, the Applicant was focused on finding an appropriate amount of land to secure both the connection capacity and the required mitigation and enhancement land, with a preference for land in close proximity to the National Grid East Claydon Substation.

4.3.3. The Applicant was led by landowner discussions to identify potentially available land, its suitability for solar, and whether it was likely to have environmental effects that were, or could be made to be, acceptable, having regard to the factors discussed above.

4.3.4. The Applicant was, however, aware that minimising the number of landowners was beneficial for a number of reasons including simplifying land negotiations, reducing the risk of project failure due to added complexity of multiple land owners, and reducing reliance on compulsory acquisition in accordance with policy requirements. Therefore single, contiguous sites with as few landowners as possible were prioritised.

Grid Connection and Willing Landowners

4.3.5. As outlined in **Section 2.2** above, NPS EN-3, paragraphs 2.10.23 – 2.10.25 establishes that the starting point for a site selection process is the availability of a nearby and suitable connection to the transmission network. Recent solar NSIP decisions have confirmed that the Secretary of State supports this approach to site selection of the grid connection point being an appropriate starting point.

4.3.6. Considering the area of land needed to achieve the grid connection agreement, and the lack of suitable previously developed land within the Search Area, the Applicant sought to approach landowners within the Search Area, prioritising those who were in close proximity to the National Grid East Claydon Substation. The Applicant focused on land that had been identified as meeting the key site selection criteria, as per paragraphs 2.10.19 to 2.10.48 of NPS EN-3, and sought to minimise interface with key environmental constraints identified in **Section 4.2** above.

4.3.7. This search identified a single landowner, located directly adjacent to the National Grid East Claydon Substation land, who was agreeable in principle to leasing sufficient land for a solar development that optimised the grid connection. Discussions with other landowners in the area did not identify any alternative sites which met the site selection criteria, either because they were

not interested in offering their land for solar development, or because they were pursuing alternative proposals on their land. Once it was clear that the landowner of the Order Limits was amenable in principle to bringing forward a solar scheme on their land, which met the site selection criteria and offered a large landholding with opportunities for flexibility in precisely where solar and associated mitigation was located, the Applicant didn't look further for alternative sites.

4.3.8. The consideration of the suitability of the land that the willing land owner was agreeable to make available, the 'available land', against the key site selection criteria is set out in the Section below.

5. Suitability of available land

5.1.1. Once the Applicant had identified a willing landowner with sufficient land to optimise the grid connection, the Applicant carried out an assessment confirming the suitability of the available land for solar development. This included consideration of the available land against factors considered previously in this Report and set out in paragraphs 2.10.29 to 2.10.48 of NPS EN-3, as well as the relevant environmental constraints.

Irradiance and topography

5.1.2. As set out in **Section 4.2** above, irradiance is sufficiently high in Buckinghamshire to support solar development. The general topography of the available land is gently undulating, with much of the land sloping north to south, making it suitable for solar.

Grid Connection and Capacity

5.1.3. The available land is located directly adjacent to the National Grid East Claydon Substation and is of sufficient area to optimise the grid connection offer.

5.1.4. As set out within **Section 4.2** above, NPS EN-3 paragraph 2.10.24 sets out that *"connection voltage, availability of network capacity, and the distance from the solar farm to the existing network can have a significant effect on the commercial feasibility of a development proposal"* while 2.10.25 recognises that "*applicants may choose a site based on nearby available grid export capacity".* As such, the proximity of the available land to the National Grid East Claydon Substation, and the size of the available land make it very suitable for the Proposed Development. As noted earlier, site closer to the National Grid East Claydon Substation were preferred on the basis that a shorter cable route has benefits in terms of ease and timeliness of the delivery of key infrastructure, minimising disruption to residents and businesses along the route, minimising environmental disturbance and cost.

Proximity of the Site to dwellings

5.1.5. The site selection process sought to avoid sites in close proximity to residential dwellings or where it would not be possible to appropriately mitigate visual amenity and glint and glare.

5.1.6. The available land was relatively well sited in relation to nearby towns and villages, with opportunities for set backs of infrastructure and screening to be designed to mitigate potential effects on residential dwellings within close proximity e.g. properties within Botolph Claydon and dwellings along Calvert Road.

Agricultural land classification and land type

5.1.7. The available land was identified as being a mixture of both Grade 3 and Grade 4 according to the provisional ALC mapping (DeFRA and Natural England). It avoided the larger swathe of Grade 3 land identified to the north of the Search Area, as well as the small areas of Grade 2 to the north and south east.

5.1.8. In the context of the wider BMV resource, the Applicant notes that in England, agricultural land represents between 69-70% of the total land within the country. Natural England estimates that around 42% of agricultural land within England is of BMV quality (with a roughly even split of 21% as Grades 1 and 2 and 21% Grade 3a).

Accessibility

5.1.9. The available land was accessible by the local road network and well serviced by the strategic road network by the A41 to the south, A421 to the north and the A4146 to the east.

5.1.10. The presence of nearby largescale infrastructure, including HS2 and East West Rail, indicated that the wider road network was sufficient for construction purposes, however it was acknowledged that some areas would require condition improvements, passing places and localised widening to be suitable for the purposes of the Proposed Development. Notably, it was identified that it was possible to access the available land without having to go through nearby villages which was considered a benefit of the available land.

Environmental Constraints

Designated international and national ecological and geological sites

5.1.11. The available land did not contain any statutory environmental or landscape designations, however Sheephouse Wood SSSI and Finemere Wood SSSI were in close proximity to the border of the available land. It was considered that any potential impacts on the species for which these SSSI are designated could be mitigated through detailed design, including the use of setbacks from development and mitigation planting and screening.

Nationally Designated Landscapes

5.1.12. The site does not fall within a Nationally Designated Landscape. The closest National Landscape is Chilterns National Landscape, located more than 18km south east of the available land.

Ancient Woodland

5.1.13. There were no ancient woodlands within the available land when selecting the initial site for solar development. There were a number of ancient woodlands adjacent to the available land, including Sheephouse Wood, Shrubs Wood, Home Wood, Finemere Wood, Romer Wood, Decoypond Wood and Runt's Wood, however it was considered that any potential impacts to these ancient

woodlands as a result of the Proposed Development could be mitigated through detailed design and good practice construction processes, including the use of appropriate setbacks from development and on-site measures to reduce potential dust and pollution.

5.1.14. There are now two ancient woodlands located within the Order Limits, Romer Wood and Greatsea Wood, due to the extension of the Order Limits to include an existing access track to provide access to Parcel 1a. This track is currently used by maintenance traffic associated with HS2 landscape planting and is proposed to be used by the Proposed Development to allow light vehicles, such as tractors, to access this area for habitat creation works. No loss of this ancient woodland would be required as existing access tracks would be utilised and no built development is proposed along the access track.

Flooding

5.1.15. The majority of the available land was within Flood Zone 1, however some parts of Parcel 3 are within Flood Zones 2 and 3. As noted in **Section 4.2** above, Flood Zones 2 and 3 were evenly distributed across the Search Area and there were no available areas entirely within Flood Zone 1 that were large enough to support a utility scale solar farm. Whilst sites in Flood Zone 1 were preferred on the basis of lower flood risk, the available land, which has small areas of Flood Zones 2 and 3, was not ruled out on the basis that there are technical solutions to allow solar to be safely accommodated within these zones.

5.1.16. Whilst the Applicant was mindful of needing to satisfy the Sequential Test without reference to technical solutions, there had not been any willing landowners with readily available land, that was appropriate for large scale solar, solely within Flood Zone 1.

Heritage

5.1.17. There are no listed buildings or scheduled monuments located within the available land, however the Grade I Listed Claydon House and the Claydon Grade II Registered Park and Garden were located to the north and west of the available land and that some Grade II listed buildings were located adjacent and in close proximity to the available land.

5.1.18. When determining the suitability of the available land, the fields immediately in the sight line of Claydon House and the Registered Park and Garden were not made available for solar PV development, to avoid potential effects on the setting of these important heritage assets. This land was however considered suitable for underground cabling as that type of development would not be visible following the construction period.

5.1.19. It was considered that potential impacts on the Grade II listed buildings near to the available land, and wider impacts on Claydon House and the Registered Park and Garden as a result of solar PV development on the remaining

available land could be appropriately mitigated through detailed design, including the use of setbacks and screening.

Summary

5.1.20. Following the assessment above, it was concluded that the available land performed well against the site selection criteria outline in section 2.10 of NPS EN-3 and assessed within this Report. As a result, the initial Order Limits, presented at the launch of the Proposed Development were created. These are as shown in **ES Volume 3, Figure 4.1: Stage 1 Zonal Masterplan [EN010158/APP/6.3]**.

5.1.21. The initial Order Limits were then further refined through engagement, additional surveys and design, as set out in **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** and as illustrated within **ES Volume 3, Figure 4.2: Stage 2 Zonal Masterplan [EN010158/APP/6.3]**.

5.1.22. The Order Limits as presented in this DCO Application are presented in **ES Volume 3, Figure 1.2: Order Limits [EN010158/APP/6.3].** They comprise four parcels of land (Parcel 1, 1a, 2 and 3), Interconnecting Cable Corridor and Grid Connection Cable Corridor, entirely within the administrative boundary of Buckinghamshire Council. The settlements of Calvert, Middle Claydon, Botolph Claydon, East Claydon and Hogshaw lie within 1.5km of parts of the Site boundary. Further afield (within 3km of the Site boundary) lie the settlements of Steeple Claydon, Edgcott, Shipton Lee, Quainton, Granborough and Winslow.

6. Conclusions

6.1.1. There is a demonstrable urgent need for renewable energy development in the UK, as set out in the National Policy Statements. The Proposed Development provides a significant opportunity to make a major contribution towards the UK's obligations to deliver net zero by 2050 and decarbonisation of the energy sector by 2035.

6.1.2. The Applicant considers that they followed a logical approach to inform its site selection process starting from the point of connection at the National Grid East Claydon Substation.

6.1.3. The Applicant sought to find land that was available and suitable for large scale solar deployment, from an irradiance and topography perspective and having regard to environmental and planning constraints.

6.1.4. The Applicant took into account all of the above considerations and used this to identify land that met the criteria within the Search Area. The Applicant then sought to approach owners of this land to understand their willingness to be involved in the Proposed Development.

6.1.5. As set out above in **Section 4.3**, the Applicant identified a single willing landowner located directly adjacent to the National Grid East Claydon Substation. Once the suitability of this land was agreed, the initial Order Limits were created. **ES Volume 3, Figure 4.1: Stage 1 Zonal Masterplan [EN010158/APP/6.3]** details the initial Order Limits as presented at the launch of the Proposed Development.

6.1.6. **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** considers the evolution of the initial Order Limits, as a result of further engagement, additional surveys and design, through the pre-application period, and the Order Limits proposed as part of the DCO Application are set out in **ES Volume 3, Figure 1.2: Order Limits [EN010158/APP/6.3]**.

6.1.7. The Applicant's site selection process accords with the approach to the consideration of alternatives set out in section 2.10 of NPS EN-3 and considers that it has demonstrated compliance with the relevant site selection criteria set out in both NPS EN-1 and NPS EN-3.

Rosefield Solar Farm

Appendix 2 - Mineral Safeguarding Assessment



Table of Contents

Table of Contents 1

1. Minerals Safeguarding Policy Review 2
   - 1.1. Background to the Proposed Development 2
   - 1.2. Minerals Context 3
   - 1.3. Purpose of this assessment 3
2. Minerals Policy Review 5
   - 2.1. Introduction 5
   - 2.2. National Policy 5
   - 2.3. Local Policy 8
3. Assessment of Impact of the Proposed Development on Mineral Resource 12
   - 3.1. Introduction 12
   - 3.2. Mineral Allocations relevant to the Order Limits 12
   - 3.3. Site-specific Minerals Safeguarding Sites 13
   - 3.4. Impact on the supply of minerals 14
   - 3.5. Prior Extraction and Sterilisation of Minerals Resource 16
   - 3.6. Other Policy Considerations 20
4. Summary of the Impact on Safeguarded Resource 22
5. References 24
6. Annex 1 25

1. Minerals Safeguarding Policy Review

1.1. Background to the Proposed Development

1.1.1. This Mineral Safeguarding Assessment (the 'assessment') has been prepared on behalf of Rosefield Energyfarm Limited (the 'Applicant') to evidence that the Proposed Development would not result in the needless sterilisation of safeguarded minerals in relation to the Development Consent Order (DCO) Application for the construction, operation (including maintenance), and decommissioning of Rosefield Solar Farm (hereafter referred to as the 'Proposed Development').

1.1.2. The extent of the Order Limits is shown in **Location, Order Limits and Grid Coordinate Plans [EN010158/APP/2.1]** and the Proposed Development is described in full in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and shown spatially on the **Works Plans [EN010158/APP/2.3]**.

1.1.3. The Proposed Development comprises the construction, operation (including maintenance), and decommissioning of solar photovoltaic ('PV') development and energy storage, together with associated infrastructure and an underground cable connection to the National Grid East Claydon Substation.

1.1.4. The Proposed Development would include a generating station with a total exporting capacity exceeding 50 megawatts ('MW'). The agreed grid connection for the Proposed Development would allow the export and import of up to 500MW of electricity to the grid.

1.1.5. The design of the Proposed Development has evolved throughout the environmental assessment process to avoid, minimise and mitigate (in this order) environmental effects and respond to consultation and engagement feedback, where appropriate. The location of the Proposed Development is shown on **ES Volume 3, Figure 1.1: Location Plan [EN010158/APP/6.3]** and described in **ES Volume 1, Chapter 2: Location of the Proposed Development [EN010158/APP/6.1]**, with the consideration of alternatives and the evolution of the design of the Proposed Development presented in **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]**.

1.1.6. In overview, the Proposed Development is classed as a Nationally Significant Infrastructure Project (NSIP) as defined under Section 15 of the Planning Act 2008 (PA 2008), as the capacity exceeds 50MW and, as such, must be consented by a DCO.

1.1.7. Section 104 of the PA 2008 prescribes that DCO applications must be determined in accordance with any relevant National Policy Statement (NPS)

where the NPS has effect in relation to development of the description to which the DCO Application relates, subject to a number of specific exceptions.

1.1.8. The following Energy NPSs (hereafter referred to as the NPSs or individually as NPS EN-1, NPS EN-3 or NPS EN-5) are relevant and have effect in relation to the Proposed Development. Therefore, these NPSs form the primary policy basis for Secretary of State's determination of the DCO Application:

- Overarching National Policy Statement for Energy 2023 (NPS EN-1) **[Ref. 1-1]**;
- National Policy Statement for Renewable Energy 2023 (NPS EN-3) **[Ref. 1-2]**; and
- National Policy Statement for Electricity Networks Infrastructure 2023 (NPS EN-5) **[Ref. 1-3]**.

1.1.9. In addition to the relevant NPSs and under Section 104(2) of the PA 2008, the Secretary of State must have regard to *"any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision"*. With this in mind, the Applicant considers that the following planning policy documents are both important and relevant to this assessment and the Secretary of State's decision and should, therefore, be regarded:

- National Planning Policy Framework 2024 (the 'NPPF') **[Ref. 1-4]**;
- National Planning Practice Guidance 2024 (the 'NPPG') **[Ref. 1-5]**;
- Vale of Aylesbury Local Plan (VALP) 2013 – 2033 (Adopted September 2021) **[Ref. 1-6]**; and
- Buckinghamshire Minerals and Waste Local Plan (MWLP) 2016 – 2036 (Adopted July 2019) **[Ref. 1-7]**.

1.2. Minerals Context

1.2.1. Buckinghamshire Council is the Minerals Planning Authority (MPA) relevant to the area of the Proposed Development within Aylesbury Vale area.

1.2.2. The Order Limits are partially located within areas that have been allocated by Buckinghamshire Council as Mineral Safeguarding Areas (MSAs) for sand and gravel. Development within MSAs is subject to the requirements of the relevant minerals policies as are discussed further in **Section 2** of this assessment. This includes a requirement of non-mineral applications within MSAs to submit a Minerals Assessment.

1.2.3. Buckinghamshire Council have been consulted with regard to the scope of this assessment and have had an opportunity to review this assessment ahead of the making of the DCO Application.

1.3. Purpose of this assessment

1.3.1. The purpose of this assessment is to address the requirements of national and local policies relating to minerals whilst also providing an assessment of the impact of the Proposed Development on safeguarded mineral resources. This assessment is therefore structured as follows:

- **Section 2** provides a review of relevant national and local minerals policy;
- **Section 3** provides an assessment of the impact of the Proposed Development on designated minerals resources; and
- **Section 4** presents the conclusions of this assessment.

2. Minerals Policy Review

2.1. Introduction

2.1.1. The Proposed Development constitutes a NSIP development, in accordance with Section 14(1)(a) and Section 15(2), as it comprises:

"the construction or extension of a generating station" (Section 14(1)(a)) where *"it is in England"* and *"its capacity is more than 50 megawatts"* (Section 15(2)).

2.1.2. Therefore, NPS EN-1, NPS EN-3 and NPS EN-5 are relevant and have effect in relation to the Proposed Development.

2.1.3. Whilst the relevant NPSs form the primary basis for decisions on applications for development consent, the Secretary of State may consider other matters that are both important and relevant to their decision.

2.1.4. Therefore, the NPPF, NPPG, the VALP, the MWLP and Good Practice Guidance **[Ref. 1-8]** are considered to be other matters which are both important and relevant to the Secretary of State's decision and therefore frame the minerals policy context.

2.2. National Policy

Overarching National Policy Statement for Energy (NPS EN-1)

2.2.1. NPS EN-1 sets out the current national policy for delivering NSIP energy infrastructure in England and Wales.

2.2.2. Paragraph 5.11.19 of NPS EN-1 states that *"Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place"*.

2.2.3. Further, Paragraph 5.11.28 of NPS EN-1 goes on to state that *"where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources"*.

National Policy Statement for Renewable Energy Infrastructure (NPS EN-3)

2.2.4. NPS EN-3 Section 2.10 recognises that solar farms are one of the most established renewable electricity technologies in the UK and one of the cheapest forms of electricity generation.

2.2.5. There are however no specific policy references to mineral safeguarding in NPS EN-3 and so NPS EN-3 is not considered further in this assessment.

National Policy Statement for Electricity Networks Infrastructure (NPS EN-5)

2.2.6. NPS EN-5 provides the policy basis for electricity network infrastructure which can generally be divided into two main elements. These are:

- Transmission and distribution systems which, to the extent that NPS EN-5 is relevant to the Proposed Development, includes policy on 400 Kilovolt (kV) and 132kV lines and substations; and
- Converter stations to convert Direct Current (DC) to Alternating Current (AC) and vice versa.

2.2.7. Like NPS EN-3, NPS EN-5 does not contain specific policy reference to minerals safeguarding and so NPS EN-5 is not considered further in this assessment.

The 2025 proposed revisions to National Policy Statements

2.2.8. From April – May 2025, the Government opened a consultation on material and minor updates to NPS EN-1, NPS EN-3 and NPS EN-5 (the 'draft revisions'). These revisions seek to embed Clean Power 2030 policy into the Energy NPSs and strengthen the policy case for Critical National Priority infrastructure (including solar). The revisions aim to assist developers in bringing forward higher quality applications. The 2025 revisions do not seek to amend or add further mineral safeguarding policy and are therefore not considered further in this assessment.

National Planning Policy Framework (NPPF) (December 2024)

2.2.9. The latest iteration of the NPPF was published in December 2024 and sets out the Government's planning policies for England.

2.2.10. Paragraph 5 of the NPPF confirms that the NPPF does not contain specific policies for nationally significant infrastructure projects. Notwithstanding this, the NPPF does contain mineral planning policies which are considered relevant to the Proposed Development.

2.2.11. Paragraph 222 of the NPPF highlights that *"It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation"*.

2.2.12. To meet this policy objective, Paragraph 223 of the NPPF sets out that planning policies should:

a) *"provide for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction";*

b) *"so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the*

supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously";

c) *"safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked)";*

d) *"set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place"; and*

e) *"safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals;"* (…).

2.2.13. Paragraph 225 of the NPPF notes that local planning authorities *"should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working"*.

2.2.14. In order to maintain supply, MPAs should, in line with NPPF Paragraph 226, *"plan for a steady and adequate supply of aggregates by:*

a) "preparing an annual Local Aggregate Assessment" (…);

e) "using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply" (…); and

f) "maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock" (…).

2.2.15. Further, NPPF Paragraph 227 confirms that MPAs should *"plan for a steady and adequate supply of industrial minerals by:*

a) "co-operating with neighbouring and more distant authorities to ensure an adequate provision of industrial minerals to support their likely use in industrial and manufacturing processes"; and

b) "encouraging safeguarding or stockpiling so that important minerals remain available for use".

National Planning Practice Guidance (NPPG) – Minerals (October 2014)

2.2.16. The minerals section of the NPPG confirms that minerals *"make an essential contribution to the country's prosperity and quality of life"* (Paragraph: 001 Reference ID: 27-001-20140306).

2.2.17. The minerals section of the NPPG also recognises that *"minerals can only be worked where they naturally occur, so location options for economically viable*

and environmentally acceptable extraction of minerals may be limited" (Paragraph: 001 Reference ID: 27-001-20140306).

2.2.18. With the above in mind, Paragraph: 007 (Reference ID: 27-007-20140306) encourages MPAs to *"plan for minerals extraction using Ordnance Survey-based proposals maps and relevant evidence provided by the minerals industry and other appropriate bodies"*. This approach intends to allow MPAs to *"highlight areas where mineral extraction is expected to take place, as well as managing potentially conflicting objectives for use of land"*.

2.2.19. Paragraph: 003 (Reference ID: 27-003-20140306) addresses the steps and sources MPAs should take when safeguarding mineral resources. The Paragraph points to the British Geological Survey's (BGS) report titled 'Mineral safeguarding in England: good practice advice'.

British Geological Survey: Mineral safeguarding in England: good practice advice (2011)

2.2.20. The Good Practice Advice guidance published by the British Geological Survey (BGS) is principally intended for those involved in the preparation of mineral Development Plan Documents and in determining planning applications. Further, the Good Practice Advice guidance is considered to be of use to developers that are proposing development in areas where the presence of a mineral resource may need to be considered.

2.2.21. Important to this assessment is the guidance's acknowledgement that MSAs *"neither preclude other forms of development permitted nor conveys any presumption that the mineral will be worked*". MSAs simply provide a policy tool which alerts to the fact that minerals may be sterilised by proposed non-mineral development and that this should be taken into account in the planning process.

2.3. Local Policy

Buckinghamshire Minerals and Waste Local Plan (MWLP) 2016 – 2036 (Adopted July 2019)

2.3.1. The MWLP forms the land use planning strategy for minerals and waste development within the administrative area of Buckinghamshire Council. Further, the MWLP provides the basis for determining planning applications for, or linked to, minerals and waste development in Buckinghamshire.

2.3.2. The MWLP is supported by the interactive Buckinghamshire Minerals and Waste Policy Map which outlines the extent and geographic locations of sites with planning permission (the 'Minerals Development Commitments'), Allocated Sites and MSAs.

2.3.3. Map 4 of the MWLP ('Minerals Safeguarding Areas within Buckinghamshire') identifies the MSAs for sand and gravel, clay with flints and white limestone across Buckinghamshire. Map 4 of the MWLP has been reproduced in **Annex 1**

of this assessment using higher resolution data together with an overlay of the Order Limits to reflect the Proposed Development's interaction with MSAs.

2.3.4. The MWLP establishes, through Section 3, the vision and a set of ten strategic objectives to realise this vision of the MWLP.

2.3.5. Strategic Objective 2 (SO2) outlines that defining MSAs is important in protecting *"mineral resources of local and national importance within Buckinghamshire from development that would hinder their future use"*. SO2 goes on note the particular regard that should be had for *"sand and gravel resources within the Thames and Colne Valley as well as in the north of the county"*.

2.3.6. SO10 (Safeguarding of Existing Minerals and Waste Sites) outlines the objective that is to *"protect Buckinghamshire's existing minerals and waste sites, and sites allocated through the Plan and associated facilities and infrastructure, from alternative uses"*.

2.3.7. Paragraph 4.14 of the MWLP recognises the national planning policy position by reaffirming that *"there is a national requirement to ensure that proven mineral resources are not needlessly sterilised by other forms of development"*. Therefore, Paragraph 4.14 of the MWLP reaffirms that aim of MSAs are *"to protect minerals of local and national importance from being needlessly sterilised, but it must be stressed that there is no presumption that resources defined in MSAs will be worked"*.

2.3.8. Paragraph 4.15 of the MWLP goes on to quantify the importance of Buckinghamshire's designated MSAs where *"the most significant primary resources in Buckinghamshire that warrant protection are the sand and gravel deposits situated in the southern half of the county, as these are the most economically viable and essential minerals. In addition the resources in the Great Ouse Valley east of Buckingham should also be safeguarded"*. The Paragraph goes on to confirm that *"in saying this, it is also important that other resources are safeguarded for future generations even if they are not considered to be economically viable in the current market"*.

2.3.9. Paragraph 4.18 of the MWLP notes that *"in line with securing the long-term conservation of mineral resources of local and national importance, the County Council will object to proposals for non-minerals development that it considers will result in the needless sterilisation of resources unless it can be demonstrated that:*

- *prior extraction is possible;*
- *the development is of a form or nature that would not hinder future extraction;*
- *there is an over-riding need for the development; or*
- *that the resource is not viable*".

2.3.10. Paragraph 4.20 of the MWLP makes clear that *"Proposals for development (that does not constitute exempt development) within an MSA must include a Mineral Assessment (to accompany the planning application) which is to address the effect of the proposed development on the*"

- mineral resource beneath or adjacent to the site;
- site-specific geological survey data pertaining to the mineral resource;
- feasibility both in relation to the (prior) extraction of the resource and whether the prior extraction itself could harm the viability of the overall proposed development;
- potential for use in the proposed development; and
- how prior extraction would be achieved.

2.3.11. The above paragraphs of the MWLP are considered to be key to this assessment. Whilst other paragraphs of the MWLP carry relevance, the remaining review of the MWLP focuses primarily on the MWLP's policy.

2.3.12. Policy 1 'Safeguarding Mineral Resources' recognises that minerals are a finite natural resource and that the purpose of Buckinghamshire Council's identified MSAs is to prevent non-minerals development needlessly sterilising mineral resources.

2.3.13. Policy 1 details that *"Proposals for development within MSAs, other than that which constitutes exempt development, must demonstrate that:*

- *prior extraction of the mineral resource is practicable and environmentally feasible and does not harm the viability of the proposed development; or*
- *the mineral concerned is not of any value or potential value; or*
- *the proposed development is of a temporary nature and can be completed with the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or*
- *there is an overriding need for the development"*.

2.3.14. Policy 1 goes on to specify that *"a Mineral Assessment will be required to accompany the planning application for the proposed non-minerals development, detailing:*

- *the size, nature and need for the (non-minerals) development,*
- *the effect of the proposed development on the mineral resource beneath or adjacent to the site,*
- *site-specific geological survey data (in addition to the MSAs and BGS mapping data) to establish the existence or otherwise of a mineral resource (detailing resource type, quality, estimated quantity and overburden to reserve ratio),*

- *whether it is feasible and viable to extract the mineral resource ahead of the proposed development to prevent sterilisation and the potential for use (of the mineral resource) in the proposed development, and*
- *where prior extraction can be undertaken how this will be carried out as part of the overall development scheme, with reference to the proposed phasing of operations and construction of the non-mineral development".*

2.3.15. Paragraph 4.25 makes clear that *"the spatial strategy for sand and gravel extraction in the county is to focus extraction primarily in the Thames and Colne Valleys but also within the Great Ouse Valley east of Buckingham"*. The Paragraph goes on to note that *"the secondary focus area has been identified to support a balancing of supply, notwithstanding that the resources are not as consistent in quality and thickness (in comparison with the primary focus area). It should be noted that the Plan does not apply a preferential hierarchy between the two focus areas"*.

2.3.16. Policy 2 confirms the above in policy terms and states that *"the spatial strategy for minerals development in Buckinghamshire is to:*

- *focus sand and gravel extraction primarily in the Thames and Colne Valleys but with a secondary focus in the Great Ouse Valley east of Buckingham"* (…).

2.3.17. In relation to sand and gravel (minerals which the Order Limits overlap an MSA for), Policy 3 'Sand and Gravel Provision' states in full:

"Provision will be made over the plan period (2016 to 2036) for the extraction of 0.81 million tonnes per annum of sand and gravel from the Thames and Colne Valleys (primary focus area) and 0.12 million tonnes per annum of sand and gravel from the Great Ouse Valley (secondary focus area).

The maintenance of a landbank for sand and gravel equivalent to at least seven years supply will be sought in order to ensure a steady and adequate supply and in line with prevailing Local Aggregates Assessment.

This provision will come from sites with planning permission, extensions to existing sites and from new sites in line with the spatial strategy for mineral extraction. Within the Thames and Colne Valleys this provision may be phased to manage supply levels over the plan period and avoid cumulative adverse impacts".

2.3.18. Policy 4 of the MWLP goes on to outline the allocated sites for sand and gravel provision and that these identified sites and those sites with planning permission (as of 1 January 2016) will serve to meet the sand and gravel requirement to 2036.

3. Assessment of Impact of the Proposed Development on Mineral Resource

3.1. Introduction

3.1.1. This Section identifies all mineral-related policy allocations relevant to the Order Limits. This Section then goes on to consider the nature of the Proposed Development and the potential for the Proposed Development to impact upon the supply of mineral reserves, following a review of local policy on landbanks. Finally, this Section considers the potential impact of the Proposed Development on safeguarded minerals in line with the policy requirements protecting MSAs from needless sterilisation.

3.1.2. The NPPF requires local authorities to define MSAs to protect the known locations of specific minerals from sterilisation. An MPA must also define Mineral Consultation Areas (MCAs) based on the boundaries of the safeguarded areas. The MWLP confirms, through Paragraph 4.17, that MCAs are also designated and that their boundaries are coterminous with the MSAs, meaning that MCAs and MSAs are taken together to reflect MSAs.

3.2. Mineral Allocations relevant to the Order Limits

3.2.1. The relevant allocations are detailed within the MWLP. As mentioned above, Map 4 of the MWLP identifies the MSAs for sand and gravel, clay with flints and white limestone across Buckinghamshire. As aforementioned, Map 4 of the MWLP has been reproduced in **Annex 1** of this assessment using higher resolution data together with an overlay of the Order Limits to reflect the Proposed Development's interaction with MSAs.

3.2.2. The Order Limits comprises four parcels of land (Parcels 1, 1a, 2 and 3), the Interconnecting Cable Corridor, the Grid Connection Cable Corridor, the National Grid East Claydon Substation, and associated access. These parcels and cable corridors are outlined in **ES Volume 3, Figure 1.2: Order Limits [EN010158/APP/6.3]**.

3.2.3. The principal components of the Proposed Development include: Solar PV development, a project substation; a Main Collector Compound and two Satellite Collector Compounds; a Battery Energy Storage System (BESS); Interconnecting Cabling Corridor(s); a Grid Connection Cable Corridor; ancillary infrastructure works; green and blue infrastructure, recreation and amenity works; Site-wide operational monitoring and security equipment and highways infrastructure improvements and safety works. Further detail on the Proposed Development and the construction, operation (including maintenance), and decommissioning phases can be found in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**.

3.2.4. Approximately 183 hectares (ha) of the 675.05ha which make up the Order Limits overlap with Sand and Gravel MSAs (i.e., An approximate 27.1% MSA coverage of the Order Limits). By Parcel, the MSA overlap equates to a:

- 5.6% MSA coverage of Parcel 1;
- 68.7% MSA coverage of Parcel 1a;
- 15.9% MSA coverage of Parcel 2; and
- 84.2% MSA coverage of Parcel 3.

3.2.5. The **Works Plans [EN010158/APP/2.3]** show the maximum spatial extent within which each of the elements described in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** could be located across the above-mentioned Parcels and the Order Limits more broadly.

3.2.6. As allocated by the MPA, the Sand and Gravel MSAs in this location follows fluvial landforms, such as the Claydon Brook, with the majority of the Sand and Gravel MSAs and resource lying within southern Buckinghamshire.

3.3. Site-specific Minerals Safeguarding Sites

3.3.1. Policy 4 of the MWLP identifies sufficient allocated sites, together with sites with planning permission as of 1 January 2016, for the provision of sand and gravel to not only meet the plan period (2016 – 2036) as set out in Policy 3 of the MWLP but to go beyond this figure (and therefore the plan period).

3.3.2. Policy 4 of the MWLP identifies the following allocated sites for Sand and Gravel Provision:

"Thames and Colne Valleys

- *M1: Springfield Farm South (Beaconsfield) (2 million tonnes (Mt))*
- *M2: New Denham Quarry North Extension (Denham) (1.60Mt)*
- *M3: New Denham Quarry Extension (Denham) (0.34Mt)*
- *M4: New Denham Quarry North West Extension (Denham) (0.85Mt)*
- *M5: North Park, Richings Park (Iver) (3Mt)*
- *M6: Slade Farm North (Hedgerley) (1.1Mt)*
- *M7: Slade Farm South (Hedgerley) (1Mt)*

Great Ouse Valley

- *M8: Hydelane Farm (Leckhampstead/Foscott) (1Mt)".*

3.3.3. Notwithstanding the position of Policy 4 of the MWLP, Table 3 of the MWLP makes clear that, with regard for the delivery of sand and gravel provision over the MWLP's plan period, there is a deficit of 1.52 million tonnes in the Great Ouse Valley (secondary focus area). The MWLP's position on this deficit is

clarified under Paragraph 4.56 which makes clear that other sites will serve to meet this deficit and will *"come forward as appropriate to meet the provision"*. These other sites *"will be determined under Policy 5 relating to proposals for the extraction of minerals from unallocated sites (including extensions to existing sites and extensions to allocated sites)"*.

3.3.4. Paragraph 7.96 of the MWLP states that in order to prevent land use conflict, consultation zones of 300 metres have been identified for minerals development where *"the purpose of the consultation zones is to trigger the identification of potential land use conflict and potential adverse impacts to ensure that such matters are given due consideration early in the decision making process"*.

3.3.5. Policy 27 of the MWLP details that *"for new development within 300 metres of minerals and waste development (permitted or allocated)* (…) *must demonstrate that it would not adversely affect the continued operation of, or prevent or prejudice the use of, the permitted or allocated land use"*.

3.3.6. The nearest permitted or allocated minerals and/or waste site/allocation is the 'Woodham ROMP' which lies approximately 3.6 kilometres (km) south of the Order Limits.

3.3.7. Therefore, the Proposed Development does not lie within a consultation zone for a permitted or allocated site and is not considered to preclude the working of those allocations.

3.3.8. With regard for 'other sites' that are unallocated and are to come forward during the MWLP's plan period (to satisfy the sand and gravel deficit across the Great Ouse Valley (secondary focus area)), it is considered that Buckinghamshire Council has sufficiently safeguarded sand and gravel reserves across the Great Ouse Valley under a MSA for there to be practicable alternatives for the working of these minerals in this area to meet the identified plan period deficit. This is particularly the case where there appears to be greater identifications of sand and gravel reserves to the south of Marsh Gibbon and between Steeple Claydon and Twyford, for example.

3.4. Impact on the supply of minerals

3.4.1. Consideration has been had to the availability of permitted reserves of minerals (i.e., 'landbanks') in Buckinghamshire in order to assess whether the Proposed Development may prevent a sufficient supply of mineral extraction going forward.

3.4.2. A landbank is a stock of planning permissions for mineral extraction over a specified time period. The Government requires MPAs to have landbanks for all aggregate minerals. For sand and gravel, the recommended landbank period is a minimum of seven years.

3.4.3. Landbanks are principally a monitoring tool to provide an early indication of possible disruption to the provision of an adequate and steady supply of

minerals within the MPAs area and serve to indicate when new permissions are likely to be needed. However, landbanks can only be maintained in practice if the minerals industry comes forward with planning applications in the right place at the right time.

Buckinghamshire Landbank

3.4.4. In accordance with NPPF Paragraph 226, Buckinghamshire Council are to prepare a yearly Local Aggregates Assessment (LAA). The LAA uses landbanks to measure Buckinghamshire's mineral security and seeks to ensure that a seven-year sand and gravel landbank is maintained.

3.4.5. The Buckinghamshire Council's latest LAA is from 2022 **[Ref. 1-9]**. This LAA concludes that, based on a 3-year rolling sales average (as of 31 December 2022), Buckinghamshire had a 5.0-year sand and gravel landbank meaning that Buckinghamshire falls short of the recommended seven-year landbank.

3.4.6. The LAA notes that the adopted MWLP allocated sites for mineral extraction where some sites had been coming forward during the production of the plan. The LAA also notes that there are allocations within the local plan that are still to come forward.

3.4.7. In respect of sand and gravel more widely, the LAA reports that:

"Buckinghamshire is a landlocked area, and only produces sand and gravel, predominantly found in the south of the county. Since 2016, sales in Buckinghamshire have continued to increase to over a million tonnes per annum, apart from a minor drop in 2018. Sales in 2022 were lower than 2021 but remain above a million tonnes. Rock aggregate is imported from Leicestershire, Somerset, and the West Country. Buckinghamshire is a net importer of sand and gravel, and it is believed that flows of sand and gravel into the north of the County take place from adjacent Mineral Planning Authority areas, including Milton Keynes, Northamptonshire, Bedford Borough, Central Bedfordshire, and Hertfordshire. In addition, Buckinghamshire is well connected to other sand and gravel producing areas, within the South-East and, East of England, and the East Midlands former regions, such that the County is effectively part of a much larger sand and gravel aggregate producing area".

3.4.8. Further, the LAA acknowledges that *"there continues to be several nationally significant infrastructure projects in construction across Buckinghamshire. These include the construction of High Speed Rail 2 (HS2) and East West Rail (EWR). As these projects are not located only within Buckinghamshire, it is uncertain whether the materials will be sourced from quarries in Buckinghamshire, or other neighbouring Counties, which they also cross into"*.

3.4.9. Whilst the LAA reports that Buckinghamshire's sand and gravel landbank falls short of the recommended landbank, Buckinghamshire is considered to benefit from being a part of a much larger sand and gravel producing area which provides resilience to the shortcoming of the landbank. This position accords

with NPPF Paragraph 227 which states that MPAs can co-operate with neighbouring and more distant authorities to ensure an adequate provision of industrial minerals, such as sand and gravel.

3.5. Prior Extraction and Sterilisation of Minerals Resource

3.5.1. As outlined above, the Order Limits is partially located within Sand and Gravel MSAs.

3.5.2. Paragraph 222 of the NPPF and Policy 1 of the MWLP recognise that minerals are a finite natural resource and are geographically constrained. Therefore, they can only be worked where they are found. It is therefore critical that mineral resources are not needlessly sterilised by non-minerals developments.

3.5.3. As set out in **Paragraphs 2.3.12** and **2.3.13** of this assessment, Policy 1 of the MWLP requires proposals for development within MSAs (other than that which constitute exempt development) to demonstrate compliance with the four established requirements in Policy 1. Where a proposed development of a non-minerals nature is proposed to be located within MSAs, an application made for non-minerals development is to be supported by a Minerals Assessment which addresses the five established requirements of a Minerals Assessment under Policy 1.

3.5.4. The remainder of this assessment has been structured to, in turn, demonstrate compliance with the policy requirements detailed in Policy 1 of the MWLP.

Prior Extraction

3.5.5. The prior extraction considerations established under Policy 1 of the MWLP include whether the extraction of the mineral resource is practicable and environmentally feasible whilst not harming the viability of the proposed development.

3.5.6. With regard for the practicability of prior extraction, through the lens of environmental constraints, **ES Volume 3, Figure 2.1: Environmental Considerations [EN010158/APP/6.3]** when viewed alongside **Annex 1** of this assessment confirm that:

- The Proposed Development's overlap with the MSA north of Home Wood (an Ancient Woodland) in Parcel 1 is limited and further overlaps with the tree-lined Three Points Lane which adds further constraint to practical prior extraction.
- The Proposed Development's overlap with the MSA in Parcel 1a is limited and, more widely, overlaps with the adjacent Sheephouse Wood SSSI. Further, two Public Rights of Way (PRoW) cross the MSA and Parcel 1a adding further constraint to practical prior extraction.

- The Proposed Development's overlap with the MSA east of Finemere Wood SSSI in Parcel 2 is minimal and, most significantly, overlaps with Finemere Wood SSSI which constrains prior extraction.
- The Proposed Development's overlap with the MSA southwest of Botolph Claydon in Parcel 2 is minimal and is environmentally constrained by a high concentration of PRoWs.
- The Proposed Development's greatest overlap with the MSA extends across Parcels 2 and 3. Practical prior extraction here is environmentally constrained by: a number of PRoWs which cross the MSA; existing infrastructure such as a 400kV overhead line, Quainton Road, Granborough Road and the National Grid East Claydon Substation and its associated overhead line network as well as interspersed woodland blocks.

3.5.7. Further to the above environmental constraints which inhibit the practical prior extraction of the mineral resource, extraction prior to the construction of the Proposed Development is not possible without harming the viability of the Proposed Development. The Proposed Development, if consented, would see the construction phase commence in late 2029 with the completion of construction expected by 2031. This timeline is not compatible with prior mineral extraction without sterilising the Proposed Development, for which there is a critical and urgent need as discussed further in the Planning Statement and the **Statement of Need [EN010158/APP/5.6]**.

3.5.8. It is not considered practicable or environmentally feasible to extract the mineral resource where the Order Limits overlaps with Sand and Gravel MSAs without giving rise to environmental harm or detriment to the viability of the Proposed Development.

Mineral Value

3.5.9. With respect to the value of the mineral concerned, the Applicant recognises that any mineral safeguarded under a MSA by a MPA is considered to be of value to that MPA. Importantly, not all MSAs are of equal value, potential or otherwise in such a position to be considered a workable mineral resource. Further, not all MSAs relate specifically to the mineral which is being safeguarded and can in fact relate to their consultation zones.

3.5.10. In the case of Sand and Gravel MSAs, the MWLP notes through Policy 2 that the extraction of sand and gravel will be focussed primarily in the Thames and Colne Valleys with a secondary focus in the Great Ouse Valley (east of Buckingham).

3.5.11. Both the Thames and Colne Valleys are located within the southern half of the County and are therefore geographically distant from the Order Limits.

3.5.12. With regard for the secondary focus area, the Great Ouse Valley (east of Buckingham) contains a single allocation made under Policy 4 of the MWLP (being "*M8: Hydelane Farm (Leckhampstead/Foscott) (1Mt)*"). This allocation

lies within the secondary focus area and is located some 10.5km north of the Order Limits. Whilst the secondary focus area constitutes a wider area than that of this single allocation, the Order Limits are distanced from the secondary focus area so as to not preclude further allocations coming forward in this area. Further, this view is supported by the fact that Sand and Gravel MSAs have a significantly reduced coverage surrounding the Order Limits as they follow fluvial landforms. This suggests that the workability of the mineral resource in this location is more restricted than in other locations such as those between Steeple Claydon and Twyford.

3.5.13. As reported in **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]**, early desk-based assessments have served to inform this understanding of the existing land and groundwater baseline conditions and are robust for the purposes of the assessment. Data sources which have served to inform this baseline include Magic Maps, British Geological Survey (BGS) mapping, Envirocheck reports and Mineral resources information from the Buckinghamshire Minerals and Waste Local Plan.

3.5.14. As secured in the **Outline Construction Environmental Management Plan (Outline CEMP) [EN010158/APP/7.2]** further environmental surveys and investigations (such as ground investigations for minerals) would be completed at a suitable time should the Proposed Development obtain development consent, prior to construction works commencing. The relevant report(s) and/or survey(s) will be issued to the Local Planning Authority. The Applicant considers that this approach is commensurate with the nature of the Proposed Development and the potential likely value of the mineral being safeguarded.

3.5.15. Further, and as secured in the **Outline CEMP [EN010158/APP/7.2]**, following the completion of the ground investigation works, this Mineral Safeguarding Assessment would also be updated and issued to the Local Planning Authority.

3.5.16. The Sand and Gravel MSAs overlapping the Order Limits follow fluvial landforms (i.e., watercourses, rivers and becks). Meanwhile, the Applicant notes that MSAs are drawn and reflect the combination of MCAs and MSAs which often means that the actual/bulk of a mineral resource lies centrally within MSAs. Whilst it has not been possible to confirm this at this time, the Applicant considers that the alluvium under the protection of the MSAs in this location are strictly associated with deposition along watercourses and so the majority of the area falling under the MSAs actually reflects the MCA.

3.5.17. Many of the BGS records located within the Order Limits or within 250m of the boundary contain no stratigraphical information and instead discuss locations where water has been extracted from natural springs or wells within the area. BGS borehole named “East West Rail Phase 2 WS2E28E”, located to the immediate east of Three Points Lane, describes the geology to a depth of 4.6m below ground level. The log describes topsoil (to 0.2m) underlain by clays of the Oxford Clay Weymouth Member.

3.5.18. BGS boreholes along the railway line approximately 400m to 500m to the south of the Site describe the geology as topsoil underlain by either the glacial deposits and the Peterborough Member to the north, and made ground underlain by the Stewartby Member in boreholes to the south. Although these records are generally shallow, they do support the reported geological sequence indicated by the mapping.

3.5.19. BGS data also suggests that the alluvium under the MSAs protection is a surface deposit. This means that it would be taken as being present immediately below the topsoil and would have no specific overburden present. This being said, the suggested surface level nature of the deposit reaffirms that this mineral resource is geographically constrained to fluvial landforms.

3.5.20. Under the above understanding, the superficial geological units within the MSAs would not ordinarily constitute a mineral resource as they are limited to fluvial landforms (active or otherwise) which do not have a realistic prospect of being worked.

Temporary Development

3.5.21. The Proposed Development is to be operational for a period of up to 40 years. The operational life of the Proposed Development is controlled by Requirement 18 of the **Draft DCO [EN010158/APP/3.1]**.

3.5.22. Following the operational (including maintenance) phase, the Proposed Development would require decommissioning. This would involve the removal of all the above ground infrastructure and any infrastructure up to a depth of 1m below ground level (BGL). All concrete, hardstanding areas, foundations for the infrastructure and internal tracks would be removed to a depth of up to 1m (BGL). All the below-ground cables which are at a depth greater than 1m (BGL) would be left in situ. All mounting structures (being helical or driven piled vertical posts or screw piles) to which the Solar PV modules will be fixed will be removed.

3.5.23. Cabling that lies at a depth greater than 1m (BGL) is to be left in situ such as to not result in the unnecessary disturbance of established habitats and soils, for example, during the decommissioning of the Proposed Development. If, at a later date, it became desirable to work the land where cables reside for mineral extraction post-decommissioning, it would be at this point when the removal of the cabling would become appropriate and in keeping with the necessary levels of disturbance.

3.5.24. The Site would be reinstated in accordance with the **Outline Decommissioning Environmental Management Plan (Outline DEMP) [EN010158/APP/7.4]**. The decommissioning phase would see the land returned to the landowner in its former use following the operational (including maintenance) phase.

3.5.25. Landscape structural planting, including tree planting, hedgerows, scrub, etc., created to deliver biodiversity mitigation and enhancement associated with the Proposed Development would be left in situ when the Site is returned to the landowner.

3.5.26. With the above in mind, the Proposed Development is reversible and will not result in the permanent sterilisation of resources or hinder future extraction. This position is taken as the Proposed Development is time limited and considered to be in a location which falls outside of the secondary focus area for sand and gravel extraction. This means that it is highly unlikely that the extent of Sand and Gravel MSA overlap with the Order Limits will need to be worked beyond the current plan period of the MWLP and before the decommissioning of the Proposed Development. This position is taken given that mineral working beyond the plan period would likely be focused in the primary and secondary focus areas for sand and gravel extraction, for which the Proposed Development is not located.

Need for Development and Site Selection

3.5.27. The **Statement of Need [EN010158/APP/5.6]** accompanying this DCO Application sets out a detailed case for why the Proposed Development is urgently required, in accordance with the Energy NPSs. The Statement concludes that the Proposed Development will form a critical part of the UK's portfolio of renewable energy generation and will be required to decarbonise the UK's energy supply quickly whilst also bolstering a secure and affordable national energy supply.

3.5.28. The **Site Selection Report** which is provided for as Appendix 1 to this Planning Statement provides an overview of the site selection process undertaken to identify the development site and presents the reasons why the Proposed Development and Order Limits are located in this particular location. Further, Section 5 of this Planning Statement gives an overview of the principles and the technical and environmental requirements of a large-scale solar farm development project that have guided the site selection process.

3.5.29. Both the **Site Selection Report** and **Section 5** of the Planning Statement demonstrate that there are limitations and external factors influencing the siting of the Proposed Development including, but not limited to: the availability of a suitable grid connection with sufficient capacity; irradiance and topography; agricultural land classifications; willing landowners within sparse settlement pattern locations. Once these criteria are met, there is an opportunity to develop a site of sufficient scale to deliver meaningful contributions towards meeting Net Zero.

3.5.30. With the above in mind, the non-mineral developmental nature of the Proposed Development accords with the relevant policy tests contained within of Policy 1 of the MWLP and Paragraph 223 of the NPPF.

3.6. Other Policy Considerations

3.6.1. **Section 3** of this assessment has addressed the bulk of the policy tests within National and Local Policy; specifically, Policy 1 of the MWLP with regard for non-mineral development within MSAs. However, Policy 1 of the MWLP also makes clear that there are a number of requirements that a Mineral Assessment must detail when submitted together with an application for a non-mineral development. These are:

- Consideration for the effect of the proposed development on the mineral resource adjacent to the site; and
- The undertaking of site-specific geological surveys to *"establish the existence or otherwise of a mineral resource (detailing resource type, quality, estimated quantity and overburden to reserve ratio)"*.

3.6.2. It is widely recognised that the nature of the Proposed Development would not result in the sterilisation of mineral resources that are adjacent to the Order Limits. This is principally due to the fact that the Proposed Development can only be constructed within the Order Limits and that the nature of the Proposed Development is not intrusive, sterilising or sensitive to the working of mineral resources adjacent to the Order Limits.

3.6.3. In addressing the requirement for geological surveys to take place to inform the **Environmental Statement [EN010158/APP/6.1 – 6.4]**, the Applicant considers that it is not commensurate with the nature of the Proposed Development or the nature and potential likely value of the mineral being safeguarded and the assessment remains robust for the purposes of the DCO Application.

3.6.4. The **Outline CEMP [EN010158/APP/7.2]** does secure that environmental surveys and investigations (such as ground investigations for minerals) would be completed at a suitable time should the Proposed Development obtain development consent, prior to construction works commencing. The relevant report(s) and/or survey(s) will be issued to the Local Planning Authority. As secured in the **Outline CEMP [EN010158/APP/7.2]**, following the completion of the ground investigation works, this Mineral Safeguarding Assessment would also be updated and issued to the Local Planning Authority.

3.6.5. The Applicant considers that the above approach to investigation and assessment is appropriate and commensurate with both the nature of the Proposed Development and the potential likely value of the mineral being safeguarded.

4. Summary of the Impact on Safeguarded Resource

4.1.1. As outlined above, the Proposed Development will be decommissioned after a period of up to 40 years where impacts caused by the Proposed Development relating to land use are considered both temporary and reversible. Therefore, the MSAs overlap with the Order Limits will not be permanently sterilised, and post-decommissioning, the land could be worked for minerals if it is found to be workable.

4.1.2. The temporary and reversible nature of the Proposed Development arises from Requirement 18 of the **Draft DCO [EN010158/APP/3.1]**.

4.1.3. Decommissioning would involve the removal of all the above-ground infrastructure and any infrastructure up to a depth of 1m (BGL). All concrete, hardstanding areas, foundations for the infrastructure and internal tracks would be removed to a depth of up to 1m (BGL). All the below-ground Cables which are at a depth greater than 1m (BGL) would be left in situ. All mounting structures (being helical or driven piled vertical posts or screw piles) to which the Solar PV modules will be fixed will be removed.

4.1.4. Landscape structural planting, including tree planting, hedgerows, scrub, etc., created by the Proposed Development to deliver biodiversity mitigation and enhancement would be left in situ when the Site is handed back to landowner. Therefore, the landowner has the right to retain or return their land to the current use and, therefore, any potential minerals on site would not be permanently sterilised and could therefore be available to be worked, if required, at a future date. The proposed permissive footpaths would be retained or removed at the discretion of the landowner post-decommissioning.

4.1.5. The potential minerals falling within the Order limits will not be permanently sterilised as the land could be worked for minerals post-decommissioning.

4.1.6. With the above in mind, the Applicant considers that due consideration has been given to the requirement established in Paragraph 5.11.19 of NPS EN-1 in that, through site selection and design, mineral resources have been safeguarded as far as possible and that Requirement 18 of the **Draft DCO [EN010158/APP/3.1]** secures any longer term extraction need, post-decommissioning.

4.1.7. Further, the Applicant is of the view that the Secretary of State (in accordance with Paragraph 5.11.28 of NPS EN-1) should be satisfied that appropriate mitigation measures, in the form of decommissioning and restoration Requirement 18 of the **Draft DCO [EN010158/APP/3.1]**, suitably safeguards the working of minerals if they are found to be workable.

4.1.8. The Applicant also considers that there are no conflicts with the mineral policies contained within the MWLP, NPPF and the guidance contained within the NPPG.

4.1.9. This DCO Application is overwhelmingly supported by its Critical National Priority nature and the urgent need for developments such as the Proposed Development. This is discussed further in the Planning Statement and the **Statement of Need [EN010158/APP/5.6]**.

4.1.10. Finally, this assessment has been written with consideration of BGS' Mineral safeguarding in England: good practice advice. The key founding basis of this assessment has been that MSAs neither preclude other forms of development permitted nor convey any presumption that the mineral will be worked in the future.

5. References

Ref. 1-1 Department for Energy Security and Net Zero. (2023). *Overarching National Policy Statement for Energy (EN-1).* Available online: https://www.gov.uk/government/publications/overarching-national-policy-statement-for-energy-en-1

Ref. 1-2 Department for Energy Security and Net Zero. (2023). *National Policy Statement for Renewable Energy Infrastructure (EN-3).* Available online: https://www.gov.uk/government/publications/national-policy-statement-for-renewable-energy-infrastructure-en-3

Ref. 1-3 Department for Energy Security and Net Zero. (2023). *National Policy Statement for Electricity Networks Infrastructure (EN-5).* Available online: https://www.gov.uk/government/publications/national-policy-statement-for-electricity-networks-infrastructure-en-5

Ref. 1-4 Ministry of Housing, Communities & Local Government. (2024). *National Planning Policy Framework.* Available online: https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf

Ref. 1-5 Ministry of Housing, Communities & Local Government. (2024). *National Planning Practice Guidance.* Available online: https://www.gov.uk/government/collections/planning-practice-guidance

Ref. 1-6 Buckinghamshire Council. (2021). *Vale of Aylesbury Local Plan (VALP) 2013 – 2033.* Available online: [redacted]

Ref. 1-7 Buckinghamshire County Council. (2019). *Buckinghamshire Minerals and Waste Local Plan 2016-2036.* Available online: [redacted]

Ref. 1-8 British Geological Service. (2011). *Mineral safeguarding in England: good practice advice.* Available online: [redacted]

Ref. 1-9 Buckinghamshire Council. (2022). *Buckinghamshire Local Aggregate Assessment 2022.* Available online: [redacted]

6. Annex 1

KEY:

- Order Limits
- Mineral Safeguarding Area for Sand and Gravels

NOTES:

Base map provided by Client
Map Ref.:
OS_1_25_000_Scale_Colour_Raster_978292_1239469.tif

App	Date	Description	Drn	Chk	App
01	22/05/2025	First issue	BS	GC	GC

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DOCUMENT:
MINERAL SAFEGUARDING ASSESSMENT
REGULATION 5(2)(q)

TITLE: APPENDIX 1 - PROPOSED DEVELOPMENT LOCATION WITHIN MINERAL SAFEGUARDING AREA

PINS REFERENCE NUMBER:
EN010158/APP/5.7

SCALE : 1:30,000 @ A3
0 1km

REV: P01

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Appendix 3 - Planning History



Local Planning Authority History

Reference	Address	Description	Decision and Date of Decision
25/01297/APP	Land North Of East Claydon Substation East Claydon Road East Claydon Buckinghamshire	Construction of a greener grid park comprising energy storage and grid balancing equipment and associated infrastructure including access, drainage, landscaping and other incidental works	Decision due 18/08/2025
24/02556/SO	Land North Of East Claydon Substation East Claydon Road East Claydon Buckinghamshire	The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a Scoping Opinion	Scoping Request is deemed Not Acceptable 14/11/2024
24/00063/ALB	Pond Farmhouse Calvert Road Steeple Claydon Buckinghamshire MK18 2HD	Listed building application for re-tiling and associated repairs to existing roof structure, re-building of upper section of southern gable, rebuild bowing masonry over lounge/snug window, crack repairs and repointing in lime mortar, underpinning of buttress, up-grade and repair all gutters and downpipes and installation of french drains	Approved 28/03/2024
23/03875/APP **Appeals Casework Portal reference 'APP/J0405/W/25/3360815'**	Land Located Off Hogshaw Road Granborough MK18 3NL	Development of a battery energy storage system (BESS), connected directly to the National Grid with associated infrastructure including access, drainage and landscaping (amended plans received).	Refused on 20/12/2024. Allowed on Appeal on 11/09/2025.

23/01438/SO	Land Located Off Hogshaw Road Granborough MK18 3NL	EIA screening opinion with regard to the proposed development of a battery energy storage system (BESS)	Screen Opinion issued (EIA Required) 08/06/2023
23/02182/ALB	Pond Farmhouse Calvert Road Steeple Claydon Buckinghamshire MK18 2HD	Listed building application for replacement of 11 windows,1 lintel, and 2 doors	Application Withdrawn 24/01/2024
22/01321/HS2	Decoypond Wood, Land East Of Calvert, South Of Werner Terrace	In accordance with paragraphs 2 and 3 of Schedule 17 to the High Speed Rail (London - West Midlands) Act 2017, the nominated undertaker hereby requests approval of PLANS AND SPECIFICATIONS comprising of the construction of a ditch crossing, erection of fencing and four maintenance gates	Approved 17/06/2022
21/00041/HS2SR	4YH Overhead Line Route Quainton	Development authorised by High Speed Rail (London - West Midlands) Act 2017. Site restoration following re-routing of overhead power lines.	Approved 18/03/2021
20/02703/APP	Knowle Hill Farm Calvert Road Middle Claydon Buckinghamshire MK18 2EZ	Erection of cattle shed	Approved 11/11/2020
16/04025/APP	Land Off Winslow Road Access 40,42,44 East Claydon Buckinghamshire	Creation of three temporary vehicular accesses to facilitate development of a new 18km 132kV line from Bicester to East Claydon.	Approved 10/03/2017

16/03115/ACL	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Application for a Lawful Development Certificate for a proposed underground 132kV line and ancillary development and underground 33kV and 11kV lines.	Approved 22/12/2016
16/02502/AEL	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Installation of 4 pole terminal structure; 2 poles being approximately 15 metres in height and 2 poles being approximately 10.5 metres in height. The structure will have 6 stays at 45 degrees angles. Installation of 14 metre Single Section Pole with 4 stays at 45 degrees angles. The two proposed structures will be connected by an overhead line with a span of approximately 40 metres in length with an underslung earth wire.	No Objection 02/09/2016
14/03617/APP	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Construction of a new substation including installation of electrical apparatus, switchgear building, extension of internal access road, boundary treatments and landscaping and the erection of a building to house telecommunications apparatus within the existing National Grid Substation at East Claydon.	Approved 13/03/2015
14/A3617/DIS	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Submission of detail pursuant to Condition 2 - A planting scheme in accordance with Arboricultural Impact Assessment indicating species, plant sizes and proposed numbers/densities on planning permission 14/03617/APP.	Approved 06/02/2015
08/00227/APP	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Installation of 60 KVA generator for emergency power generation	Approved 18/03/2008

01/00741/APP	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Telecoms module	Approved 15/05/2001
93/00916/APP	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Two equipment accommodation modules	Approved 17/06/1993
89/01556/APP	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	42 meters high mast dish aerial and dedicated equipment house	Approved 20/07/1989
86/00042/AV	Electricity Grid Sub Station Winslow Road East Claydon Buckinghamshire	Vehicular Access	Approved 10/03/1986
10/02008/APP	Grange Farm Shipton Lee Quainton Buckinghamshire HP22 4DJ	Application to extend time limit of permission 07/00464/APP - Change of use of farm buildings to form 3 dwellings and conversion of farmhouse to form 2 dwellings.	Approved 16/11/2010
10/A2008/DIS	Grange Farm Shipton Lee Quainton Buckinghamshire HP22 4DJ	Submission of detail pursuant to Condition 7 - Newt Mitigation Strategy on planning permission 10/02008/APP	Approved 23/08/2012
07/00464/APP	Grange Farm Shipton Lee Quainton	Change of use of farm buildings to form 3 dwellings and conversion of farmhouse to form 2 dwellings.	Approved 10/04/2008

	Buckinghamshire HP22 4DJ		
10/01687/AEL	Overhead Lines Between East Claydon And Hogshaw Buckinghamshire MK18 2NE	Repair and replace to overhead lines	No Objection 06/08/2010
05/02475/APP	Claydon Sporting Clay Club Land At Romer Wood Three Points Lane Middle Claydon Buckinghamshire	Use of land for clay pigeon shoot and retention of 2 no. toilets and clubhouse, and hard standing in connection with use	Application Withdrawn 22/03/2006
91/01912/AEL	Overhead Line Calvert Road Steeple Claydon Buckinghamshire	Overhead electricity line	No Objection 31/12/1991
85/01236/AV	Catherine Farm Calvert Road Middle Claydon Buckinghamshire MK18 2EZ	Overhead line	No Objection 26/08/1985

Other Planning Permissions History

Reference	Address	Description	Decision and Date of Decision
High Speed Rail (London–West Midlands) Act 2017	N/A	A Bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes.	Royal Assent 23/02/2017

Rosefield Solar Farm

Appendix 4 - Policy Compliance Assessment Tables (Clean)



Table of Contents

1. Table 1 - Overarching National Policy Statement (NPS) for Energy EN-1 1
2. Table 2 - NPS for Renewable Energy Infrastructure EN-3 (NPS EN-3) 82
3. Table 3 - NPS for Electricity Networks Infrastructure EN-5 (NPS EN-5) 110
4. Table 4 - National Planning Policy Framework 114
5. Table 5 - National Planning Practice Guidance 133
6. Table 6 - Vale of Aylesbury Local Plan 2013 – 2033 137
7. Table 7 - Buckinghamshire Minerals and Waste Local Plan 2016-2036 163
8. Table 8 - Vale of Aylesbury Neighbourhood Plans 166

1. Overarching National Policy Statement (NPS) for Energy EN-1 (NPS EN-1)

Table 1-1 Overarching National Policy Statement (NPS) for Energy EN-1 (NPS EN-1) Table of Compliance

Policy	Policy Text	Applicant Assessment
Introduction **EN-1 (3.1)**	3.1.1 This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers that the need for such infrastructure is urgent. 3.1.2 However, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.	The Proposed Development would make a significant contribution to the achievement of both the national renewable energy targets and to the UK's contribution to global efforts to reduce the effects of climate change. The **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]** set out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated to be from 2031. In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community. The Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to local and national networks. In the case of the Proposed Development, the residual significant adverse effects are limited to effects on biodiversity, cultural heritage, and landscape and visual. From a cumulative effects perspective, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** outlines that further residual significant adverse effects are limited to landscape and visual, and biodiversity. It is considered that these residual impacts do not meet the "exceptional circumstances" test and therefore do not warrant refusal of the application for development consent in circumstances where the Proposed Development is Critical National Priority (CNP) (see paragraph 4.1.7 of NPS EN-1). As reported in the **Planning Statement [EN010158/APP/5.7],** the Proposed Development does not have an unacceptable interference with human health and public safety, defence, irreplaceable habitats and does not pose an unacceptable risk to achievement of net zero. In addition, Section 3.3 of the **Planning Statement** sets out that there are a significant number of additional benefits that would be achieved by the Proposed Development which must be weighed against any residual effects.
Secretary of State decision making **EN-1 (3.2)**	3.2.1 The government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and NDC	The **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]** set out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated to be from 2031. The Proposed Development would contribute towards the UK Government meeting the overarching key national policy aims of: • Achieving Net Zero by 2050 and reducing emissions; • Increasing the security of energy supply;

Policy	Policy Text	Applicant Assessment
		• Lowering the cost and increasing the affordability of generated electricity; and • Contributing to sustainable development and economic opportunities. This would help the UK diversify its energy supply, increase energy resilience, and support local and national carbon emission reduction targets. It would provide a reliable supply of electricity that seeks to help address the needs of the UK power market. The Proposed Development would also help the UK to meet carbon reduction commitments, by significantly increasing the proportion of electricity supplied by renewable sources, which is reported as a significant beneficial effect in **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]**.
	3.2.2 We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	The Proposed Development would help the UK diversify its energy supply, increase energy resilience and help support local and national carbon emission reduction targets. The **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]** set out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System from 2029.
	3.2.3 It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects within the strategic framework set by government. With the exception of new coal or largescale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the government's ambitions in energy policy and other policy areas.	
	3.2.6 The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	Section 3.3 of the NPS EN-1 identifies an urgent need for new nationally significant electricity infrastructure. The Proposed Development delivers against this need because it delivers a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated to be from 2031.
	3.2.7 In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.	The **Statement of Need [EN010158/APP/5.6]** concludes, in support of the settled policy position in Paragraphs 3.2.6 – 3.2.8 of NPS EN-1, that the decarbonisation, security of supply and affordability benefits delivered by the Proposed Development to the national urgent need for low-carbon generation should be accorded substantial weight in the planning balance.
	3.2.8 The Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS.	

Policy	Policy Text	Applicant Assessment
	3.2.9 This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008	The Proposed Development is an onshore generating station in England (which does not generate electricity from wind) with a generating capacity exceeding 50 MW. It is therefore classed as an NSIP under sections 14(1)(a), 15(1) and 15(2) of the PA 2008. The PA 2008 requires a DCO to be obtained for the development of NSIPs. The Applicant acknowledges this policy and confirms that a policy review of all relevant NPSs for Energy has been undertaken.
The role of electricity storage **EN-1 (3.3)**	3.3.25 Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated. 3.3.26 Storage is needed to reduce the costs of the electricity system and increase reliability by storing surplus electricity in times of low demand to provide electricity when demand is higher. There is currently around 4GW of electricity storage operational in GB, around 3GW of which is pumped hydro storage and around 1GW is battery storage. 3.3.27 Storage can provide various services, locally and at the national level. These include maximising the usable output from intermittent low carbon generation (e.g. solar and wind), reducing the total amount of generation capacity needed on the system; providing a range of balancing services to the NETSO and Distribution Network Operators (DNOs) to help operate the system; and reducing constraints on the networks, helping to defer or avoid the need for costly network upgrades as demand increases.	As discussed in the above responses to NPS EN-1 Paragraphs 3.2.1 and 3.2.2, the Proposed Development is urgently needed in order to meet the Government's energy objectives. The **Statement of Need [EN010158/APP/5.6]** consistently concludes with NPS EN-1 that the decarbonisation, security of supply and affordability benefits delivered by the Proposed Development to the national urgent need for low-carbon generation should be accorded substantial weight in the planning balance. The Proposed Development comprises both solar PV electricity generating and battery storage facilities with associated infrastructure, which would allow for the generation and export of electricity exceeding 50MW Urgent and unprecedented actions are required on a global scale to halt climate change. A rapid increase in the supply of low carbon electricity is needed for the UK to meet its legally binding climate change targets. Solar generation is a critical part of the UK's strategy to achieve net zero by 2050, a key step towards the government's national mission for 'Clean Power by 2030'. However, the need for new clean power does not stop at 2030. The continued delivery of low-carbon generation facilities beyond 2030 is necessary to meet future electricity demand growth outlined in the **Statement of Need [EN010159/APP/5.6]** and achieve essential wider societal carbon savings. It is also important to continue to bring forward schemes in case 'Clean Power by 2030' is not achieved. The NPSs do not set out any maximum targets for low-carbon infrastructure development (see Paragraph 3.2.3 of NPS EN-1). The UK should be developing as much low-carbon infrastructure as possible and as quickly as possible to meet the urgent need to reduce carbon emissions while ensuring a reliable, secure, and affordable supply.
Assessment Principles **Weighing impacts and benefits** **EN-1 (4.1)**	4.1.5 In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account: • its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits • its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid,	The **Planning Statement [EN010158/APP/5.7]** sets out, through **Section 10**, the planning balance for the Proposed Development, drawing together the likely significant beneficial effects of the Proposed Development and the likely significant residual adverse effects. The **Commitments Register [EN010158/APP/6.4]** sets out all mitigation measures which are outlined in all the ES chapters. In the case of the Proposed Development, the residual significant adverse effects are limited to effects on biodiversity, cultural heritage and landscape and visual. From a cumulative effects perspective, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** outlines that further residual significant adverse effects are expected with regard to landscape and visual and biodiversity. It is considered that these residual impacts do not meet the "exceptional circumstances" test and therefore do not warrant refusal of the application for development consent in

Policy	Policy Text	Applicant Assessment
	reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy	circumstances where the Proposed Development is CNP infrastructure (see paragraph 4.1.7 of NPS EN-1). The Proposed Development does not have an unacceptable interference with human health and public safety, defence, irreplaceable habitats or pose an unacceptable risk to the achievement of net zero. In addition, there are a significant number of additional benefits that would be achieved by the Proposed Development, as outlined above. The planning balance is firmly in favour of granting consent. Section 3.3 of the **Planning Statement [EN010158/APP/5.7]** sets out that there are a significant number of additional benefits that would be achieved by the Proposed Development. For example, the Proposed Development is anticipated to lead to a maximum of 600 full time equivalent jobs during the construction phase and an estimated net addition of 24 full time equivalent operational jobs during the operational (including maintenance) phase. The Proposed Development is a well-considered and effectively designed proposal that responds to its locality and is sensitive to the local environment. It is therefore concluded that there are no significant environmental impacts arising that cannot be outweighed by the benefits of the Proposed Development.
Assessment Principles **Financial and technical viability** **EN-1 (4.1)**	4.1.21 In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions. 4.1.22 Where the Secretary of State considers that the financial viability and technical feasibility of the proposal has been properly assessed by the applicant, it is unlikely to be of relevance in Secretary of State decision making (any exceptions to this principle are dealt with where they arise in this, or other energy NPSs, and the reasons why financial viability or technical feasibility is likely to be of relevance explained).	The **Funding Statement [EN010158/APP/4.2]** and a **Grid Connection Statement [EN010158/APP/7.1]** are submitted alongside the DCO Application setting out how the Proposed Development is to be funded, and the status of the grid connection is confirmed. The Applicant has considered these policies and confirms that the Proposed Development is expected to be project financed. The overall objective of the financing strategy for the Proposed Development is to provide full funding commitments prior to the commencement of construction and minimise the overall cost of funds to provide value for money on the cost of the delivered energy from this capital-intensive project. The Applicant has followed a site selection process that has taken into account environmental, physical, technical, social, and commercial considerations and opportunities, as well as engineering requirements. Therefore, the Applicant is confident that they have developed a sensitive and technically viable proposal at this stage. The Applicant wishes to retain flexibility regarding the design detail of certain components of the Proposed Development, as is acknowledged and allowed for in NPS EN-1 Section 4.3, Section 2.6 and Paragraph 2.10.70 of NPS EN-3. The extent of flexibility sought by the Applicant is described in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**.
The critical national priority for low carbon Infrastructure **Applicant assessment**	4.2.10 Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements. 4.2.11	The Applicant has considered this NPS and relevant technology specific energy NPSs, applying the mitigation hierarchy, as well as any other legal and regulatory requirements to the Proposed Development as CNP infrastructure. The **ES [EN010158/APP/6.1 – 6.4]** provides the baseline environmental information available for the study areas that are relevant for the environmental assessment undertaken, the description of the likely environmental effects arising from the Proposed Development, and the mitigation measures proposed to mitigate or reduce adverse environmental effects for the Proposed Development, as well as any necessary monitoring

Policy	Policy Text	Applicant Assessment
EN-1 (4.2)	Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated. 4.2.12 Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered.	measures. In addition, the Applicant has ensured that there has been an application of mitigation hierarchy over the course of the Proposed Development, having started from the site selection stage and informing the Proposed Development design in order to avoid, reduce, mitigate or compensate for any adverse impacts. The **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]** are structured to outline the construction, operational (including maintenance) and decommissioning phase impacts of the Proposed Development. The **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]** identify the significance of an impact upon an assessed receptor, taking account of the environmental measures secured by the Proposed Development's design. **ES Volume 2, Chapter 17: Cumulative Impact [EN010158/APP/6.2]** assesses the impact of the Proposed Development cumulatively with relevant developments within the Zone of Influence. To ensure clarity as to how the proposed embedded and additional mitigation measures are secured, a **Commitments Register [EN010158/APP/6.4]** has been included within the DCO Application. This Register follows PINS Guidance and identifies how commitments will be secured and implemented, to ensure potential environmental effects arising from the Proposed Development are avoided, reduced or mitigated as far as possible, in accordance with the mitigation hierarchy, and as set out in the technical assessments detailed in **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**. It is noted that the **Commitments Register [EN010158/APP/6.4]** is a 'live' document that will be updated throughout the DCO examination period. The **Commitments Register [EN010158/APP/6.4]** links to the management plans secured and monitored via the **Draft DCO [EN010158/APP/3.1]**.
Environmental Effects/ Considerations **Applicant assessment** **EN-1 (4.3)**	4.3.10 The applicant must provide information proportionate to the scale of the project, ensuring the information is sufficient to meet the requirements of the EIA Regulations. 4.3.11 In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	The Applicant wishes to retain flexibility regarding the design detail of certain components of the Proposed Development. The extent of flexibility required is described in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and set out in the **Design Approach Document [EN010158/APP/5.8]** and **Design Commitments [EN010158/APP/5.9]**. The Applicant's approach to EIA, including the use of the Rochdale envelope to assess effects, is set out in **ES Volume 1, Chapter 3: Proposed Development Description** and **Chapter 5: Approach to the EIA [EN010158/APP/6.1]**. With the above need for flexibility in mind, the Applicant confirms that the ES has assessed the likely worst-case development scenario. Establishing the maximum and, where relevant, minimum parameters enables a robust assessment of likely significant environmental effects to be undertaken within the ES for topics where the nature of the assessment requires a specific level of detail, such as maximum heights, massing, or noise levels. Thus, the assessment parameters form the basis of the assessment. The assessment parameters are detailed in the works descriptions which are linked to Schedule 1 within the **Draft DCO [EN010158/APP/3.1]** and

Policy	Policy Text	Applicant Assessment
		are spatially shown in the **Works Plans [EN010158/APP/2.3]** and a number of Control Documents as listed within the **Guide to the Application [EN010158/APP/1.2].** The Applicant confirms that it has provided a level of information proportionate to the scale of the Proposed Development which is sufficient to meet the requirements of the EIA Regulations.
	4.3.12 Where some details are still to be finalised, the ES should, to the best of the applicant's 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.	The impact assessment within **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]** has been based on the worst-case parameters for each technical topic and justification is presented within the relevant technical chapter.
	4.3.15 Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility. 4.3.16 In some circumstances, the NPSs may impose a policy requirement to consider alternatives. 4.3.17 Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.	**ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** and **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** provide a description of the detailed site selection and assessment of alternatives process undertaken by the Applicant. The assessment considers the locational criteria (being environmental, social and economic and engineering constraints) which geographically influenced the area of search. Then, following the selection of the preferred locations for the components of the Proposed Development, based on the application of the locational criteria and factors mentioned above, the Applicant then developed a set of core design principles, which are described in the **Design Approach Document [EN010158/APP/5.8]**. These have then influenced the optioneering and the identification of a preferred design which then underwent further technical and feasibility assessments.
Health **Applicant assessment** **EN-1 (4.4)**	4.4.4 As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. 4.4.5 The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate.	Health is considered through individual topic chapter assessments within the ES and other documents and summarised in **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development and cumulative schemes considered are not considered to result in additive effects that would combine to increase the level of effect on individual receptors to a significant scale across most relevant determinants of health (including noise, air quality, land and water contamination, transport and access and socio-economics). The embedded mitigation measures relevant to potential impacts on health are documented within the: **Outline CEMP [EN010158/APP/7.2], Outline CTMP [EN010158/APP/7.5], Outline LEMP [EN010158/APP7.6], Outline OEMP [EN010158/APP/7.3], Outline Soil Management Plan (SMP) [EN010158/APP/7.7],**

Policy	Policy Text	Applicant Assessment
	4.4.6 Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to wider society as a whole.	**Outline Rights of Way and Access Strategy (RoWAS) [EN010158/APP/7.8], Outline DEMP [EN010158/APP/7.4], Outline Battery Safety Management Plan (BSMP) [EN010158/APP/7.9], Outline Employment, Skills and Supply Chain Plan (ESSCP) [EN010158/APP/7.14]** and **Design Commitments [EN010158/APP/5.9]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
Environmental and Biodiversity Net Gain **Applicant assessment** **EN-1 (4.6)**	4.6.6 Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. 4.6.7 In England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This calculation data should be presented in full as part of their application. 4.6.8 Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority and Natural England for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed. 4.6.11 Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent.	As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the on-site ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although a 10% net gain in biodiversity not yet mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is committing to achieving this as a minimum level of BNG, which will be secured by the **Outline LEMP [EN010158/APP/7.6]** and a requirement in the draft DCO. A Requirement of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum biodiversity net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than what Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. The **Outline LEMP [EN010158/APP/7.6]** (which is also secured by requirement of the **Draft DCO [EN010158/APP/3.1]**) secures the ongoing management and maintenance measures required for the upkeep of landscape and ecological mitigation. Therefore, the Applicant does not consider there to be a need for the Secretary of State to impose further requirements or conditions in the **Draft DCO [EN010158/APP/3.1]** to secure the Proposed Development's BNG. The **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** was undertaken using the latest version of the statutory biodiversity metric. The biodiversity design which the BNG assessment is based upon is cognisant of local biodiversity priorities already identified for the areas and in consultation with Natural England, Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust and Buckinghamshire Council (i.e. it has taken into consideration the habitat creation enhancement proposals where possible that they have requested during the consultation process).
	4.6.13 In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as: • reductions in GHG emissions	In addition to delivering BNG, the Proposed Development principally proposes to facilitate the export of a significant amount of low carbon electricity into the National Grid. The Proposed Development would therefore help the UK to meet carbon reduction commitments, by increasing the proportion of electricity supplied by renewable sources. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a significant residual beneficial climate effect

Policy	Policy Text	Applicant Assessment
	• reduced flood risk • improvements to air or water quality, • climate adaptation, • landscape enhancement • increased access to natural greenspace, or • the enhancement, expansion or provision of trees and woodlands The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.	was identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements in the **Draft DCO [EN010158/APP/3.1]**. Section 3.3 of the **Planning Statement [EN010158/APP/5.7]** sets out the full list of other benefits beyond making a significant contribution to the UK's meeting of policy commitments and legal decarbonisation targets that arise from the Proposed Development. These benefits occur across different stages of the Proposed Development's lifetime.
	4.6.15 Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project. 4.6.17 Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	Opportunities to deliver wider environmental gains are outlined on a topic-by-topic basis in the relevant sections of the **ES [EN010158/APP/6.1 – 6.4]** and the **Outline LEMP [EN010158/APP/7.6]**. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution of the Proposed Development to avoid and minimise effects on existing watercourses/drainage ditches. Project Principles 5.1 – 5.7 set out how the Proposed Development is to increase biodiversity appropriately to the landscape character and connect nature.
Criteria for good design for Energy Infrastructure **Applicant assessment** **EN-1 (4.7)**	4.7.5 To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent. 4.7.6 Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.	As detailed in the **Design Approach Document [EN010158/APP/5.8]**, achieving good design has been a fundamental consideration from the outset of the development of the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes into the Proposed Development. The **Design Commitments [EN010158/APP/5.9]** relate to the size, type and colour of elements of the Proposed Development, as well as offsets from features of the Site and its surrounding context identified as embedded mitigation through the EIA process. They are organised according to the Project Principles (where applicable) as set out and explained in greater detail in the **Design Approach Document [EN010158/APP/5.8].** The design commitments and parameters will be secured with respect to the detailed design for the Proposed Development in order to provide confidence to the relevant planning authority that the environmental effects of the detailed design would be the same or no worse than those assessed.

Policy	Policy Text	Applicant Assessment
		Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**.
	4.7.7 Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.	As part of the approach to EIA, an iterative approach has been adopted where significant environmental effects have been avoided where possible through design refinements and iterations as detailed further within **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1].** The **Design Approach Document [EN010158/APP/5.7],** which sets out, in detail, the Applicant's actions and decisions to demonstrate compliance with design-related policy in NPS EN-1, NPS EN-3 and the Planning Inspectorate's Advice on Good Design. For example, Section 4.7 of the **Design Approach Document [EN010158/APP/5.8]** outlines the Proposed Development's compliance with Annex A of the Planning Inspectorate's Advice on Good Design.
	4.7.8 Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.	Pre-application consultation and engagement were key features of the evolution of the Proposed Development, enabling continuous improvements to the Applicant's proposals. This included consultation and engagement on the design principles which have guided the design of the Proposed Development. In parallel with three phases of formal pre-application consultation on the proposals, the Applicant conducted a programme of stakeholder engagement to gain feedback on the design of the Proposed Development. This included ongoing meetings with a number of stakeholders, including but not limited to the host authorities, statutory undertakers, Berkshire, Buckinghamshire & Oxfordshire Wildlife Trust, Buckinghamshire Fire and Rescue, and the Environment Agency. The Applicant also engaged with specialist and technical officers from Natural England during the pre-application stage of the Proposed Development. In light of the extensive consultation and engagement, the Applicant did not undertake an independent design review of the Proposed Development, which is consistent with the approach taken by other consented DCO solar schemes.
Climate Change Adaptation and Resilience **Applicant assessment** **EN-1 (4.10)**	4.10.5 In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. 4.10.6	The design of the Proposed Development incorporates nature-based solutions, where practicable, including biodiversity enhancement measures and consideration of hydrology, flood risk, landscape, and ecological factors. Noted in **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]**, Solar PV modules would be raised, providing a sufficient freeboard above any potential flood waters; both fluvial and pluvial. Solar PV modules do not increase the impermeable area of a Site, and it is generally considered that they do not contribute to an increase in surface water runoff from the Site. However, the Applicant has adopted a pragmatic nature-based approach to promote infiltration and provide storage areas across the Site. This will involve the management and maintenance of vegetated and grassed areas surrounding the

Policy	Policy Text	Applicant Assessment
	Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits. 4.10.7 In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.	Solar PV modules to intercept and attenuate runoff. Vegetation management is secured within the **Outline LEMP [EN010158/APP/7.6]**. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** describes the existing climate and assesses the anticipated climate effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. The beneficial impact of carbon sequestration has not been accounted for within this assessment, due to the inherent difficulty of accurately quantifying such measures. This results in a more conservative, worst-case scenario. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a significant beneficial climate effect was identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
	4.10.8 New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g. site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g. access roads or other critical dependencies impacted by flooding, storms, heatwaves or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.	**ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** describes the existing climate and assesses the anticipated climate effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy.
	4.10.9 The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks (…) in accordance with the EIA Regulations	**ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** takes into account the recommendations in the IEMA's 'Guide to Assessing Greenhouse Gas Emissions and Evaluating their Significance' and has been adapted to ensure the assessment is proportionate to the Proposed Development.
	4.10.10 Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.	Table 8.5 of **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** sets out the reasonable worst-case scenario assessed for climate for those elements of the Proposed Development for which optionality is present within the design. This has been used for the assessment within the Chapter.
	4.10.11 Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible	A Climate Change Resilience Assessment has been provided for in **ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4]** and given that no likely significant environmental effects are identified, further assessment of climate resilience is not included within **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]**

Policy	Policy Text	Applicant Assessment
	maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.	and is scoped out of the assessment. This matter is scoped out of the assessment in relation to solar PV, as confirmed within **ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]** and the Applicant respond to the Scoping Opinion stated in ES Volume 4, Appendix 5.3: Scoping Opinion Response Matrix **ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4]** details how the Proposed Development has been designed to be resilient to climate change, with regard to construction, operation and decommissioning. The embedded mitigation measures relevant to climate change resilience and the benefits they provide are outlined in Section 2.2. Additional mitigation measures are outlined in Section 2.5 and assigned against the specific receptor and effect they apply to in tables 9, 10, and 11.
	4.10.12 Where energy infrastructure has safety critical elements, the applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.	The Proposed Development is to be operational for a period of up to 40 years. Climate projections from UKCP18 for the period up to 2070 (which is the year the Proposed Development is anticipated to be decommissioned) have used the Representative Concentration Pathway (RCP) 8.5 – high emissions scenario. This represents a maximum credible scenario. The Assessment has been prepared taking into account the latest guidance set out in IEMA's (2020) 'Guide to Climate Change Resilience and Adaptation'.
Pollution Control and Other Environmental Regulatory Regimes **Applicant assessment** **EN-1 (4.12)**	4.12.6 Many projects covered by this NPS will be subject to the Environmental Permitting Regulations, which also incorporates operational waste management requirements for certain activities. When an applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant Environmental Permitting Regulations requirements. 4.12.7 Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other consents, such as marine licences. 4.12.8 Wherever possible, applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent.	The **Schedule of Other Consents and Licences [EN010158/APP/5.5]** has been prepared as part of this DCO Application. The purpose of this document is to provide information on the additional consents and licences potentially required for the Proposed Development, in addition to the permissions set out in the **Draft DCO [EN010158/APP/3.1]**. The **Consultation Report [EN010158/APP/5.1]** sets out the matters that the Applicant has engaged with the Environmental Agency on to date.
Common Law Nuisance and Statutory Nuisance **Applicant Assessment**	4.15.5 At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be identified by the applicant so that appropriate requirements can be	The **Statutory Nuisance Statement [EN010158/APP/5.4]** concludes that the construction, operational (and maintenance) and decommissioning phases of the Proposed Development would not cause a statutory nuisance. As such, the Applicant considers that sufficient assessment and mitigation measures are proposed to be secured to enable the Secretary of State to conclude that no statutory

Policy	Policy Text	Applicant Assessment
EN-1 (4.15)	included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).	nuisances would arise from the Proposed Development's construction, operation (including maintenance) and decommissioning phases.
Air Quality and Emissions **Applicant assessment** **EN-1 (5.2)**	5.2.8 Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES.	**ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** describes the baseline conditions for the study area and assesses the anticipated air quality effects arising from the construction, operational (including maintenance), and decommissioning phases of the Proposed Development in accordance with this policy. **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse air quality effects were identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and secured via requirements in the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual air quality effects.
	5.2.9 The ES should describe: • existing air quality concentrations and the relative change in air quality from existing levels; • any significant air quality effects, mitigation action taken and any residual effects, distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; • the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and • any potential eutrophication impacts.	There will be no potential eutrophication impacts.
	5.2.10 In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.	**ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** identifies The Environment Targets (Fine Particulate Matter) (England) Regulations 2023 as important and relevant legislation to the assessment and confirms that the assessment has considered the Regulations.
	5.2.11 Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and the applicant should ensure these are current at the point of an application. The applicant's assessment should be consistent with this but may include more detailed modelling and evaluation to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the Examining Authority along with the source.	In 2023, the Environmental Improvement Plan (EIP) outlined updates to the PM2.5 Air Quality Objective for future years. These are a long-term target of 10 µg/m3 by 2040 and an interim target of 12 µg/m3 by 2028. In 2028, the first anticipated year of operation, Defra predicted background concentrations of PM2.5 were between 7.9 – 8.2 µg/m3 across the Order Limits, which is comfortably below the 12 µg/m3 interim target. No future projections have been made by Defra past 2030, so it is not possible to consider concentrations up to 2040 when the long-term target of 10 µg/m3 should be achieved, however, there are not expected to be significant sources of PM2.5 during the Proposed Development's operational (including maintenance) phase. At the time of writing there had been no further updates to relevant Air Quality Objectives for other pollutants considered in **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]**.

Policy	Policy Text	Applicant Assessment
	5.2.12 Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/strategy at the time of the decision, the applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	**ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** confirms that the Proposed Development would not lead to a breach of any relevant statutory air quality thresholds or affect the ability of a non-compliant area to achieve compliance.
	5.2.13 The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England, or the Clean Air Plan for Wales in Wales, or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance.	An **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]** and **Outline OEMP [EN010158/APP/7.3]** have been provided with this DCO Application. The two former plans are relevant to the construction phase only and the latter plan is relevant to the operational (including maintenance) phase only of the Proposed Development. These management plans include and secure additional mitigation measures and best practice measures which enables **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** to conclude that no significant residual adverse air quality effects are identified. Therefore, the Applicant does not consider that the Secretary of State needs to apply mitigation measures beyond those forming part of this DCO Application.
	5.2.14 The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	Any air quality effects from traffic during the construction and decommissioning phases will be temporary and can be suitably controlled by the employment of mitigation measures. An **Outline CTMP [EN010158/APP/7.5]** has been provided with this DCO Application, including and securing mitigation measures and best practice measures. An **Outline OEMP [EN010158/APP/7.3]** has been provided with this DCO Application, securing best practice measures that have been included to reduce any residual effects on air quality.
Air Quality and Emissions **Secretary of State decision making** **EN-1 (5.2)**	5.2.15 Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government's Environmental Improvement Plan 2023.	**ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated air quality effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse air quality effects were identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development. These embedded mitigation measures have been established based on the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction v2.2 (2024) to minimise the dust and exhaust emission impacts from the Proposed Development. The additional mitigation measures are documented across the: **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]**, **Outline OEMP**

Policy	Policy Text	Applicant Assessment
		[EN010158/APP/7.3] and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual air quality effects.
	5.2.16 The Secretary of State should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives or targets.	**ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated air quality effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse air quality effects were identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development. The additional mitigation measures are documented across the: **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual air quality effects.
	5.2.17 The Secretary of State should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat.	**ES Volume 3, Figure 6.3: Locations of Sensitive Air Quality Receptors [EN010158/APP/6.3]** identifies the location of high sensitivity receptors in proximity to the Site that may be impacted by works associated with the Proposed Development. **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse air quality effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual air quality effects.
	5.2.18 Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the Secretary of State should refuse consent.	**ES Volume 3, Figure 6.3: Locations of Sensitive Air Quality Receptors [EN010158/APP/6.3]** identifies the location of high sensitivity receptors in proximity to the Site that may be impacted by works associated with the Proposed Development. The implementation of embedded and additional mitigation measures identified within the **Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2]**,

Policy	Policy Text	Applicant Assessment
	5.2.19 In all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent.	**Outline CTMP [EN010158/APP/7.5]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** are secured via requirements of the **Draft DCO [EN010158/APP/3.1].** The measures within these outline plans are expected to prevent any significant effects to human health receptors. Residual effects are therefore assessed as being not significant. The Proposed Development is not anticipated to result in any residual adverse effects on air quality receptors during the construction, operation (including maintenance) and decommissioning phases. Therefore, considered that there are no negative decision-making implications in terms of the tests required to be applied by the Secretary of State as set out in paragraphs.
Greenhouse Gas Emissions **Applicant assessment** **EN-1 (5.3)**	5.3.4 All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.3). This should include: • A whole life GHG assessment showing construction, operational and decommissioning GHG impacts, including impacts from change of land use. • An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages. • Measurement of embodied GHG impact from the construction stage. • How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures. • How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology. • Calculation of operational energy consumption and associated carbon emissions. • Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. • Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed.	**ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** presents a greenhouse gas (GHG) assessment over the lifetime of the Proposed Development, within Section 4.10 details the requirement for a climate change resilience assessment as part of the ES Chapter 8. For the purposes of the assessment, the Proposed Development is anticipated to have an installed capacity of 334.1 MW, and generation of 324,864 MWh in the first year of operation. Taking into account an annual degradation factor of 0.4%, the total energy generation from the proposed 40-year operational life is approximately 12,030,492 MWh. Dividing the lifetime emissions of the Proposed Development (1,191,123 tCO2e) by the lifetime energy generation (12,030,492 MWh) gives a total lifecycle carbon intensity value of 99.01 gCO2e/kWh (grams of CO2 equivalent per kilowatt hour). Taking into account GHG savings, the net total of 3 million tCO2e is saved over the lifespan of the Proposed Development compared to Combined Cycle Gas Turbine-generated electricity. This is a significant beneficial effect.
Greenhouse Gas Emissions **Mitigation**	5.3.5 A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall	The GHG impact across all phases of the Proposed Development is assessed as resulting in a significant beneficial effect as it will contribute towards achieving the rate of transition required by nationally set policy commitments and supporting the trajectory towards net zero, with embedded and additional mitigation measures in place. The implementation of

Policy	Policy Text	Applicant Assessment
EN-1 (5.3)	objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero.	embedded and additional climate mitigation measures is identified within the **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]**, **Outline CTMP [EN010158/APP/7.5]** and **Outline LEMP [EN010158/APP/7.6]** and are secured via requirements in the **Draft DCO [EN010158/APP/3.1].** GHG savings as part of the operation of the Proposed Development and the displacement of fossil-fuel-derived electricity within the national electricity network are expected to be considerable. Steps taken to minimise and offset emissions are demonstrated within **Appendix 1: Green and Blue Infrastructure Parameters** to the **Outline LEMP [EN010158/APP/7.6]**.
	5.3.6 Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	
	5.3.7 Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, hedgerow creation and restoration, peatland restoration and through other natural habitats.	
Greenhouse Gas Emissions **Secretary of State decision making** **EN-1 (5.3)**	5.3.8 The Secretary of State must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. 5.3.9 The Secretary of State should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development.	**ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** presents a GHG assessment over the lifetime of the Proposed Development. The GHG impact across the construction, operational (including maintenance) and decommissioning phases is assessed as having a significant beneficial effect as the Proposed Development will contribute to achieving the rate of transition required by nationally set policy commitments and supporting the trajectory towards Net Zero, with embedded and additional mitigation measures in place. The embedded and additional mitigation measures secured are identified in the **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline DEMP [EN010158/APP/7.4]**, **Outline CTMP [EN010158/APP/7.5]** and **Outline LEMP [EN010158/APP/7.6]** and are secured via requirements in the **Draft DCO [EN010158/APP/3.1]**.
	5.3.10 The Secretary of State should give appropriate weight to projects that embed nature-based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.	
	5.3.11 Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Section 2.4), government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set	A reasonable, worst-case scenario has been adopted throughout the assessment presented in **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** and includes assumptions concerning source countries of components; method of component manufacture and associated transportation. When assessed against whole lifecycle emissions, the Proposed Development has a carbon payback period of approximately 11 years. When assessed against operational emissions only, the Proposed Development has a carbon payback period of approximately 4 years. The payback period of the Proposed Development is set out in **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]**. The GHG impact across the construction,

Policy	Policy Text	Applicant Assessment
	out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. 5.3.12 Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.	operational (including maintenance) and decommissioning phases of the Proposed Development is assessed as having a significant beneficial effect as it will play a part in achieving the rate of transition required by nationally set policy commitments and supporting the trajectory towards Net Zero.
Biodiversity and Geological Conservation **Applicant assessment** **EN-1 (5.4)**	5.4.17 Where the development is subject to EIA, the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. 5.4.18 The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the Secretary of State consider thoroughly the potential effects of a proposed project.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** provides an assessment of potential effects on internationally, nationally and locally designated sites of ecological or geological importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, only one potentially significant residual adverse effect is identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In accordance with Paragraphs 5.4.42 of NPS EN-1 and Policy NE1 of the VALP, this potentially significant residual adverse effect is not anticipated to give rise to 'significant harm'. Otherwise, there are no other significant residual adverse biodiversity effects identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development. During the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, a significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland. The relevant additional mitigation measures are documented and secured within the: **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline SMP [EN010158/APP/7.7]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. Table 17.7 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** sets out the summary of the biodiversity inter-project cumulative effects, including residual significant effects, in EIA terms. The table concludes that there may be a total of eight significant adverse cumulative effects in relation to biodiversity.
	5.4.19	As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the on-site ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although a 10% net gain in biodiversity not yet

Policy	Policy Text	Applicant Assessment
	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. 5.4.20 Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. 5.4.21 As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains (see Section 4.6 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project.	mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is committing to achieving this as a minimum level of BNG, which will be secured by the **Outline LEMP [EN010158/APP/7.6]** and a requirement in the draft DCO. A Requirement of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum biodiversity net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than what Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution of the Proposed Development to avoid and minimise effects on existing watercourses/drainage ditches. Project Principles 5.1 – 5.7 set out how the Proposed Development is to increase biodiversity appropriately to the landscape character and connect nature. The design of the Proposed Development has incorporated nature-based solutions, where practicable, such as developing biodiversity enhancement measures and considering hydrology, flood risk, landscape, and ecology factors. As part of the EIA process, an iterative approach has been adopted where significant environmental effects have been avoided where possible through design refinements and iterations as detailed further within **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** and the **Design Approach Document [EN010158/APP/5.8]**.
	5.4.22 The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** has considered the impact of the Proposed Development on the movement of mobile species, such as birds, bats and badgers. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning and is supported by extensive survey works to confirm the extent to which ecological habitats and species are likely to be affected by the Proposed Development, **ES Volume 4, Appendix 7.1 – 7.17 [EN010158/APP/6.4]**.
Biodiversity and Geological Conservation **Applicant assessment – Habitats Regulations**	5.4.25 The applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to	An **HRA No Significant Effects Screening Report (NSER) [EN010158/APP/5.3]** has been prepared in accordance with the requirements of The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) to set out whether the Proposed Development is likely to have any significant effect on European designated sites. This report is submitted in support of the DCO Application. The **HRA NSER** concludes that, given the distance from the Order Limits and the nature of the European sites, no impact pathways have been identified and none have been assessed to provide a risk of Likely Significant Effect either from the construction, operation

Policy	Policy Text	Applicant Assessment
EN-1 (5.4)	conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects. 5.4.26 If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.	or decommissioning phases of the Proposed Development or in combination with other plans and projects, such that an appropriate assessment is not required.
	5.4.27 If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before the close of the examination. This information must include assessment of alternative solutions, a case for Imperative Reasons of Overriding Public Interest (IROPI) and appropriate environmental compensation. 5.4.28 Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application 'without prejudice' to the Secretary of State's final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow the applicant the opportunity to provide such information following the examination.	NE have raised no concern over adverse effects on European Site(s) and the applicant has submitted an **HRA NSER [EN010158/APP/5.3]** which sets out the significant distance between the Proposed Development and European site(s) and that there would be no adverse effects.

Policy	Policy Text	Applicant Assessment
	5.4.29 It is vital that applicants consider the need for compensation as early as possible in the design process as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process. 5.4.30 Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans. 5.4.31 Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	The **HRA NSER [EN010158/APP/5.3]** concludes that, given the distance from the Order Limits and the nature of the European sites, no impact pathways have been identified and none have been assessed to provide a risk of Likely Significant Effect either from the construction, operation and decommissioning of the Proposed Development or in combination with other plans and projects, such that an appropriate assessment is not required. Therefore, there are no environmental compensation requirements to be considered. However, given that the nearest European sites are located over 20km from the Proposed Development, no impact pathways have been identified, and none have been assessed to provide a risk of likely significant effects. The position concluded in the **HRA NSER [EN010158/APP/5.3]** has been agreed with Natural England. Details of engagement with Natural England are presented in table 7.1 of the **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**.
Biodiversity and Geological Conservation **Applicant assessment – Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats** **EN-1 (5.4)**	5.4.32 Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phases.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated effects of the Proposed Development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during the construction and operational phases. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** has been produced with continual engagement with Natural England, Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) and Buckinghamshire Council. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** notes that two areas of ancient woodland are located within the Order Limits and that multiple other areas of ancient woodland are located directly adjacent to the Order Limits in several locations. **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4]** also identifies a potential for root disturbance in the root protection area of a veteran tree. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, across all phases of the Proposed Development, there would be no loss of ancient woodland or veteran trees and that they would experience no effect on structure function. Any residual effects after mitigation, as set out below, is likely to be not significant. The Proposed Development has included, as embedded mitigation, the retention of all statutory and locally designated wildlife sites and ancient woodland with a minimum 30m offset from the fence line. Within this 30m buffer, species-rich grassland, scrub planting and pond creation/restoration will occur to help reduce potential displacement effects from Solar PV and associated infrastructure to foraging and commuting bats (which make use of the

Policy	Policy Text	Applicant Assessment
		ancient woodland) to maintain foraging and commuting corridors and improve links to the wider landscape. Principal components of the Proposed Development will avoid root protection areas of trees as far as reasonably practicable. Where this is not possible, works will be undertaken under arboricultural supervision and 'no dig' construction methods will be used to protect the soil and minimise root impacts.These mitigation measures are documented and secured within the **Design Commitments [EN010158/APP/5.9]**, **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]** and **Outline DEMP [EN010158/APP/7.4]**.
Biodiversity and Geological Conservation **Applicant assessment – Protection and enhancement of habitats and species** **EN-1 (5.4)**	5.4.33 Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. 5.4.34 Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	Maximising the restoration, creation, and enhancement of wider biodiversity has been key to the evolution of the Proposed Development's design. As outlined in the **Outline LEMP [EN010158/APP/7.6]** the Proposed Development seeks to establish: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds. As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the on-site ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although a 10% net gain in biodiversity not yet mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is committing to achieving this as a minimum level of BNG, which will be secured by the **Outline LEMP [EN010158/APP/7.6]** and a requirement in the draft DCO. A Requirement of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum biodiversity net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than what Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, as relevant, legislation and guidance has been used to inform the Proposed Development's consideration of improvements and impacts on species.
Biodiversity and Geological Conservation **Mitigation** **EN-1 (5.4)**	5.4.35 Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: • during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; • the timing of construction has been planned to avoid or limit disturbance;	With regard to Biodiversity and Geological Conservation, the mitigation hierarchy has been applied to the development of the design of the Proposed Development to avoid, mitigate and compensate (in that order) its effects on key biological and geological receptors. The **Outline CEMP [EN010158/APP/7.2]** and **Outline CTMP [EN010158/APP/7.5]**, secure management and control mechanisms to ensure that the construction activities are planned to avoid and minimise disturbance and that works take place in the most effective ways to minimise the impact of construction spatially.

Policy	Policy Text	Applicant Assessment
	• during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; • habitats will, where practicable, be restored after construction works have finished; • opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised; and • mitigations required as a result of legal protection of habitats or species will be complied with.	The **Outline LEMP [EN010158/APP/7.6]** and **Outline OEMP [EN010158/APP/7.3]** apply across the operational (including maintenance) phase of the Proposed Development and secure how the Site will be restored and enhanced post-construction. Maximising the restoration, creation, and enhancement of wider biodiversity has been key to the evolution of the Proposed Development's design. As outlined in the **Outline LEMP [EN010158/APP/7.6]** the Proposed Development seeks to establish: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds.
	5.4.36 Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.	The **Outline LEMP [EN010158/APP/7.6]** sets out a framework for the Proposed Development's approach to ensuring the successful establishment of landscape and ecological measures, both in the short term and during the operation of the Proposed Development. In addition, the **Outline CEMP [EN010158/APP/7.2]** includes the requirement for contractors to provide training on relevant matters.
	5.4.38 To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.	**ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated land and groundwater, including geology, effects of the Proposed Development's construction, operational (including maintenance), and decommissioning. **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse land and groundwater effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP [EN010158/APP/7.2]** (including the Piling Risk Assessment that is secured by it)**, Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4], Outline BSMP [EN010158/APP/7.9], Outline Drainage Strategy [EN010158/APP/7.11]** and **Design Commitments [EN010158/APP/5.9]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual land and groundwater effects.

Policy	Policy Text	Applicant Assessment
Biodiversity and Geological Conservation **Secretary of State decision making** **EN-1 (5.4)**	5.4.39 The government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the government's Environmental Improvement Plan 2023, and in Wales the objectives of the Nature Recovery Plan, and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** has been produced with regard to the aims of the 25-Year Environment Plan and the Environment Act 2021, as evidenced by the extensive habitat provision secured under the **Outline LEMP [EN010158/APP/7.6]**.
	5.4.41 The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated.	During the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, a significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland. These relevant mitigation measures are documented and secured within the: **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline SMP [EN010158/APP/7.7]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. Further, **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although not yet mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is still committing to achieving this as a minimum level of BNG. A requirement of the **Draft DCO [EN010158/APP/3.1]** commits to delivering a net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.
	5.4.42 As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. 5.4.43 If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.	With regard for Biodiversity and Geological Conservation, the design of the Proposed Development has applied the mitigation hierarchy to avoid, mitigate and compensate (in that order) its effects on key biological and geological receptors. Embedded mitigation measures relevant to biodiversity are secured through **Design Commitments [EN010158/APP/5.9].** **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning phases. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, only a single and potentially significant residual adverse effect is identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In accordance with Paragraphs 5.4.42 of NPS EN-1 and

Policy	Policy Text	Applicant Assessment
		Policy NE1 of the VALP, this potentially significant residual adverse effect is not anticipated to give rise to 'significant harm'. In this case, the potentially significant effect has been identified in an abundance of caution and does not mean that a significant effect will definitely occur. This potentially significant effect has been identified as the impact of solar farms on bat species is not well understood at present, with limited research available on which to build a common consensus. Therefore, the potentially significant effect has been identified to capture the precautionary worst-case effect. However, this effect should not be given the same weight in decision-making as an identified likely significant effect. Otherwise, there are no other significant residual adverse biodiversity effects are identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development. During the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, a significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland. These mitigation measures are documented and secured within the: **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline SMP [EN010158/APP/7.7]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. Table 17.7 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** sets out the summary of the biodiversity inter-project cumulative effects, confirming that there is a 'potentially significant' residual effect to Bechstein's bat (both alone and cumulatively). The table concludes a total of eight significant adverse effects. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** confirms that there is a 'potentially significant' residual effect to Bechstein's bat (both alone and cumulatively). However, this does not amount to, nor equate to, 'significant harm' (either alone or cumulatively), as the predicted impacts will be of a scale that will not impact the overall favourable conservation status of the species as the scheme design and mitigation has focused on protecting and enhancing Bechsteins's bat foraging and commuting habitat. Otherwise, there are no other likely significant residual adverse biodiversity effects identified across the construction, operation (including maintenance), and decommissioning phases of the Proposed Development.
	5.4.44 The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.	For biodiversity net gain, monitoring is detailed within and secured by the **Outline LEMP [EN010158/APP/7.6]**. After 30 years, monitoring would be reviewed to ensure habitat management prescriptions for the remainder of the operational (including maintenance) phase are appropriate.

Policy	Policy Text	Applicant Assessment
	5.4.45 The Secretary of State will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The Secretary of State will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.	Section 7.3 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** sets out the stakeholder engagement conducted in relation to biodiversity, including with Natural England. **Appendix A-4, J-1, J-2** and **K-3** of the **Consultation Report Appendices [EN010158/APP/5.2]**, which is submitted in support of the DCO Application, set out the feedback received from Natural England during non-statutory, statutory and targeted consultation and how regard has been had by the Applicant to each matter raised.
	5.4.46 Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The Secretary of State should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.	As detailed in Section 2 of the **Planning Statement [EN010158/APP/5.7]**, good design has been a fundamental consideration from the outset of the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution of the Proposed Development to avoid and minimise effects on existing watercourses/drainage ditches. Project Principles 5.1 – 5.7 set out how the Proposed Development is to increase biodiversity appropriately to the landscape character and connect nature.
	5.4.47 When considering proposals, the Secretary of State should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering biodiversity net gain as part of or in addition to the approach set out at Section 4.6.	As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although not yet mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is committing to achieving this as a minimum level of BNG, with a requirement of the **Draft DCO [EN010158/APP/3.1]** securing the delivery of net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. The Proposed Development has, therefore, taken advantage of opportunities to conserve and enhance biodiversity.
	5.4.48 In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** has been produced taking due consideration for the appropriate weighting to be attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment. With the sensitivity weighting established, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** undertakes an assessment which considers embedded and secured additional mitigation measures.
Biodiversity and Geological Conservation **Secretary of State decision making –**	5.4.49 The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (a habitat site), a protected marine site, or on any site to which the same	A **HRA NSER [EN010158/APP/5.3]** has been prepared in accordance with the requirements of The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) to set out whether the Proposed Development is likely to have any significant effect on European designated sites. This report is submitted in support of the DCO Application.

Policy	Policy Text	Applicant Assessment
Habitats Regulations **EN-1 (5.4)**	protection is applied as a matter of policy, either alone or in combination with other plans or projects.	The **HRA NSER** concludes that, given the distance from the Order Limits and the nature of the European sites, no impact pathways have been identified and none have been assessed to provide a risk of Likely Significant Effect either from the construction, operation and decommissioning of the Proposed Development or in combination with other plans and projects, such that an appropriate assessment is not required.
Biodiversity and Geological Conservation **Secretary of State decision making – Sites of Special Scientific Interest (SSSIs)** **EN-1 (5.4)**	5.4.50 The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	Sheephouse Wood SSSI, Finemere Wood SSSI, Grendon and Doddershall Woods SSSI and Ham Home-cum-Hamgreen Woods SSSI have been scoped in to the assessment presented in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, only one potentially significant residual adverse effect is identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In accordance with Paragraphs 5.4.42 of NPS EN-1 and Policy NE1 of the VALP, this potentially significant residual adverse effect is not anticipated to give rise to 'significant harm'. Otherwise, there are no other significant residual adverse biodiversity effects are identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development. The assessment takes account of measures secured within the **Outline CEMP [EN010158/APP/7.2]**, **Outline SMP [EN010158/APP/7.7]**, **Outline LEMP [EN010158/APP/7.6]** and **Outline DEMP [EN010158/APP/7.4]** which set out the control measures that will be implemented to protect statutory designated sites including demarcation fencing to prevent construction activity in proximity to statutory designated sites.
Biodiversity and Geological Conservation **Secretary of State decision making – Regional and Local Sites** **EN-1 (5.4)**	5.4.52 The Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.	Bernwood Biodiversity Opportunity Area, Greatsea Wood LWS, Shrub Woods LWS, Decoypond Wood LWS, Romer Wood LWS, Runt's Wood LWS, Finemere Wildlife Trust Reserve (WTR), Home Wood, Middle Claydon LWS and Balmore Wood LWS are all non-statutory designated sites either within or adjacent to the Order Limits. These have been scoped in to the assessment presented in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, only one potentially significant residual adverse effect is identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In accordance with Paragraphs 5.4.42 of NPS EN-1 and Policy NE1 of the VALP, this potentially significant residual adverse effect is not anticipated to give rise to 'significant harm'. Otherwise, there are no other significant residual adverse biodiversity effects are identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development The assessment takes account of measures secured within the **Outline CEMP [EN010158/APP/7.2]**, **Outline SMP [EN010158/APP/7.7]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP**

Policy	Policy Text	Applicant Assessment
		[EN010158/APP/7.4] which set out the control measures that will be implemented to protect non-statutory designated sites including demarcation fencing to prevent construction activity in proximity to non-statutory designated sites.
Biodiversity and Geological Conservation **Secretary of State decision making – Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats** **EN-1 (5.4)**	5.4.53 The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** notes that two areas of ancient woodland are located within the Order Limits and that multiple other areas of ancient woodland are located directly adjacent to the Order Limits in several locations. **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4]** also identifies a potential for root disturbance in the root protection area of a veteran tree. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, across all phases of the Proposed Development, there would be no loss of ancient woodland or veteran trees and that they would experience no effect on structure function. Any residual effects after mitigation, as set out below, is likely to be not significant. The Proposed Development has included, as embedded mitigation, the retention of all statutory and locally designated wildlife sites and ancient woodland with a minimum 30m offset from the fence line. Within this 30m buffer, species-rich grassland, scrub planting and pond creation/restoration will occur to help reduce potential displacement effects from Solar PV and associated infrastructure to foraging and commuting bats (which make use of the ancient woodland) to maintain foraging and commuting corridors and improve links to the wider landscape. These mitigation measures are documented and secured within the **Design Commitments [EN010158/APP/5.9]**, **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]** and **Outline DEMP [EN010158/APP/7.4]**. The **Outline CEMP [EN010158/APP/7.2]**, **Outline SMP [EN010158/APP/7.7]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** set out the control measures that will be implemented to protect ancient woodland, ancient trees, veteran trees and other irreplaceable habitats, including demarcation fencing to prevent construction activity in proximity to ancient woodland ancient trees, veteran trees and other irreplaceable habitats. The Applicant has ensured that the Proposed Development does not result in the loss or deterioration of any irreplaceable habitats and, in fact, has sought to ensure that ancient woodlands are better connected through ecological networks under the Proposed Development.
Biodiversity and Geological Conservation **Secretary of State decision making –**	5.4.54 The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, only one potentially significant residual adverse effect is identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In accordance with Paragraphs 5.4.42 and 5.4.43 of NPS EN-1 and Policy NE1 of the VALP, this potentially significant residual adverse effect is not anticipated to

Policy	Policy Text	Applicant Assessment
Protection and enhancement of habitats and **Species** **EN-1 (5.4)**	5.4.55 The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which they consider may result from a proposed development.	give rise to 'significant harm'. Otherwise, there are no other significant residual adverse biodiversity effects identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development During the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, an operational (including maintenance) phase significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland. These mitigation measures are documented and secured within the: **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline SMP [EN010158/APP/7.7]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. Table 17.7 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** sets out the summary of the biodiversity inter-project cumulative effects, including residual significant effects, in EIA terms. The table concludes a total of eight significant adverse effects. In this case, the potentially significant effect has been identified in an abundance of caution and does not mean that a significant effect will definitely occur. This potentially significant effect has been identified as the impact of solar farms on bat species is not well understood at present, with limited research available on which to build a common consensus. Therefore, the potentially significant effect has been identified to capture the precautionary worst-case effect. However, this effect should not be given the same weight in decision-making as an identified likely significant effect. The Applicant notes that the Proposed Development is CNP and the government has stated that there is an urgent need for CNP development, such as the Proposed Development, to come forward as soon as possible (Paragraph 3.3.83 of NPS EN-1). This need provides a strong case that supports a position that consent for the Proposed Development is aligned with the Government's Net Zero aims as outlined in the **Statement of Need [EN010158/APP/5.6]** and this Planning Statement.
Civil and Military Aviation and Defence Interests **Applicant assessment** **EN-1 (5.5)**	5.5.37 Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3). 5.5.38 The requirement for ATC and non-cooperative surveillance – i.e. radar/tracking technologies – forms part of the environmental baseline for proposed developments.	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. The assessment does not consider the potential impacts of glint and glare with regard for defence assets (see the response to 5.5.39 below). Section 6 of the **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** identifies aviation receptors, road and railway receptors, building receptors, other receptors and obstruction elements. Embedded mitigation has been used to inform the assessment which concludes that the Proposed Development will have 'low impacts' on certain identified sensitive receptors whilst all effects are predicted to be not significant in EIA terms. Cumulative effects together with nearby solar projects are also predicted to be not significant.

Policy	Policy Text	Applicant Assessment
	5.5.39 The applicant should consult the MOD, Met Office, Civil Aviation Authority (CAA), NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.	**ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]** provides the MOD's response to the Proposed Development's Scoping Report which confirms that the Proposed Development falls outside of MOD safeguarded areas and does not affect other defence interests.
	5.5.40 Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. Embedded mitigation has been used to inform the assessment which concludes that the Proposed Development will have 'low impacts' on certain identified sensitive receptors whilst all effects are predicted to be not significant in EIA terms. Cumulative effects together with nearby solar projects are also predicted to be not significant, as stated within Section 10 of the Glint and Glare Assessment.
	5.5.41 In addition, consideration of developments near aerodromes should take into account the following factors: • Bird Strike Risk – Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary)202. • Building Induced Turbulence – If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure. • Thermal Plume Turbulence – This is caused under certain conditions by the release of hot air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** considers the impacts of the Proposed Development on birds. There is not anticipated to be an increase in risk of bird strike due to the Proposed Development as there are no proposals to create wetland or significant areas of woodland or scrub which would attract significant assemblages of birds. The Proposed Development does not propose significant buildings or structures; therefore, turbulence has not been assessed. Thermal Plume Turbulence is not considered relevant as the Proposed Development does not propose dry cooling systems.
	5.5.42 If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the applicant to ensure that the	**ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]** provides the MOD's response to the Proposed Development's Scoping Report which confirms that the

Policy	Policy Text	Applicant Assessment
	relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible.	Proposed Development falls outside of MOD safeguarded areas and does not affect other defence interests.
Civil and Military Aviation and Defence Interests **Mitigation** **EN-1 (5.5)**	5.5.43 The applicant should include appropriate mitigation measures as an integral part of the proposed development. 5.5.44 Mitigation for infringement of OLS may include: • agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome. Applicants should engage airport operators at an early stage of the planning process to understand the potential impacts of development on aviation operations and develop mitigations if appropriate; or • installation of obstacle lighting and/or by notification in Aeronautical Information Service publications 5.5.45 For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include: • operational airspace changes • agreement to upgrade CNS infrastructure, the cost of which the applicant will be required to fund until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the applicant will be required to fund any future upgrade for the lifetime of the wind farm. MOD will engage early with developers to ensure that costs are reflective of their need and impacts of the energy installation on the monitoring equipment. • introducing commercially viable radar mitigation technology to the development, e.g. by using non-radar reflecting materials to manufacture wind turbine blades 5.5.46 Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way of a reduction or alteration in the scale of development. 5.5.47	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. Embedded mitigation has been used to inform the assessment which concludes that the Proposed Development will have 'low impacts' on certain identified sensitive receptors whilst all effects are predicted to be not significant in EIA terms. Cumulative effects together with nearby solar projects are also predicted to be not significant.

Policy	Policy Text	Applicant Assessment
	There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity. 5.5.48 Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.	
A Civil and Military Aviation and Defence Interests **Secretary of State decision making** **EN-1 (5.5)A**	5.5.49 The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets or operations have been addressed by the applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out. 5.5.50 In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar/tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. Embedded mitigation has been used to inform the assessment which concludes that the Proposed Development will have 'low impacts' on certain identified sensitive receptors whilst all effects are predicted to be not significant in EIA terms. Cumulative effects together with nearby solar projects are also predicted to be not significant.
	5.5.51 When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.	The Applicant is not aware of any adverse effects from the Proposed Development, and the MOD has not raised any concerns during the consultation process; therefore, the Applicant consider the Proposed Development complies with this policy.
	5.5.52 In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised.	The Applicant is not aware of any reason to why the weather and flood warnings will be compromised.
	5.5.53	**ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]** provides the MOD's response to the Proposed Development's Scoping Report which confirms that the

Policy	Policy Text	Applicant Assessment
	If there are conflicts between the government's energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK's energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service	Proposed Development falls outside of MOD safeguarded areas and does not affect other defence interests.
	5.5.54 There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures, including lighting, incorporated in the design of the Proposed Development design. Section 3.14 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** describes the detail of the security, lighting and CCTV required for the Proposed Development, as included in the Works in connection with and in addition to Work Nos. 1 to 10: Fencing, Security & Ancillary infrastructure. Efforts have been made to reduce the impact of lighting, as set out in detail in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured in the **Draft DCO [EN010158/APP/3.1].**
	5.5.55 Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. Embedded mitigation has been used to inform the assessment which concludes that the Proposed Development will have 'low impacts' on certain identified sensitive receptors whilst all effects are predicted to be not significant in EIA terms. Cumulative effects together with nearby solar projects are also predicted to be not significant.
	5.5.58 Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of 'Grampian conditions', or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment. 5.5.59 Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the Secretary of State should consider whether:	**ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]** provides the MOD's response to the Proposed Development's Scoping Report which confirms that the Proposed Development falls outside of MOD safeguarded areas and does not affect other defence interests. **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. Embedded mitigation has been used to inform the assessment which concludes that the Proposed Development will have 'low impacts' on certain identified sensitive receptors whilst all effects are predicted to be not significant in EIA terms. Cumulative effects together with nearby solar projects are also predicted to be not significant.

Policy	Policy Text	Applicant Assessment
	• a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs • it would cause harm to aerodromes' training or emergency service needs • the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training • the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure • the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UK's flood agencies	
	5.5.60 Provided that the Secretary of State is satisfied that the impacts of proposed energy developments do not present risks to national security and physical safety, and where they do, provided that the Secretary of State is satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to any Development Consent Order to secure those mitigations, consent may be granted.	**ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]** provides the MOD's response to the Proposed Development's Scoping Report which confirms that the Proposed Development falls outside of MOD safeguarded areas and does not affect other defence interests.
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation **Applicant assessment** **EN-1 (5.7)**	5.7.5 The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES. 5.7.6 In particular, the assessment provided by the applicant should describe: • the type, quantity and timing of emissions • aspects of the development which may give rise to emissions • premises or locations that may be affected by the emissions • effects of the emission on identified premises or locations • measures to be employed in preventing or mitigating the emissions	A detailed dust risk assessment on dust and particulate matter emissions for the construction and decommissioning phases of the Proposed Development is presented in **ES Volume 2, Appendix 6.1: Air Quality Assessment [EN010158/APP/6.2].** The **Outline Battery Safety Management Plan [EN010157/APP/7.9]** sets out the safety measures proposed to be installed to reduce fire risk, as well as fire protection measures. The Proposed Development is not anticipated to cause any effects from insect infestation, steam or odour. Construction and decommissioning activities will be undertaken using best practice measures to minimise emissions, as set out **in the Outline CEMP [EN010158/APP/7.2]** and **Outline DEMP [EN010158/APP/7.4].**
	5.7.7 The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	Section 6.3 of **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** sets out that the Applicant has been in consultation with Buckinghamshire Council in relation to air quality.

Policy	Policy Text	Applicant Assessment
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation Mitigation EN-1 (5.7)	5.7.8 Mitigation measures may include one or more of the following: • engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated • lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material • administrative: limiting operating times; restricting activities allowed on the site; implementing management plans. 5.7.9 Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements. 5.7.10 Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. 5.7.11 A construction management plan may help clarify and secure mitigation	**ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** concludes that the Proposed Development is not expected to generate traffic exceeding screening criteria once operational. Therefore, it has been concluded that further assessment of operational (including maintenance) phase traffic emissions is not required. The assessment goes on to confirm that the increased road traffic emissions resulting from the Proposed Development are expected to have a negligible impact on air quality, and nearby human receptors and designated sites during the operational (including maintenance) phase. The Chapter concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse air quality-related effects expected across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The Applicant has submitted an **Outline CEMP [EN010158/APP/7.2]** with this DCO Application which sets the framework for how environmental impacts during the Proposed Development's construction phase will be managed and is secured via a requirement of the **Draft DCO [EN010158/APP/3.1].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual air quality effects.
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation Secretary of State decision making EN-1 (5.7)	5.7.12 The Secretary of State should satisfy itself that: • an assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out • that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts	A detailed dust risk assessment on dust and particulate matter emissions during for the construction and decommissioning phases is presented in **ES Volume 4, Appendix 6.1: Air Quality Assessment [EN010158/APP/6.4].** The Proposed Development will not emit any odour. Construction and decommissioning activities will be undertaken with the use of best practice measures applied, as set out in the **Outline CEMP [EN010158/APP/7.2]** and **Outline DEMP [EN010158/APP/7.4].** All relevant assessments covering artificial light, dust, odour, smoke, steam and insect infestation have been considered across the **ES [EN010158/APP/6.1 – 6.4].**
	5.7.13 If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should disapply in whole or in part the defence through a provision in the Development Consent Order.	The Applicant has prepared and submitted a **Statutory Nuisance Statement [EN010158/APP/5.4]** as is required under APFP Regulation 5(2)(f) and Paragraph 4.15.5 of NPS EN-1. Measures including obtaining section 61 consent for control of noise on construction sites, which would include agreed construction noise limits for nearby noise-sensitive receptors, are set out in the **Outline CEMP [EN010158/APP/7.2]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements, respectively, of the **Draft DCO [EN010158/APP/3.1]**. **Article 7** of the submitted **Draft DCO [EN010158/APP/3.1]** deals with defence to proceedings in respect of statutory nuisance and provides that no person is able to bring

Policy	Policy Text	Applicant Assessment
		statutory nuisance proceedings under the EPA 1990 in respect of noise, if the noise is created in the course of carrying out construction, maintenance or decommissioning of the authorised development and for which notice has been given under section 60 or consent obtained under section 61(9) of the Control of Pollution Act 1974 or which cannot be reasonably avoided as a consequence of the authorised development. This approach is precedented in all made solar DCOs to date, including the made Gate Burton Energy Park Order 2024, the Mallard Pass Solar Farm Order 2024 and the Sunnica Energy Farm Order 2024.
	5.7.14 Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures. 5.7.15 In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	The Applicant considers that all relevant mitigation measures have been secured via the suite of management plans and other secured documents within the **Draft DCO [EN010158/APP/3.1]**.
Flood Risk **Applicant assessment** **EN-1 (5.8)**	5.8.12 Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques. 5.8.13 A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving: • sites of 1 hectare or more • land which has been identified by the EA or NRW as having critical drainage problems • land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future	The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which has been drafted in accordance with these policies. The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff will be managed from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development

Policy	Policy Text	Applicant Assessment
	• land that may be subject to other sources of flooding (for example surface water) • where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems. 5.8.14 This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.	
	5.8.15 The minimum requirements for Flood Risk Assessments (FRA) are that they should: • be proportionate to the risk and appropriate to the scale, nature and location of the project; • consider the risk of flooding arising from the project in addition to the risk of flooding to the project; • take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made; • be undertaken by competent people, as early as possible in the process of preparing the proposal; • consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance; • consider the vulnerability of those using the site, including arrangements for safe access and escape; • consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard and duration; • identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management; • consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;	The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. The FRA meets all requirements set out within this policy.

Policy	Policy Text	Applicant Assessment
	• include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding; • consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems. Information should include: i. Describe the existing surface water drainage arrangements for the site ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate iv. Demonstrate how the hierarchy of drainage options has been followed.218 v. Explain and justify why the types of SuDS219 and method of discharge have been selected and why they are considered appropriate. vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site vii. Describe the multifunctional benefits the sustainable drainage system will provide viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development • detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;	

Policy	Policy Text	Applicant Assessment
	• identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and • be supported by appropriate data and information, including historical information on previous events.	
	5.8.16 Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** considers relevant sections of the Planning Practice Guidance, the NPPF, and the government's associated planning guidance on water.
	5.8.17 Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure: • Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary • Their standard of protection is not reduced • Their condition or structural integrity is not reduced	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. Section 15.7 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** sets out the Proposed Development's embedded mitigation measures to ensure existing water assets are conserved through a sustainable drainage strategy. Perimeter fencing surrounding the Solar PV development would be offset at least 10m either side from all existing ditches where crossings are not required, which will be secured by the **Design Commitments [EN010158/APP/5.9]**. The proposed offset provides a buffer for any sediment entrained within surface water runoff here sediment can deposit and ensures no erosion of the banking of the watercourses which could result in degradation of water quality. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise effects on existing watercourses/drainage ditches.
	5.8.18 Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators. 5.8.19 Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when	In preparing the **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** and the **ES [EN010158/APP/6.1-6.4]**, the Applicant has considered advice and taken account of feedback received through consultation with key bodies, including the Environment Agency (EA), the Lead Local Flood Authorities (LLFAs) and the Internal Drainage Boards (IDBs). Listed below are the statutory consultees and stakeholders that have provided comments in relation to the water environment: • Environment Agency • Buckinghamshire Council - Lead Local Flood Authority • Buckingham and River Ouzel Internal Drainage Board • Anglian Water

Policy	Policy Text	Applicant Assessment
	it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed. 5.8.20 If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the authority's concerns.	• Buckinghamshire Fresh Water Resilience Project The pre-application consultation undertaken by the Applicant and how feedback from consultees has informed the Proposed Development is reported within the **Consultation Report [EN010158/APP/5.1]** and the **Consultation Report Appendices [EN010158/APP/5.2]**.
	5.8.21 The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.	The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. The Applicant is proposing Solar PV development only within Flood Zone 2 and 3. **Appendix 5: Sequential and Exception Tests** to the **Planning Statement [EN010158/APP/5.7]**, **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** advise and provide full assessment on how the Sequential and Exception Tests have been passed.
	5.8.22 The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test. 5.8.23 Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site.	In relation to flooding, **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** confirms that Flood Zones 2 and 3 were evenly distributed across the Search Area and there were no available areas entirely within Flood Zone 1 that were large enough to support a utility scale solar farm. Whilst sites in Flood Zone 1 were preferred on the basis of lower flood risk, the available land, which has small areas of Flood Zones 2 and 3, was not ruled out on the basis that there are technical solutions to allow solar to be safely accommodated within these zones. Resultingly, the Applicant is proposing Solar PV development only within Flood Zone 2 and 3. **Appendix 5: Sequential and Exception Tests** to the **Planning Statement**, and **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** advise and provide full assessment on how the Sequential and Exception Tests have been passed.
Flood Risk Mitigation EN-1 (5.8)	5.8.24 To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are documented within and secured via **Design Commitments [EN010158/APP/5.9]**, **Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** and are as secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3]**.

Policy	Policy Text	Applicant Assessment
		ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2] concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects.
	5.8.25 In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: • source control measures including rainwater recycling and drainage • infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities • filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns • filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed • basins, ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding	The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff from the Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.
	5.8.26 Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts. 5.8.27 The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect. 5.8.28 It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are documented within and secured via **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** and are secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects.

Policy	Policy Text	Applicant Assessment
		The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff will be managed from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage, accounting for the predicted impacts of climate change throughout the Proposed Development's lifetime. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.
	5.8.29 The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.	In relation to flooding, **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** confirms that Flood Zones 2 and 3 were evenly distributed across the Search Area and there were no available areas entirely within Flood Zone 1 that were large enough to support a utility scale solar farm. Whilst sites in Flood Zone 1 were preferred on the basis of lower flood risk, the available land, which has small areas of Flood Zones 2 and 3, was not ruled out on the basis that there are technical solutions to allow solar to be safely accommodated within these zones. Resultingly, The Applicant is proposing Solar PV development only within Flood Zone 2 and 3. **Appendix 5: Sequential and Exception Tests** to the **Planning Statement [EN010158/APP/5.7]** and **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** advise and provide full assessment on how the Sequential and Exception Tests have been passed. **ES Volume 3, Figure 3.1: Height Parameters [EN010158/APP/6.3]** illustrates the height parameters for the Solar PV modules across the Site, taking account of flood risk areas. The **Works Plans [EN010158/APP/2.3]** and **Draft DCO [EN010158/APP/3.1]** together with the **Design Commitments [EN010158/APP/5.9]** secure the maximum and minimum heights of Solar PV modules.
	5.8.30 Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided. 5.8.31 Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site.	The Proposed Development would not result in an increase in flood risk elsewhere and will not materially remove floodplain volume and therefore not require compensatory storage to be provided. This is discussed and evidenced further in **Appendix 5: Sequential and Exception Tests** to the **Planning Statement [EN010158/APP/5.7]**. The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff will be managed from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.

Policy	Policy Text	Applicant Assessment
	5.8.32 Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.	As concluded within **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4],** it is not considered that the Proposed Development would contribute to a cumulative increase in flood risk elsewhere.
	5.8.33 The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. 5.8.34 The applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	As explained in **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2],** the Principal Contractor and the Applicant would be required to produce detailed CEMP(s), DEMP(s) and OEMP(s) in accordance with the **Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** which provide the frameworks for these detailed plan(s). The frameworks provision that site managers are to be registered with the Environment Agency's Flood Warning system.
	5.8.35 Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.	The Proposed Development has been designed to safeguard the water environment and the provisioning of resiliency measures to flooding (now and in the future), as set out in the **Design Approach Document [EN010158/APP/5.8]** and **Design Commitment [EN010158/APP/5.9].**
Flood Risk **Secretary of State decision making** **EN-1 (5.8)**	5.8.36 In determining an application for development consent, the Secretary of State should be satisfied that where relevant: • the application is supported by an appropriate FRA • the Sequential Test has been applied and satisfied as part of site selection • a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk • the proposal is in line with any relevant national and local flood risk management strategy • SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate • in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42)	The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. Section 4.6 of **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** sets out the safe access/egress mitigation measures for the Proposed Development. **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** confirms that Flood Zones 2 and 3 were evenly distributed across the Search Area and there were no available areas entirely within Flood Zone 1 that were large enough to support a utility scale solar farm. Whilst sites in Flood Zone 1 were preferred on the basis of lower flood risk, the available land, which has small areas of Flood Zones 2 and 3, was not ruled out on the basis that there are technical solutions to allow solar to be safely accommodated within these zones. Resultingly, the Applicant is proposing Solar PV development only within Flood Zone 2 and 3. **Appendix 5: Sequential and Exception Tests** to the **Planning Statement** and **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** provide full assessment on how the Sequential and Exception Tests have been passed.

Policy	Policy Text	Applicant Assessment
	• the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development • land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation or maintenance	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are documented within and secured via **Design Commitments [EN010158/APP/5.9]**, **Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** as secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects.
	5.8.37 For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.	The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** has considered the Flood and Water Management Act 2010 in its assessment of the Proposed Development.
	5.8.38 In addition, the Development Consent Order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted.	The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development. A detailed Drainage Strategy is secured via a requirement of the **Draft DCO [EN010158/APP/3.1].**
	5.8.39 Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.	The recommendations in the **Outline Drainage Strategy [EN010158/APP/7.11]** include that all SuDS features are to be designed in accordance with the CIRIA C753 SuDS Manual, to ensure that surface water runoff discharged from the Site will be of an acceptable standard by following best design practices
	5.8.40	The Applicant considers that there are no flood risk-related grounds that may trigger this clause. The Applicant has had ongoing engagement with EA and Buckinghamshire Council

Policy	Policy Text	Applicant Assessment
	If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the authority to try to resolve the concerns.	- Lead Local Flood Authority, which is summarised in table 16.1 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** and the outcomes of engagement, where agreed, are documented.
	5.8.41 Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage, and will not impede water flows. 5.8.42 Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.	**Appendix 5: Sequential and Exception Tests** to the **Planning Statement [EN010158/APP/5.7]** provides a detailed assessment which concludes how both the Sequential and Exception Tests have been applied and passed in accordance with relevant planning policy, such as these policies. In summary and with regard for the Sequential Test, the Applicant confirms that a two-stage sequential approach to selecting the site and designing the selected site has been undertaken. This process concluded that, of the operational elements of the Proposed Development, only Solar PV modules and string inverters are proposed to be located in Flood Zone 2 and 3 areas. It has therefore been concluded that the Sequential Test is passed as the majority of the Proposed Development has been sequentially steered to areas with the lowest risk of flooding. With Paragraph 031 of the NPPG and these policies in mind, the Applicant recognises that the application of the Exception Test is not simply a tool to justify development in flood risk areas. However, the Applicant considers that the locating of Solar PV modules and string inverters in Flood Zone 2 and 3 areas is operationally necessary in order to maximise the grid connection offer. The Proposed Development is classified as ‘essential infrastructure’ and therefore considered appropriate within Flood Zone 1 without application of the Exception Test; and within Flood Zone 3a and Flood Zone 3b subject to passing the Exception Test. As set out in **Appendix 5: Sequential and Exception Tests** to the **Planning Statement [EN010158/APP/5.7]** the Applicant considers that the Exception Test has been met as the Proposed Development will provide wider sustainability benefits as solar farms are a key component in the UK’s switch to renewable sources and the achievement of net zero. The development will also be safe for its lifetime and not increase flood risk elsewhere as demonstrated within the Planning Statement.
Historic Environment **Applicant assessment** **EN-1 (5.9)**	5.9.9 The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA, and describe these along with how the mitigation hierarchy has been applied in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development’s impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. The Chapter describes the heritage assets within the Study Area for the Proposed Development and their significance, and the significance of their contribution to the setting. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** has been informed by the Historic Environment Record (HER).

Policy	Policy Text	Applicant Assessment
	landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project. 5.9.10 As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	
	5.9.11 Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.	Section 9.5 of **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** sets out the existing cultural heritage baseline conditions. The full details of the baseline conditions are presented in the following appendices presented in **ES Volume 4 [EN010158/APP/6.4]**: • **Appendix 9.1: Archaeological Desk-based Assessment and Setting Assessment;** • **Appendix 9.2: Geophysical Survey Report;** • **Appendix 9.3: Archaeological Trial Trenching Report; and** • **Appendix 9.4: Aerial Investigation and Mapping Report**.
	5.9.12 The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. The assessment of the cultural heritage impact of noise (including construction and decommissioning phase noise) has been based on assumptions set out in **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]**. A detailed assessment of settings impact is provided in **Annex D** of **ES Volume 4, Appendix 9.1: Archaeological Desk-based Assessment and Setting Assessment, Annex C and Annex D [EN010158/APP/6.4]**. All direct and indirect aspects of all phases are considered in this where relevant e.g. noise, light, traffic, vibration.
	5.9.13 The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:	Section 9.7 of **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** sets out the embedded mitigation proposed in relation to historic environment, both above and below ground assets. Section 9.9 of **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** sets out the additional mitigation measures proposed in relation to historic environment, both above and below ground assets.

Policy	Policy Text	Applicant Assessment
	• enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected • considering where required the development of archive capacity which could deliver significant public benefits • considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme	The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. A programme of post-DCO evaluation is proposed to inform the detailed design, which will ensure that where archaeological remains are identified (through post-DCO evaluation) as being of sufficient importance or sensitivity to require preservation in situ, in which case the Applicant and the Senior Archaeological Officer for Buckinghamshire Council should be contacted to discuss any additional measures. Where preservation in situ is not merited, and impacts to archaeological remains cannot be avoided through the detailed design, mitigation would be through a programme of archaeological work in accordance with a Written Scheme of Investigation submitted to and approved by Buckinghamshire Council. The **Draft Archaeological Management Strategy [EN010158/APP/7.10]** provides further detail of this process. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies two opportunities to enhance the historic environment. These are: • Providing support for initiatives that improve the access and visitor experience at Claydon House; and • The provisioning of interpretation boards for Claydon House and Claydon Registered Park and Garden on the proposed permissive path to Knowl Hill to better reveal the significance of the assets and improve appreciation and understanding of it. This is secured by the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** and the **Outline RoWAS [EN010158/APP/7.8]**.
	5.9.14 Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6]**, **Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. Effects arising during the construction stage will be temporary, limited to the construction period only and reversible. Decommissioning is anticipated to commence 40 years after final commissioning. The effects to all identified heritage assets during the decommissioning phase are likely to be similar to construction effects, including being temporary and reversible.

Policy	Policy Text	Applicant Assessment
	5.9.15 Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.	There are no World Heritage Sites affected by the Proposed Development. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies changes to the setting of Botolph Claydon Conservation Area and Middle Claydon Conservation Area as being relevant cultural heritage receptors across the Proposed Development's construction and operational (including maintenance) phases. The assessment concludes that with additional mitigation in place, there are no significant adverse impacts anticipated on changes to the setting of Botolph Claydon Conservation Area and Middle Claydon Conservation Area. Additional mitigation includes the routing of construction traffic away from Botolph Claydon, as secured in the **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]** and **Outline DEMP [EN010158/APP/7.4].**
Historic Environment **Mitigation** **EN-1 (5.9)**	5.9.16 A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given. 5.9.17 Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset's importance and significance and the impact. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. The contribution of the setting of the house to its significance could be affected by the presence of Solar PV modules altering the character and the rural landscape which contributes to its significance. The Proposed Development has included embedded mitigation to include set backs from Pond Farmhouse (NGLE 1214849). **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
	5.9.18 Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured. 5.9.19 Where the loss of significance of any heritage asset has been justified by the applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider: • imposing a requirement in the Development Consent Order • requiring the applicant to enter into an obligation	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2],** table 9.12 sets out the additional mitigation proposed for identified cultural heritage impacts for the construction phase. A programme of post-DCO evaluation is proposed to inform the detailed design, which will ensure that where archaeological remains are identified (through post-DCO evaluation) as being of sufficient importance or sensitivity to require preservation in situ, this is secured. Where preservation in situ is not merited, and impacts to archaeological remains cannot be avoided through the detailed design, mitigation would be through a programme of archaeological work in accordance with a Written Scheme of Investigation submitted to and approved by Buckinghamshire Council. The **Draft Archaeological Management Strategy [EN010158/APP/7.10]** provides further detail of this process. Plus, a requirement in the **Draft DCO [EN010158/APP/3.1]** for a programme of archaeological work in accordance with a Written Scheme of Investigation. Monitoring of the effectiveness of mitigation measures for the direct impacts on ground archaeological remains will be undertaken by Buckinghamshire Council. The works will be

Policy	Policy Text	Applicant Assessment
	5.9.20 That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed. 5.9.21 Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	carried out in accordance with a Written Scheme of Investigation which will be approved for use by them in advance of implementation as secured by a requirement to the **Draft DCO [EN010158/APP/3.1]**.
Historic Environment **Secretary of State decision making** **EN-1 (5.9)**	5.9.22 In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of: • relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application • any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales. • historic landscape character records • the relevant Historic Environment Record(s), and similar sources of information • representations made by interested parties during the examination process • expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** sets out the criteria for assessing the importance of heritage assets within the study area. The importance of a heritage asset is the overall value assigned to it reflecting its statutory designation or, in the case of non-designated assets, the professional judgement of the assessor with reference to national and local guidance and the planning policy tests. Historic England guidance also refers to an asset's "level of significance" which in this usage has the same meaning as importance.
	5.9.24 In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal. 5.9.25 The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. Given that this residual adverse effect is of a moderate magnitude, it constitutes 'less than substantial harm'. In accordance with Paragraph 5.9.27 of NPS EN-1 and Paragraph 212 of the NPPF,

Policy	Policy Text	Applicant Assessment
	conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets. 5.9.26 The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting). 5.9.27 When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. 5.9.28 The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.	the Secretary of State is to afford proportionate weighting to this asset's conservation whilst also recognising that the effect identified is of a 'less than substantial harm' nature. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies two opportunities to enhance the historic environment. These are: • Providing support for initiatives that improve the access and visitor experience at Claydon House; and • The provisioning of interpretation boards for Claydon House and Claydon Registered Park and Garden on the proposed permissive path to Knowl Hill to better reveal the significance of the assets and improve appreciation and understanding of it. This is secured by the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** and the **Outline RoWAS [EN010158/APP/7.8]**.
	5.9.29 Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional. 5.9.30 Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional. 5.9.31 Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply: • the nature of the heritage asset prevents all reasonable uses of the site • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that there are no major adverse effects anticipated on the historic environment, both above and below ground assets, within the Order Limits, as a result of the Proposed Development. To assist with the assessment of "harm" in **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]**, adverse impacts of major magnitude are considered to equate to "substantial harm", whilst adverse impacts of moderate, minor or negligible magnitude are considered to represent scales of "less than substantial harm". Furthermore, the Stage 1 Setting Assessment (**Annex C of ES Volume 4, Appendix 9.1: Archaeological Desk-based Assessment and Setting Assessment [EN010158/APP/6.4]**) and Detailed Settings Impact Assessment (**Annex D** of **ES Volume 4, Appendix 9.1: Archaeological Desk-based Assessment and Setting Assessment [EN010158/APP/6.4]**) confirm that the effect of the Proposed Development on the significance of these assets from changes to the setting would be none or at most negligible and therefore not significant. The **Planning Statement [EN010158/APP/5.7]** sets out, through Section 10, the planning balance for the Proposed Development, drawing together the likely significant beneficial effects of the Proposed Development and the likely significant residual adverse effects. The planning balance is firmly in favour of granting consent. Section 3.3 of the **Planning Statement [EN010158/APP/5.7]** sets out there are a significant number of additional

Policy	Policy Text	Applicant Assessment
	• conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible • the harm or loss is outweighed by the benefit of bringing the site back into use 5.9.32 Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.	benefits that would be achieved by the Proposed Development. For example, the Proposed Development is anticipated to lead to an estimated net addition of 420 to 480 full time equivalent construction jobs within the Construction Labour Market Area per year of the Proposed Development's construction and an estimated net addition of 7 full time equivalent operational jobs supported by the Proposed Development's operational (including maintenance) phase. The Proposed Development is a well-considered and effectively designed proposal that responds to its locality and is sensitive to the local environment.
	5.9.33 In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that there are no significant adverse effects anticipated on non-designated heritage assets.
	5.9.34 Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32, as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	There are no World Heritage Sites affected by the Proposed Development. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies changes to the setting of Botolph Claydon Conservation Area as being a relevant cultural heritage receptor across the Proposed Development's construction and operational (including maintenance) phases. The assessment concludes that with additional mitigation in place, there are no significant adverse impacts anticipated on changes to the setting of Botolph Claydon Conservation Area. Additional mitigation includes the routing of construction traffic away from Botolph Claydon, as secured in the **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]** and **Outline DEMP [EN010158/APP/7.4].**
	5.9.35 Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision.	There are no heritage assets identified in the study area where evidence was found of deliberate neglect of, or damage to, the asset.
	5.9.36 When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or the settings that will be impacted by the Proposed Development. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation

Policy	Policy Text	Applicant Assessment
	of the designated heritage asset, the greater the benefits that will be needed to justify approval.	measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
Landscape and Visual **EN-1 (5.10)**	5.10.5 Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual receptors and identifies construction, Year 1 of operation, Year 10 of operation and decommissioning as the phases for assessment across the Proposed Development. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** concludes the following significant residual adverse impacts: • For LCA 5.7: Hogshaw Claylands, there are moderate adverse effects across all phases of the Proposed Development. • For LCA 7.3: Claydon Bowl, there are moderate adverse effects across all phases of the Proposed Development. • For LCA 9.1: Finemere Hill, there are moderate adverse effects across the consturction and decommisisoning phases and major/moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For North Buckinghamshire Way/Midshires Way, there are moderate adverse effects across construction, decommissioning Year 1 of the Proposed Development's operational (including maintenance) phase. • For Swan's Way/Outer Aylesbury Ring, there are moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For Bernwood Jubilee Way, there are moderate adverse effects across the consturction and decommisisoning phases and major/moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For PRoW between Calvert Road and HS2, there are major/moderate adverse effects identified across construction and decommissioning and major adverse effects identified across Years 1 and 10 of the Proposed Development's operational (including maintenance) phase. • For PRoW between Botolph Claydon and Runt's Wood, there are major/moderate adverse effects identified across construction and decommissioning and Year 10 of the of the Proposed Development's operational (including maintenance) phase and a major adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase.

Policy	Policy Text	Applicant Assessment
		• For PRoW to Finemere Hill, there are major/moderate adverse effects across all phases of the Proposed Development. • For PRoW, lanes and roads between East Claydon/East Claydon Road and to within Parcel 3 there are moderate adverse effects identified across construction and decommissioning and at Year 10 of the Proposed Development's operational (including maintenance) phase and a major/moderate adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase. • For Claydon House, there are moderate adverse effects across Years 1 and 10 of the Proposed Development's operational (including maintenance) phase • For Hogshaw Farm and Wildlife Park, there are moderate adverse effects across all phases of the Proposed Development. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** also concludes that, at Year 10 of the operational (including maintenance) phase of the Proposed Development, there will be a moderate beneficial effect upon the landscape fabric (woodland, trees and hedgerows). The residual effects above cannot be mitigated further. Paragraph 5.10.35 of NPS EN-1 confirms that "*The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.*" Table 17.9 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** goes on to set out a summary of the landscape and visual inter-project significant cumulative residual effects, including residual significant effects, in EIA terms. Whilst a number of significant residual effects are identified in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**, the Applicant confirms that the application of the mitigation hierarchy has been applied and demonstrated throughout the ES and DCO Application more widely. The Applicant is confident that all residual landscape impacts are those that cannot be avoided, reduced or mitigated further. With regard for avoidance, the Proposed Development is CNP infrastructure, for which the government has concluded an urgent need for development to come forward as soon as possible (Paragraph 3.3.83 of NPS EN-1). This need, coupled with the need for other infrastructure in the area (such as HS2 and EWR) present a backdrop of infrastructure development which, when taken together, makes it likely that there will be some level of landscape and visual harm as a result of projects in the area.
	5.10.6 Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise harm on landscape. Project Principles 6.1 – 6.5 are set out to and require the Proposed Development to lead with the landscape.

Policy	Policy Text	Applicant Assessment
	5.10.12 Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.	The **Design Approach Document [EN010158/APP/5.8]** outlines, through **Section 3.3**, the relevant key landscape and visual issues that have influenced the design of the Proposed Development. These include consideration for effects on landscape character across Landscape Character Area (LCA) 5.7 – Hogshaw Claylands, LCA 7.3 – Claydon Bowl and LCA 9.1 – Finemere Hill. **ES Volume 4, Appendix 10.2: Extracts from Published Landscape Character Assessments [EN010158/APP/6.4]** includes consideration for National Character Areas and the Aylesbury Vale Landscape Character Assessment most notably.
	5.10.13 All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual within the Order Limits, or that will be impacted by the Proposed Development. Visual receptors within the study area, are identified in **ES Volume 3, Figures 10.5a-d: Visual Receptors within 2km [EN010158/APP/6.3].**
	5.10.14 The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual within the Order Limits, or that will be impacted by the Proposed Development. As set out in Section 10 of the **Planning Statement [EN010158/APP/5.7]**, it is considered that the wider benefits of the Proposed Development as CNP infrastructure, delivery of a significant level of low carbon energy generation and biodiversity net gain and the provision of permissive paths outweigh the adverse residual effects of the Proposed Development. Therefore, the Proposed Development is considered acceptable in terms of its overall landscape, visual and residential amenity impacts and that the nature of the visual impacts are not considered to outweigh the substantial benefits of the Proposed Development.
Landscape and Visual **Applicant assessment** **EN-1 (5.10)**	5.10.16 The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues. 5.10.17 The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual within the Order Limits, or that will be impacted by the Proposed Development in accordance with Paragraph 5.10.16 of NPS EN-1. It also includes references to local and national landscape character assessments and associated studies as a means of assessing landscape impacts. The full detailed inter-project cumulative effects assessment for landscape and visual is set out in **ES Volume 4, Appendix 17.2: Landscape and Visual Inter-project Cumulative Effects Assessment [EN010158/APP/6.4]**. A summary is provided in Table 17.13: Summary of landscape and visual inter-project cumulative effects. Noting that the receptors identified and assessed in Section 10.10 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]**, which experience a negligible or slight/negligible magnitude of effect from the Proposed Development, are not included in the assessment of inter-project cumulative effects below.

Policy	Policy Text	Applicant Assessment
		The Proposed Development's compliance with local policies is considered in Tables 6 and 7 of this **Appendix 4: Policy Compliance Assessment Tables** to the **Planning Statement [EN010158/APP/5.7]**.
	5.10.19 The applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised and incorporated into the design, delivery and operation of the scheme.	Potential landscape and visual effects and mitigation measures have been considered from the outset of the Proposed Development. As set out in the **Design Approach Document [EN010158/APP/5.8]**, throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape and visual, noise, ecology and heritage).
	5.10.20 The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas'.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** confirms that the Chilterns National Landscape (formally Area of Outstanding Natural Beauty) is scoped out of the assessment as detailed within **ES Volume 4, Appendix 5.1: EIA Scoping Report [EN010158/APP/6.4]** and confirmed within **ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]**. The National Landscape is situated over 18km from the Site and there would be no intervisibility at this distance.
	5.10.21 The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual within the Order Limits, or that will be impacted by the Proposed Development. The assessment is supported by annotated baseline photographs and photomontages presented in **ES Volume 4, Appendix 10.6: LVIA Visualisations [EN010158/APP/6.4]**. The Site is not in a recognised dark sky landscape. Lighting information is provided in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** with lighting used primarily for temporary construction and decommissioning compounds. During operation with lighting used only on an ad-hoc basis for health and safety or emergency purposes. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures incorporated in the design of the Proposed Development design, as secured via the **Design Commitments [EN010158/APP/5.9]**. Efforts have been made to reduce the impact of security fencing and lighting, including conforming with best practice guidelines with respect to minimising light spill into adjacent habitats, the use of motion detection or manually operate lighting and inward/downward directional lighting, perimeter fencing providing clearances above ground to allow mammals to squeeze underneath or mammal gates to permit the passage of wildlife. These measure are set out in detail in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and secured in the **Draft DCO [EN010158/APP/3.1].**

Policy	Policy Text	Applicant Assessment
	5.10.22 The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual receptors within the Order Limits, or that will be impacted by the Proposed Development. Residents (within settlements and at isolated farmsteads/dwellings) are identified as a primary visual receptor within the study area likely to be affected by the Proposed Development. Residential properties included in the study area are shown on **ES Volume 3, Figure 10.13: Residential Property Location Plan [EN010158/APP/6.3]**. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures incorporated in the design of the Proposed Development design, as secured via the **Design Commitments [EN010158/APP/5.9]**. Efforts have been made to reduce the impact of security fencing and lighting, as set out in detail in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured in the **Draft DCO [EN010158/APP/3.1].** **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** presents a noise assessment in accordance with the requirements of this policy, including a description of the noise generating aspects of the development.
	5.10.24 Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.	The DCO Application secures a detailed Landscape and Ecological Management Plan(s) based on the **Outline LEMP [EN010158/APP/7.6]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1],** which provides the framework management plan that would be implemented. Detailed Landscape and Ecological Management Plan(s) would cover the establishment and long-term management of all new structural planting as well as other habitats.
	5.10.25 In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on equally sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.	Section 10.5 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** establishes an environmental baseline for the Landscape Visual Impact Assessment, including existing overhead electrical lines, quarries and road infrastructure in the landscape.
Landscape and Visual **Mitigation** **EN-1 (5.10)**	5.10.26 Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual receptors and identifies construction, Year 1 of operation, Year 10 of operation and decommissioning as the phases for assessment across the Proposed Development. At the site level, a comprehensive mitigation package has been embedded into the design of the Proposed Development to date with further additional mitigation commitments made to minimise any likely significant impacts. However, the nature of the Proposed Development, the sensitivity of receptors, the local context of cumulative development and the existing rural context mean that there are some impacts which cannot be mitigated further without giving rise to

Policy	Policy Text	Applicant Assessment
	State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.	significant operational constraints and/or a reduction in function which fundamentally undermines the commercial viability of the Proposed Development. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline SMP [EN010158/APP/7.7]** and the **Outline DEMP [EN010158/APP/7.4]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1].**
	5.10.27 Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.	The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise harm on landscape. Project Principles 6.1 – 6.5 are set out to and require the Proposed Development to lead with the landscape. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** sets out the parameters, including colour of the relevant aspects of the Proposed Development. The **Design Commitments [EN010158/APP/5.9]** sets out the maximum and minimum parameters assessed within the **ES**.
	5.10.28 Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.	The Proposed Development will not undertake any landscaping off-site as this is not considered necessary at this stage to mitigate the impacts of the Proposed Development.
Landscape and Visual **Secretary of State decision making** **EN-1 (5.10)**	5.10.29 The Secretary of State should take into consideration the level of detailed design which the applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals.	As explained in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1],** the Applicant wishes to retain flexibility regarding the design detail of certain components of the Proposed Development. The extent of the flexibility required is described in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and set out in the **Design Approach Document [EN010158/APP/5.8]** and **Design Commitment [EN010158/APP/5.9].** The Applicant's approach to EIA includes the use of the Rochdale envelope to assess the Proposed Development's effects, as set out in **ES Volume 1, Chapter 3: Proposed Development Description** and **Chapter 5: Approach to the EIA [EN010158/APP/6.1].** These Chapters set out that the parameters for the Proposed Development are defined and secured by the **Design Commitment [EN010158/APP/5.9]** and have been informed by the assessments in the ES and reciprocally used for assessment purposes. Where there is uncertainty, the Applicant has assessed the worst-case scenario for the purposes of the **ES**.
	5.10.30	The **Design Approach Document [EN010158/APP/5.8]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included

Policy	Policy Text	Applicant Assessment
	The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.	the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes to the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise harm on landscape. Project Principles 6.1 – 6.5 require the Proposed Development to lead with the landscape.
	5.10.33 For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary. 5.10.34 The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** confirms that the Chilterns National Landscape (formerly Area of Outstanding Natural Beauty) is scoped out of the assessment as detailed within **ES Volume 4, Appendix 5.1: EIA Scoping Report [EN010158/APP/6.4]** and confirmed within **ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]**. The National Landscape is situated over 18km from the Site and there would be no intervisibility at this distance.
	5.10.35 The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	It is considered that the wider benefits of the Proposed Development as CNP infrastructure, delivery of a significant level of low carbon energy generation and biodiversity net gain and the provision of permissive paths outweigh the adverse residual effects of the Proposed Development. Therefore, the Proposed Development is considered acceptable in terms of its overall landscape, visual and residential amenity impacts and that the nature of the visual impacts are not considered to outweigh the substantial benefits of the Proposed Development. A more detailed consideration of the planning balance is contained within Section 10 of the **Planning Statement [EN010158/APP/5.7]**.
	5.10.36 In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	As set out in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1],** the operational life of the Proposed Development is for a period up to 40 years, secured via a Requirement of the **Draft DCO [EN010158/APP/3.1]**. Following the operational (including maintenance) phase, the Proposed Development will require decommissioning. Effects arising during the construction stage will be temporary, limited to the construction period only and reversible. Decommissioning is anticipated to commence 40 years after final commissioning. The effects to all identified heritage assets during the

Policy	Policy Text	Applicant Assessment
		decommissioning phase are likely to be similar to construction effects, including being temporary and reversible.
	5.10.37 The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise harm on landscape. Project Principles 6.1 – 6.5 require the Proposed Development to lead with the landscape.
	5.10.38 The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	**The Works Plans [EN010158/APP/2.3], Draft DCO [EN010158/APP/3.1], Design Commitments [EN010158/APP/5.9]** and the **Outline LEMP [EN010158/APP/7.6]** secure the design of the Proposed Development through the **Draft DCO [EN010158/APP/3.1]**, in line with statutory and technical requirements.
Land Use, Including Open Space, Green Infrastructure, and Green Belt **Applicant assessment** **EN-1 (5.11)**	5.11.8 The ES (see Section 4.3) should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, the applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** confirms that the Site includes landholdings for a number of agricultural and non-agricultural businesses. Section 4.3 of the **Planning Statement [EN010158/APP/5.7]** identifies the allocations and designations within and adjacent to the end Order limits. Part of the Site is located within a Sand and Gravel Mineral Safeguarding Area (MSA). **Appendix 2** to the **Planning Statement [EN010158/APP/5.7]** contains a **Mineral Safeguarding Assessment**. The surrounding land is predominantly agricultural. The Proposed Development is not considered to impact the continued use of this land for agricultural purposes.
	5.11.9 Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicant's should refer to the Green Infrastructure Framework. 5.11.10	The Proposed Development does not impact any open space, sports or recreational buildings or land.

Policy	Policy Text	Applicant Assessment
	Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	
	5.11.11 During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	**Appendix J1-J2** of the **Consultation Report [EN010158/APP/5.2]** sets out the discussions between the Applicant and the Local Planning Authority about land use.
	5.11.12 Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	**ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on soils within the Order Limits, or that will be impacted by the Proposed Development. **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. In line with this policy, the **Site Selection Report** appended to the Planning Statement confirms that the Applicant had considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites. The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection. The Applicant sought to identify countryside/ undeveloped greenfield land which according to the provisional ALC mapping (provided by DEFRA and Natural England) could meet the objectives of the Proposed Development whilst avoiding as far as practicable the take of BMV land. The **Site Selection Report** confirms that the south western extent of the Search Area, which took the point of connection as the anchor point to the Search Area, demonstrated a larger presence of Grade 4 non-BMV land.
	5.11.13 Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed.	**ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated soil effects of the Proposed Development's construction, operational (including maintenance) and decommissioning phases in accordance with this policy. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse soil effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are

Policy	Policy Text	Applicant Assessment
		documented within and secured via the **Design Commitments [EN010158/APP/5.9].** The additional mitigation measures are documented within the **Outline SMP [EN010158/APP/7.7], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via the **Draft DCO [EN010158/APP/3.1].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual soil effects.
	5.11.14 Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	An **Outline SMP [EN010158/APP/7.7]** has been submitted with this DCO Application and has been prepared to: • ensure the protection and conservation of soil resources on Site; • identify best practice measures to maintain the physical properties of the soil on Site; and • provide measures for the management of the soil resource for Site operators. The objective of the **Outline SMP [EN010158/APP/7.7]** is to identify the importance and sensitivity of the soil resource and to provide specific guidance to ensure that there is no significant adverse effect on the soil resource as a result of the Proposed Development.
	5.11.15 Developments should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. 5.11.16 Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.	The effects of Proposed Development on the natural and local environment are considered in the **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2].** Opportunities for environmental enhancement are further detailed in **ES Volume 2, Chapters: 6 to 15 [EN010158/APP/6.2]** and will be secured by the **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline LEMP [EN010158/APP/7.6].**
	5.11.17 Applicants should ensure that a site is suitable for its proposed use, taking account of ground conditions and any risks arising from land instability and contamination.	**ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated soil effects of the Proposed Development's construction, operational (including maintenance) and decommissioning phases in accordance with this policy. There is not expected to be any likely significant effects associated with ground conditions. Best practice and bespoke mitigation measures will be carried out during construction, operation and decommissioning to reduce nuisance impacts from dust generation, soil removal and waste generation and avoid impact on ground conditions.
	5.11.18	No licensed active waste management facilities or landfill sites are recorded within the Order Limits for Parcel 1. There is one active landfill site outside the Order Limits but within

Policy	Policy Text	Applicant Assessment
	For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.	the study area near Parcel 1, recorded as Calvert Landfill (Pits 4, 5 and 6). There are no historical landfill sites within the Order Limits for Parcel 1. No licensed active waste management facilities or landfill sites are recorded within the Order Limits for Parcel 1a, 2 and 3. There are no historical landfill sites within the Order Limits for Parcel 1a, 2 and 3. Further information on existing baseline data can be found within **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2].**
	5.11.19 Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	**Appendix 2: Mineral Safeguarding Assessment** to the **Planning Statement [EN010158/APP/5.7]** has been submitted in support of the DCO Application to evidence that the Proposed Development would not result in the needless sterilisation of safeguarded minerals. The Proposed Development will be decommissioned after a period of up to 40 years. The impacts of the Proposed Development relating to land use are considered both temporary and reversible. Therefore, the MSAs that overlap with the Order Limits will not be permanently sterilised and, post-decommissioning, the land could be worked for minerals if it is found to be workable.
Land Use, Including Open Space, Green Infrastructure, and Green Belt Mitigation EN-1 (5.11)	5.11.23 Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project and the protection of soils during construction.	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** confirms that the Site includes landholdings for a number of agricultural and non-agricultural businesses. The Chapter confirms that the Site is mainly agricultural land. Agricultural land quality was a key consideration in the Applicant's site selection process. The Applicant has developed the design of the Proposed Development to minimise the land take of BMV land, where practicable. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated soil effects of the Proposed Development's construction, operational (including maintenance) and decommissioning phases in accordance with this policy.
	5.11.24 Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes.	The Proposed Development would incorporate a number of green infrastructure proposals, as set out in the **Outline LEMP [EN010158/APP/7.6]** which would enhance the strategic green infrastructure network in the surrounding area. The green infrastructure proposed is illustrated in the **Appendix 1: Green and Blue Infrastructure Parameters** to the **Outline LEMP [EN010158/APP/7.6]**. The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as the inclusion of three new permissive paths to enhance the recreational and amenity connectivity across the Site.
	5.11.27 Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning and is supported

Policy	Policy Text	Applicant Assessment
	cover to 16.5% of total land area of England by 2050. The applicant should assess the impacts on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.	by extensive survey work including **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4].** **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** notes that two areas of ancient woodland are located within the Order Limits and that multiple other areas of ancient woodland are located directly adjacent to the Order Limits in several locations. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, across all phases of the Proposed Development, there would be no loss of ancient woodland. The Proposed Development has included, as embedded mitigation, the retention of all statutory and locally designated wildlife sites and ancient woodland with a minimum 30m offset from the fence line. Within this 30m buffer, species-rich grassland, scrub planting and pond creation/restoration will occur to help reduce potential displacement effects from Solar PV and associated infrastructure to foraging and commuting bats (which make use of the ancient woodland) to maintain foraging and commuting corridors and improve links to the wider landscape. The **Outline CEMP [EN010158/APP/7.2]**, **Outline SMP [EN010158/APP/7.7]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** set out the control measures that will be implemented to protect ancient woodland, ancient trees, veteran trees and other irreplaceable habitats including demarcation fencing to prevent construction activity in proximity to ancient woodland ancient trees, veteran trees and other irreplaceable habitats.
	5.11.28 Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources. 5.11.29 Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas.	**Appendix 2: Mineral Safeguarding Assessment** to the **Planning Statement [ENEN010158/APP/5.7]** has been submitted in support of this DCO Application to evidence that the Proposed Development would not result in the needless sterilisation of safeguarded minerals. The Proposed Development will be decommissioned after a period of up to 40 years where impacts caused by the Proposed Development relating to land use are considered both temporary and reversible. Therefore, the MSAs overlap that with the Order Limits will not be permanently sterilised, and post-decommissioning, the land could be worked for minerals if it is found to be workable.
	5.11.30 Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way. 5.11.31	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on Public Rights of Way within the Order Limits, or that will be impacted by the Proposed Development. The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used throughout the construction, and operational (including maintenance) and decommissioning phases of the Proposed Development with minimal impacts to PRoW users**.** The Proposed Development includes opportunities for enhancement such as proposals to provide three new permissive paths and would include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site.

Policy	Policy Text	Applicant Assessment
	The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent.	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated socio-economic effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** concludes that, for PRoWs, the following significant residual adverse impacts exist: • For North Buckinghamshire Way/Midshires Way, there are moderate adverse effects across construction, decommissioning Year 1 of the Proposed Development's operational (including maintenance) phase. • For Swan's Way/Outer Aylesbury Ring, there are moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For Bernwood Jubilee Way, there are moderate adverse effects across all phases of the Proposed Development. • For PRoW between Calvert Road and HS2, there are major/moderate adverse effects identified across construction and decommissioning and major adverse effects identified across Years 1 and 10 of the Proposed Development's operational (including maintenance) phase. • For PRoW between Botolph Claydon and Runt's Wood, there are major/moderate adverse effects identified across construction and decommissioning and Year 10 of the of the Proposed Development's operational (including maintenance) phase and a major adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase. • For PRoW to Finemere Hill, there are major/moderate adverse effects across all phases of the Proposed Development. • For PRoW, lanes and roads between East Claydon/East Claydon Road and to within Parcel 3 there are moderate adverse effects identified across construction and decommissioning and at Year 10 of the Proposed Development's operational (including maintenance) phase and a major/moderate adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse socio-economic effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline RoWAS [EN010158/APP/7.8], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4],** and **Outline LEMP [EN010158/APP/7.6]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.

Policy	Policy Text	Applicant Assessment
		ES Volume 2, Chapter 14: Population [EN010158/APP/6.2] concludes that, with embedded and additional mitigation measures in place, a slight beneficial socio-economic was identified on, but not limited to, the effects of the Proposed Development during the operational (and maintenance) phase on community access/walkers, cyclists and horse riders.
Land Use, Including Open Space, Green Infrastructure, and Green Belt **Secretary of State decision making** **EN-1 (5.11)**	5.11.32 The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. 5.11.33 The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location. 5.11.34 The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.	The Proposed Development does not propose development on existing open space, sports and recreational buildings and land. The Proposed Development does not involve the loss of playing fields. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated soil effects of the Proposed Development's construction, operational (including maintenance) and decommissioning phases in accordance with this policy. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse soil and access effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are documented within and secured via the **Design Commitments [EN010158/APP/5.9].** The additional mitigation measures are documented within the **Outline SMP [EN010158/APP/7.7], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via the **Draft DCO [EN010158/APP/3.1].** **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. In line with this policy, the **Site Selection Report** appended to the **Planning Statement [EN010158/APP/5.7]** confirms that the Applicant had considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites.

Policy	Policy Text	Applicant Assessment
		The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection. The Applicant sought to identify countryside/ undeveloped greenfield land which according to the provisional ALC mapping (provided by DEFRA and Natural England) could meet the objectives of the Proposed Development whilst avoiding as far as practicable the take of BMV land. The **Site Selection Report** confirms that the south western extent of the Search Area, which took the point of connection as the anchor point to the Search Area, demonstrated a larger presence of Grade 4 non-BMV land. The **Planning Statement [EN010158/APP/5.7]** sets out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated from 2031. In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community. The Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to local and national networks.
Noise and Vibration **EN-1 (5.12)**	5.12.1 Excessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality. 5.12.2 The Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to the assessment of impacts of vibration.	Section 3.4 of **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4]** summarises the noise and vibration effects on health and wellbeing. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant adverse noise effects were identified on human health across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP [EN010158/APP/7.2]** and **Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
	5.12.4 Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. (…) 5.12.5	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** recognises that infrastructure projects, such as the Proposed Development, can lead to indirect effects on biodiversity through changes in noise, for example. The assessment concludes no significant effects identified through the construction, operation (including maintenance) and decommissioning of the Proposed Development. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** is supported by **ES Volume 4, Appendix 13.3: Operational Phase assessment details [EN010158/APP/6.4]** which provides assessment of the predicted noise emissions generated by the operation of

Policy	Policy Text	Applicant Assessment
	Factors that will determine the likely noise impact of a proposed development include: • the inherent operational noise from the proposed development, and its characteristics • the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces) • the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality • the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species (…)	the Proposed Development at the surrounding noise sensitive receptors using computational noise modelling software. In relation to protected species and wildlife, as set out above **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes no significant effects identified through the construction, operation (including maintenance) and decommissioning of the Proposed Development.

Noise and Vibration
Applicant assessment
EN-1 (5.12)
	5.12.6
	Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:
	• a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise
	• identification of noise sensitive receptors and noise sensitive areas that may be affected
	• the characteristics of the existing noise environment
	• a prediction of how the noise environment will change with the proposed development
	  ○ in the shorter term, such as during the construction period
	  ○ in the longer term, during the operating life of the infrastructure
	  ○ at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year
	• an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas
	• if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise
		ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2] presents a noise assessment in accordance with the requirements of this policy, including a description of the noise generating aspects of the development.
		Table 13.3 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** sets out the noise-sensitive receptors that have been identified through a desktop study of aerial imagery and mapping and are presented in **ES Volume 3, Figure 13.1: Study Area and Receptors [EN010158/APP/6.3]**.
		Section 13.5 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** describes the existing characteristics of the noise environment for the Proposed Development and surrounding areas.
		Section 13.7 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** describes the embedded design mitigation relevant to the Proposed Development with respect to noise and vibration, encompassing the construction, operational and decommissioning phases.
		Sections 13.8 and 13.10 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** assess the noise and vibration likely effects and residual effects, respectively, on receptors arising from the construction, decommissioning, and operational (including maintenance) phases of the Proposed Development at particular times of the day and at night on the noise environment.
		ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2] concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual noise and vibration effects.
		The noise assessment is proportionate to the likely noise impact.

Policy	Policy Text	Applicant Assessment
	• all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life 5.12.7 The nature and extent of the noise assessment should be proportionate to the likely noise impact.	
	5.12.8 Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	**ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** considers the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation. It concludes that with the implementation of mitigation measures significant adverse noise and vibration effects during the construction, operation and decommissioning of the Proposed Development will be avoided at sensitive receptors. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
	5.12.9 Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	**ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** assesses operational noise at the identified sensitive noise receptors following BS 4142 guidance, BS 8233:2014 and World Health Organisation guidance. Construction and decommissioning noise and vibration impacts have been assessed per Annex E of British Standards 5228-1. Other sections of this Planning Statement address compliance with EN-3 and EN-5.
	5.12.10 Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e. physical design and location of development). The applicant should consult the EA and/or the SNCB, and other relevant bodies, such the MMO or NRW, as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	The **Schedule of Other Consents and Licences [EN010158/APP/5.5]** has been prepared as part of this DCO Application. The purpose of this document is to provide information on the additional consents and licences potentially required for the Proposed Development, in addition to the **Draft DCO [EN010158/APP/3.1]**. The **Consultation Report [EN010158/APP/5.1]** sets out that Natural England did not comment on noise during consultation, and a summary of engagement with Buckinghamshire Council is set out in **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]**.
	5.12.12	**ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** presents a noise assessment in accordance with the requirements of this policy, including a description of the noise generating aspects of the development.

Policy	Policy Text	Applicant Assessment
	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	**ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** considers the noise effects of the Proposed Development. It concludes that with the implementation of mitigation measures significant residual adverse noise and vibration effects during the construction, operation and decommissioning of the Proposed Development will be avoided at sensitive receptors. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual noise and vibration effects.
Noise and Vibration **Mitigation** **EN-1 (5.12)**	5.12.13 The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise. 5.12.14 Mitigation measures may include one or more of the following: • engineering: reducing the noise generated at source and/or containing the noise generated • lay-out: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings • administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites • insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building. 5.12.15 The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within	**ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** considers the noise effects of the Proposed Development. It concludes that with the implementation of mitigation measures, significant adverse residual noise and vibration effects across the construction, operational (including maintenance) and decommissioning of the Proposed Development will be avoided at sensitive receptors. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. These mitigation measures have taken account of the NPPF the Planning Practice Guidance on Noise. The Proposed Development has demonstrated good design through the inclusion of noise and vibration mitigation measures. Section 13.7 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** details the embedded mitigation measures of the Proposed Development. Embedded mitigation measures include: • Maximising the separation distance between proposed infrastructure and surrounding sensitive receptors, where practicable • Use of equipment with low noise emissions, where feasible • Orientating noise emitting equipment to reduce noise level beyond the Order Limits These measures also incorporate the following acoustic barriers, which are secured in the **Design Commitments [EN010158/APP/5.9]** and **Outline OEMP [EN010158/APP/7.3]**: • 3.5m high barrier around the BESS container areas; • 5m high barrier around sections of the boundary of the Rosefield Substation; • 3.5m high absorptive barriers around Central Inverters that are impacting upon noise-sensitive receptors; and

Policy	Policy Text	Applicant Assessment
	buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).	• Introduction of enclosures and/or barriers around the main transformers within the Rosefield ion and Satellite Collector Compound.
	5.12.16 A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government's associated planning guidance on noise. (…)	**ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** considers relevant sections of the Noise Policy Statement, the NPPF, and the government's associated planning guidance on noise, within its assessment.
Noise and Vibration **Secretary of State decision making** **EN-1 (5.12)**	5.12.17 The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise: • avoid significant adverse impacts on health and quality of life from noise • mitigate and minimise other adverse impacts on health and quality of life from noise • where possible, contribute to improvements to health and quality of life through the effective management and control of noise	**ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** presents a noise assessment in accordance with the requirements of this policy, including a description of the noise generating aspects of the development. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** outlines that there are no significant residual effects associated with construction noise or construction traffic and operation including maintenance. Therefore, there will be no significant effects to human receptors as a result of noise and vibration.
	5.12.18 When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	Section 13.7 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** details the embedded mitigation measures of the Proposed Development. Embedded mitigation measures include: • Maximising the separation distance between proposed infrastructure and surrounding sensitive receptors, where practicable • Use of equipment with low noise emissions, where feasible • Orientating noise emitting equipment to reduce noise level beyond the Order Limits The embedded mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. Section 13.9 of **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** sets out the additional mitigation measures of the Proposed Development relating to noise and vibration. The additional mitigation measures are documented within the: **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1].**

Policy	Policy Text	Applicant Assessment
		ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2] concludes that with the implementation of embedded and additional mitigation measures significant adverse noise and vibration effects during the construction, operation and decommissioning of the Proposed Development will be avoided at sensitive receptors. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** concludes that, by adopting the embedded and additional mitigation measures, it is considered that noise levels from all construction activities would not exceed the daytime threshold criterion of 65 dB LAeq,T at any of the receptors considered. The predicted operational (including maintenance) phase noise levels throughout daytime and night-time periods would not exceed 35 dB $L_{Ar,T}$ at any receptors. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual noise and vibration effects.
Socio-Economic Impacts **Applicant assessment** **EN-1 (5.13)**	5.13.2 Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3).	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated population effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy.
	5.13.3 The applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the applicant can gain a better understanding of local or regional issues and opportunities.	The Applicant has engaged with Buckinghamshire Council, as outlined in Section 14.3 of **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]**. Details on the feedback received from statutory consultation and the response to each matter raised and how this has been addressed in detail are in **Appendix A-4, J-1, J-2 and K-3** of the **Consultation Report Appendices [EN010158/APP/5.2].**
	5.13.4 The applicant's assessment should consider all relevant socio-economic impacts, which may include: • the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero • the contribution to the development of low-carbon industries at the local and regional level as well as nationally • the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities • any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated population effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated cumulative effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy.

Policy	Policy Text	Applicant Assessment
	• effects (positive and negative) on tourism and other users of the area impacted • the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development • cumulative effects - if development consent were to be granted for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region	
	5.13.5 Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	Section 14.5 of **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** describes the baseline socio-economic conditions within the Study Area. The Proposed Development's compliance with local policies is considered in Tables 6 and 7 of this **Appendix 4: Policy Compliance Assessment Tables** to the **Planning Statement [EN010158/APP/5.7]**.
	5.13.6 Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	Section 2.4 of the **Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** sets out the outline plan's core themes for opening up the supply chain to actively promote work opportunities for businesses in order to deliver local benefit.
	5.13.7 Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.	Analysis of the visitor accommodation available in Buckinghamshire has been undertaken to assess the likely available capacity in terms of number of bedrooms, against potential demand from the construction workforce in **ES Volume 2, Chapter 14: Population**. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** assesses the Proposed Development's impact on occupancy rates as a result of increased visitor numbers to the area. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a minor beneficial effect on tourist accommodation was identified across the Proposed Development's construction and decommissioning phases.
Socio-Economic Impacts	5.13.8	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse socio-economic effects were identified across the Proposed Development's construction,

Policy	Policy Text	Applicant Assessment
Mitigation **EN-1 (5.13)**	The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline RoWAS [EN010158/APP/7.8], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4],** and **Outline LEMP [EN010158/APP/7.6]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual population effects.
Socio-Economic Impacts **Secretary of State decision making** **EN-1 (5.13)**	5.13.9 The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. 5.13.10 The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated socio-economic effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse socio-economic effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline RoWAS [EN010158/APP/7.8], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4],** and **Outline LEMP [EN010158/APP/7.6],** and secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual population effects.
	5.13.11 The Secretary of State should consider any relevant positive provisions the applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a slight beneficial socio-economic effect is identified: • During the construction phase - Employment and workforce spending and GVA/supply chain, construction GVA is estimated at £43.6bn in the Construction Labour Market Area (CLMA) and £1.1bn in the CLMA Focus Area each year. • During the Construction and decommissioning phases - beneficial effects on tourism and the tourist economy due to the effect on non-local construction workforce on the tourism accommodation market; • During the operational (including maintenance) phase - there is likely to be a slight beneficial residual effect on community access (PRoW) and permissive paths) and

Policy	Policy Text	Applicant Assessment
		their users due to the creation of new permissive paths which would increased community accessibility and recreational opportunities in an areas that is currently inaccessible. The **Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** sets out that the economic benefits that the Proposed Development could generate are: • Greater access to employment, upskilling and re-skilling opportunities for people; and • Enhanced business growth and productivity and potential to increase capabilities and specialisms in green construction and manufacturing.
	5.13.12 The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.	An **Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** has been submitted with this application to describes how the Applicant would promote the delivery of economic benefits generated by the Proposed Development to people and businesses across Buckinghamshire, and is secured via a requirement of the **Draft DCO [EN010158/APP/3.1]**.
Traffic and Transport **Applicant assessment** **EN-1 (5.14)**	5.14.5 If a project is likely to have significant transport implications, the applicant's ES (see Section 4.3) should include a transport appraisal. The DfT's Transport Analysis Guidance (TAG) and Welsh Governments WelTAG provides guidance on modelling and assessing the impacts of transport schemes.	**Appendix 15.1: Transport Assessment** to **ES Volume 2, Chapter 15: Traffic and Access [EN010158/APP/6.2]** has been prepared in accordance with appropriate guidance including the Department for Transport's guidance on Travel Plans, Transport Assessments and Statements in Decision Taking (2014).
	5.14.6 National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. Applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.	The Applicant has consulted with the relevant highways authorities National Highways, Oxfordshire County Council and Buckinghamshire Council regarding the assessment. Comments from these stakeholders are included in Section 15.3 of **ES Volume 2, Chapter 15: Traffic and Access [EN010158/APP/6.2].**
	5.14.7 The applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by active, public and shared transport to: • reduce the need for parking associated with the proposal • contribute to decarbonisation of the transport network	Section 4.9 of the **Outline CTMP [EN010158/APP/7.5]** sets out that a Staff Travel Plan will be developed in the detailed Construction Traffic Management Plan(s), to manage the arrival and departure profile of staff and to encourage sustainable modes of transport, especially car-sharing. The Staff Travel Plan will be administered by the detailed Construction Traffic Management Plan(s) Co-ordinator and would be a contractual requirement as part of the Principal Contractor's contract with the Applicant. The Staff Travel Plan will include targets to reduce car use during construction and will apply to Site visitors, where it is practical to do so.

Policy	Policy Text	Applicant Assessment
	• improve user travel options by offering genuine modal choice 5.14.8 The assessment should also consider any possible disruption to services and infrastructure (such as road, rail and airports).	
	5.14.9 If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc.) needed to enhance active transport provision.	The **Outline Right of Way and Access Strategy (RoWAS) [EN010158/APP/7.8]** ensures safe access across the Order Limits for pedestrians, cyclists and equestrians, and is secured via the **Draft DCO [EN010158/APP/3.1].** Embedded mitigation measures set out and secured in the **Outline CTMP [EN010158/APP/7.5]** and **Outline RoWAS [EN010158/APP/7.8]** function to provide good quality access options and ensure road safety and efficiency for all users.
Traffic and Transport **Mitigation** **EN-1 (5.14)**	5.14.11 Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to: • reduce the need to travel by consolidating trips • locate development in areas already accessible by active travel and public transport • provide opportunities for shared mobility • re-mode by shifting travel to a sustainable mode that is more beneficial to the network • retime travel outside of the known peak times • reroute to use parts of the network that are less busy 5.14.12 If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated transport and access effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse transport and access effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the **Outline CTMP [EN010158/APP/7.5]** and **Outline RoWAS [EN010158/APP/7.8]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects.
	5.14.13 Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate.	Section 4.5 of the **Outline CTMP [EN010158/APP/7.5]** sets out the HGV vehicle requirements for the Proposed Development. To ensure the highest standards of safety for all road users and contractors, all HGVs arriving at Site shall be required to comply with the prescribed standards. Section 4.8 of the **Outline CTMP [EN010158/APP/7.5]** sets out the on-site parking requirements.

Policy	Policy Text	Applicant Assessment
	5.14.14 The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that: • control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements • make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions; • ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.	Table 15.7 of **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** details the construction phase traffic flows, while **ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4]** further describes the traffic generation and it's subsequent distribution to the study are roads network. The assessment indicates that there are no significant residual impacts associated with the construction phase of the Proposed Development.
	5.14.15 The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated transport and access effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** aims to secure more sustainable patters of transport through embedded and additional mitigation measures, mitigation measures are documented within the: **Outline CTMP [EN010158/APP/7.5]** and **Outline RoWAS [EN010158/APP/7.8]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
	5.14.16 Applicants should consider the DfT policy guidance "Water Preferred Policy Guidelines for the movement of abnormal indivisible loads" when preparing their application.	The Applicant confirms that water-based modes of transportation for AIL deliveries are of limited use /applicability given the Proposed Development's location.
	5.14.17 If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the Secretary of State of any obligations or requirements needed to secure the mitigation.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter. The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, set out measures to manage any potential transport and access effects that may arise from

Policy	Policy Text	Applicant Assessment
		construction activities and are secured via requirements in the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects.
Traffic and Transport **Secretary of State decision making** **EN-1 (5.14)**	5.14.18 A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility. 5.14.19 Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. 5.14.20 Development consent should not be withheld provided that the applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure. 5.14.21 The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter. The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, set out measures to manage any potential transport and access effects that may arise from construction activities and are secured via requirements in the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects.
Resource and Waste Management **EN-1 (5.15)**	5.15.2 Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): • prevention • preparing for reuse • recycling	The Proposed Development has been designed and will be constructed and operated to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development during its use. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** sets out that any equipment that needs to be replaced during the operational (including maintenance) phase would be disposed of following the waste hierarchy, with materials being reused or recycled wherever possible. Electrical waste would be disposed of as per the Waste Electrical and Electronic Equipment (Amendment) (No. 2) Regulations 2018,

Policy	Policy Text	Applicant Assessment
	• other recovery, including energy recovery • disposal 5.15.3 Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome. 5.15.4 All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements.	minimising the environmental impact of replacing any elements of the Proposed Development. At the end of the operational (including maintenance) phase, any above-ground infrastructure would be dismantled and removed as per industry best practices at that time. The decommissioned materials would follow the waste hierarchy so that they would be reused where possible before being considered for recycling and then, if necessary, considered for disposal. Management of waste would be undertaken in accordance with **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3],** and **Outline DEMP [EN010158/APP/7.4].**
Resource and Waste Management **Applicant assessment** **EN-1 (5.15)**	5.15.8 The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities. 5.15.9 The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. 5.15.10 The applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales' and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome. 5.15.12 The UK is committed to moving towards a more 'circular economy'. Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible. 5.15.13	The Proposed Development has been designed and will be constructed and operated to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development during its use. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** sets out that any equipment that needs to be replaced during the operational (including maintenance) phase would be disposed of following the waste hierarchy, with materials being reused or recycled wherever possible. Electrical waste would be disposed of as per the Waste Electrical and Electronic Equipment (Amendment) (No. 2) Regulations 2018, minimising the environmental impact of replacing any elements of the Proposed Development. At the end of the operational (including maintenance) phase, any above-ground infrastructure would be dismantled and removed as per industry best practices at that time. The decommissioned materials would follow the waste hierarchy so that they would be reused where possible before being considered for recycling and then, if necessary, considered for disposal. Management of waste would be undertaken in accordance with **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3],** and **Outline DEMP [EN010158/APP/7.4].**

Policy	Policy Text	Applicant Assessment
	Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.	
Resource and Waste Management **Secretary of State decision making** **EN-1 (5.15)**	5.15.14 The Secretary of State should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. 5.15.15 The Secretary of State should be satisfied that: • any such waste will be properly managed, both on-site and off-site. • the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area. • adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent for recovery or disposal, except where that is the best overall environmental outcome. 5.15.16 Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. 5.15.17 The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent. 5.15.18 Where the project will be subject to the Environmental Permitting regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply. 5.15.19 The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023.	The Proposed Development has been designed and will be constructed and operated to minimise the creation of waste, maximise the use of recycled materials and assist the collection, separation, sorting, recycling and recovery of waste arising from the development during its use. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** sets out that any equipment that needs to be replaced during the operational (including maintenance) phase would be disposed of following the waste hierarchy, with materials being reused or recycled wherever possible. Electrical waste would be disposed of as per the Waste Electrical and Electronic Equipment (Amendment) (No. 2) Regulations 2018, minimising the environmental impact of replacing any elements of the Proposed Development. At the end of the operational (including maintenance) phase, any above-ground infrastructure would be dismantled and removed as per industry best practices at that time. The decommissioned materials would follow the waste hierarchy so that they would be reused where possible before being considered for recycling and then, if necessary, considered for disposal. Management of waste would be undertaken in accordance with **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3],** and **Outline DEMP [EN010158/APP/7.4].** Prior to construction works commencing, a detailed Site Waste Management Plan(s) (SWMP) will be prepared by the contractor which will identify waste streams, plan appropriate arrangements and procedures accordingly, ensure legal requirements are identified and complied with and identify opportunities for waste minimisation and sustainable material use. The detailed SWMP(s) will be in accordance with the **Outline SWMP** contained in **Appendix 1** to the **Outline CEMP [EN010158/APP/7.2]** and finalised with specific measures to be implemented prior to the start of construction.

Policy	Policy Text	Applicant Assessment
Water Quality and Resources **Applicant assessment** **EN-1 (5.16)**	5.16.3 Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy.
	5.16.4 The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.	Section 16.3 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** sets out the stakeholder engagement activities undertaken in regard to water. The Applicant undertook engagement with the Environment Agency, Buckinghamshire Council - Lead Local Flood Authority, Buckingham and River Ouzel Internal Drainage Board, Anglian Water and Buckinghamshire Fresh Water Resilience Project with regard to water matters.
	5.16.5 Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g. from car parks or other areas of hard standing, during operation.	The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on the management of surface water runoff from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.
	5.16.6 Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones – this could include, for example, the use of protective barriers.	Section 15.7 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** sets out the Proposed Development's embedded mitigation measures to ensure existing water assets are conserved through a sustainable drainage strategy. As a form of embedded mitigation, perimeter fencing surrounding the Solar PV development would be offset at least 10m either side from all existing ditches where crossings are not required, which will be secured by the **Design Commitments [EN010158/APP/5.9]**. The proposed offset provides a buffer for any sediment entrained within surface water runoff here sediment can deposit and ensures no erosion of the banking of the watercourses which could result in degradation of water quality.
	5.16.7 The ES should in particular describe: • the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges • existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects, including water quality, water resources and WFD, of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. The chapter is supported by **ES Volume 3, Figure 16.6: WFD Waterbodies and Catchments [EN010158/APP/6.3]** and **ES Volume 4, Appendix 16.2: WFD Waterbodies Stage 1 Screening [EN010158/APP/6.4].** The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. The depth of flooding and reasonable assumptions for the

Policy	Policy Text	Applicant Assessment
	to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance • existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics • any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions • how climate change could impact any of the above in the future • any cumulative effects	impacts of climate change on flood depths have been assessed as part of a Flood Risk Assessment using the data available on flooding. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects.
Water Quality and Resources **Mitigation** **EN-1 (5.16)**	5.16.8 The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the project application. A construction management plan may help codify mitigation at that stage. 5.16.9 The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked. 5.16.10 The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. If a development needs new water infrastructure, significant supplies or impacts other water supplies, the applicant should consult with the local water company and the EA or NRW.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded mitigation measures in place, no significant residual adverse water effects are identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are documented within the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** and are secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects.
Water Quality and Resources **Secretary of State decision making** **EN-1 (5.16)**	5.16.11 Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters. 5.16.12	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy, with regard to The Environment Act 2021 and the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are documented within the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy**

Policy	Policy Text	Applicant Assessment
	The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. 5.16.13 The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government's Environmental Improvement Plan 2023.	**[EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** as secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects.
	5.16.14 The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects, including water quality, water resources and WFD, of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. The chapter is supported by **ES Volume 3, Figure 16.6: WFD Waterbodies and Catchments [EN010158/APP/6.3]** and **ES Volume 4, Appendix 16.2: WFD Waterbodies Stage 1 Screening [EN010158/APP/6.4].** **ES Volume 4, Appendix 16.2: WFD Waterbodies Stage 1 Screening Assessment [EN010158/APP/6.4]** concludes that the Proposed Development does not present a risk of deterioration of status of Water Framework Directive waterbodies or jeopardise the attainment of 'good' overall status of Water Framework Directive waterbodies.
	5.16.15 The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans.	The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on management of surface water runoff from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.
	5.16.16 The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation measures are documented within and secured via **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** as secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development and cumulative schemes considered are not considered to result in significant effects to water.

2. NPS for Renewable Energy Infrastructure EN-3 (NPS EN-3)

Table 1-2 NPS for Renewable Energy Infrastructure EN-3 (NPS EN-3) Table of Compliance

Policy	Policy Text	Applicant Assessment
Factors influencing site selection and design **National designations** **EN-3 (2.3)**	2.3.8 In considering the impact on the historic environment as set out in Section 5.9 of EN-1 and whether the Secretary of State is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. The **Planning Statement [EN010158/APP/5.7]** sets out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated from 2031. In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community. The Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to local and national networks.
Factors influencing site selection and design **Other locational considerations** **EN-3 (2.3)**	2.3.9 As most renewable energy resources can only be developed where the resource exists and where economically feasible, and because there are no limits on the need established in Part 3 of EN-1, the Secretary of State should not use a consecutive approach in the consideration of renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments).	**Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** explains the Applicant's approach to selection of an appropriate site to take forward as part of an application for a NSIP scale solar project. The report explains that initially there are three fundamental attributes required to develop NSIP scale solar: suitable irradiance and topography; a connection to the National Grid; and available land.
Climate change adaptation and resilience **EN-3 (2.4)**	2.4.11 Solar photovoltaic (PV) sites may also be proposed in low lying exposed sites. For these proposals, applicants should consider, in particular, how plant will be resilient to: • increased risk of flooding; and • impact of higher temperatures.	The Proposed Development's design has taken into account impacts from climate change. Site-specific hydraulic modelling has been carried out to assess the actual risks of fluvial and pluvial flooding to the Proposed Development. It includes a simulation of the credible maximum climate change scenario. **ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4]** has been produced to assess a number of climate-change hazards and the Proposed Development's resilience to these. The hazards considered include, but are not limited to: increased summer temperatures, winter precipitation, risk of drought, wind speeds, frequency of winter storms, and a decrease in summer precipitation. Project Principle 1.1, as set out in the **Design Approach Document [EN010158/APP/5.8]**, requires the building in of resilience and adaptation in a changing climate through design. Project Principle 1.1 also secures that the proposed planting is cognisant of future climate change, and species that are drought-tolerant and/or require relatively less watering will be favoured.

Policy	Policy Text	Applicant Assessment
		ES Volume 2, Chapter 16: Water [EN010158/APP/6.2] concludes that, with embedded and additional mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded and additional mitigation measures are documented within and secured via the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** and are secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects. The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** describes the baseline levels and assesses the anticipated climate effects of the Proposed Development's construction, operational (including maintenance) and decommissioning in accordance with this policy. The beneficial impact of carbon sequestration has not been accounted for within this assessment, due to the inherent difficulty of accurately quantifying such measures. This results in a more conservative, worst-case assessment. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a significant beneficial climate effect was identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The additional mitigation measures are documented within the **Outline CEMP [EN010158/APP/7.2]** and **Outline LEMP [EN010158/APP/7.6]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
Consideration of good design for energy infrastructure **EN-3 (2.5)**	2.5.1 Section 4.7 of EN-1 sets out the criteria for good design that should be applied to all energy infrastructure. 2.5.2 Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage.	As detailed in Section 2 of the **Planning Statement [EN010158/APP/5.7]**, good design has been a fundamental consideration from the outset of the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes to the Proposed Development. Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape

Policy	Policy Text	Applicant Assessment
		and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**.
Flexibility in the project details **EN-3 (2.6)**	2.6.1 Where details are still to be finalised, applicants should explain in the application which elements of the proposal have yet to be finalised, and the reason why this is the case. 2.6.2 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. 2.6.3 Full guidance on how applicants and the Secretary of State should manage flexibility is set out in Section 4.3 of EN-1.	The Applicant wishes to retain flexibility regarding the design detail of certain components of the Proposed Development. This allows for flexibility to accommodate changes in technological advancements. For example, enclosures and/or building sizes may vary depending on the contractor selected, their specific configuration, and plant selection. This is particularly important for maintaining flexibility, given the rapid pace of change in Solar PV module and energy storage technologies. Technology could be adopted at the detailed design stage, which does not currently exist. Therefore, sufficient flexibility has been sought for the final design within the DCO Application The extent of flexibility required is described in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and set out in the **Design Approach Document [EN010158/APP/5.8]** and **Design Commitment [EN010158/APP/5.9]**. The Applicant's approach to EIA, including the use of the Rochdale envelope to assess effects, is set out in **ES Volume 1, Chapter 3: Proposed Development Description** and **Chapter 5: Approach to the EIA [EN010158/APP/6.1].** With the above need for flexibility in mind, the Applicant confirms that the ES has assessed the likely worst-case development scenario. Establishing the maximum parameters enables a robust assessment of likely significant environmental effects to be undertaken within this ES for topics where the nature of the assessment requires a specific level of detail, such as maximum heights, massing, or noise levels. Thus, the assessment parameters form the basis of the assessment. The assessment parameters are detailed in the works descriptions which are linked to Schedule 1 within the **Draft DCO [EN010158/APP/3.1]** and shown spatially within the **Works Plans [EN010158/APP/2.3]** and secured via a number of Control Documents as listed within the **Guide to the Application [EN010158/APP/1.2].**
Introduction **EN-3 (2.10)**	2.10.15 Solar farm proposals are currently likely to consist of solar panel arrays, mounting structures, piles, inverters, transformers and cables. 2.10.16 Associated infrastructure may also be proposed and may be treated, on a case by case basis, as associated development, such as energy storage, electrolysers associated with the production of low carbon hydrogen, or security arrangements (which may encompass flood defences, fencing, lighting and surveillance).	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** contains the full project description which contains the equipment listed in NPS EN-3 Paragraph 2.10.15. The Proposed Development is described in Schedule 1 of the **Draft DCO [EN010158/APP/3.1]**, where the "authorised development" is divided into work packages. The work numbers ('Work No.') for those packages are identified below and are referred to throughout this ES and correspond to the areas shown on the **Works Plans [EN010158/APP/2.3]**. There is an overlap of Work Nos. in some locations, and so the sum of the Order Limits is not equal to the sum of the Work Nos.: • Work No. 1: Ground Mounted Solar PV Generating Station • Work No. 2: Rosefield Substation Compound • Work No. 2A: Rosefield Substation Compound

Policy	Policy Text	Applicant Assessment
		• Work No. 2B: Abnormal Indivisible Load Corridor • Work No. 3: Satellite Collector Compounds • Work No. 3A: Satellite Collector Compounds • Work No. 3B: Satellite Collector Compound Transformer • Work No. 4: Battery Energy Storage System Compound • Work No. 5: Main Collector Compound • Work No. 6: Grid Connection Cabling Corridor • Work No. 7: Interconnecting Cabling Corridor(s) • Work No. 8: Temporary Construction and Decommissioning Compounds • Work No. 8A: Primary Construction Compounds; and • Work No. 8B: Secondary Construction Compounds • Work No. 9: Highways Works (Facilitate access) • Work No. 10: Green and Blue Infrastructure
Applicant assessment: Irradiance and site topography **EN-3 (2.10)**	2.10.19 Irradiance will be a key consideration for the applicant in identifying a potential site as the amount of electricity generated on site is directly affected by irradiance levels. Irradiance of a site will in turn be affected by surrounding topography, with an uncovered or exposed site of good elevation and favourable south-facing aspect more likely to increase year-round irradiance levels. This in turn affects the carbon emission savings and the commercial viability of the site.	**Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. As set out in Section 4.2 of the Report, Buckinghamshire represents a good location within the UK to construct a solar farm. The area benefits from higher levels of photovoltaic power and irradiance compared to the UK average. With regards to topography, the general topography of the area surrounding the National Grid East Claydon Substation is gently undulating, with much of the land sloping north to south, making it generally suitable for solar. The favourable nature of the irradiance and topography, in combination with other elements, makes the area an appropriate location for solar development.
	2.10.20 In order to maximise irradiance, applicants may choose a site and design its layout with variable and diverse panel types and aspects, and panel arrays may also follow the movement of the sun in order further to maximise the solar resource.	As set out in Table 3.1 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and secured in **Design Commitments [EN010158/APP/5.9],** the mounting structures to which the Solar PV modules will be fitted will be designed to face southwards on a fixed platform. The Solar PV modules would be angled at a tilt of 10 to 30 degrees from horizontal to optimise daylight absorption.
Applicant assessment: Network connection **EN-3 (2.10)**	2.10.21 Applicants should consider important issues relating to network connection at Section 4.11 of EN-1 and in EN-5. In particular, and where appropriate, applicants should proceed in a manner consistent with the regulatory regime	The Applicant engaged with National Grid to discuss potential opportunities for a connection offer within the Buckinghamshire area and in early 2020 a grid connection offer was made for capacity in East Claydon, Buckinghamshire, as set out within the **Grid Connection Statement [EN010158/APP/7.1].**

Policy	Policy Text	Applicant Assessment
	for offshore transmission networks established by Ofgem, details of which are set out in EN-5. 2.10.22 Many solar farms are connected into the local distribution network. The capacity of the local grid network to accept the likely output from a proposed solar farm is critical to the technical and commercial feasibility of a development proposal. 2.10.23 Larger developments may seek connection to the transmission network if there is available network capacity and/or supportive infrastructure. 2.10.24 In either case the connection voltage, availability of network capacity, and the distance from the solar farm to the existing network can have a significant effect on the commercial feasibility of a development proposal.	
	2.10.25 To maximise existing grid infrastructure, minimise disruption to existing local community infrastructure or biodiversity and reduce overall costs, applicants may choose a site based on nearby available grid export capacity.	**Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. As set out in Section 4.2 of the Report, a viable grid connection is an essential material consideration for proceeding with a development and is instrumental in defining the Search Area. The Search Area was based on the availability of a suitable grid connection at the National Grid East Claydon Substation, with sufficient capacity available to support a solar scheme of a viable size. A site closer to the substation was preferred on the basis that a shorter cable route has benefits in terms of ease and timeliness of the delivery of key infrastructure, minimising disruption to residents and businesses along the route, minimising environmental disturbance and cost.
	2.10.26 Where this is the case, applicants should consider the cumulative impacts of situating a solar farm in proximity to other energy generating stations and infrastructure.	The cumulative impact of the Proposed Development with developments within the surrounding area is included in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**. The Chapter sets out the short list of other existing development and/or approved development accounted for in the chapter's cumulative assessment.
Applicant assessment: Proximity of a site to dwellings **EN-3 (2.10)**	2.10.27 Utility-scale solar farms are large sites that may have a significant zone of visual influence. The two main impact issues that determine distances to sensitive receptors are therefore likely to be visual amenity and glint and glare. These are considered in Landscape, Visual and Residential Amenity (paragraphs 2.10.93-2.10.101) and Glint and Glare (paragraphs 2.10.102 – 2.10.106) impact sections below.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual within the Order Limits, or that will be impacted by the Proposed Development. Residents (within settlements and at isolated farmsteads/dwellings) are identified as a primary visual receptor within the study area likely to be affected by the Proposed Development. Residential properties included in the study area are shown on **ES Volume 3, Figure 10.13: Residential Property Location Plan [EN010158/APP/6.3]**. **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding dwellings.

Policy	Policy Text	Applicant Assessment
		Embedded mitigation has been included within the design of the Proposed Development which allows the assessment to conclude that the Proposed Development will only have low impact on certain identified sensitive receptors, and all effects are predicted to be not significant.
Applicant assessment: Agriculture land classification and land type **EN-3 (2.10)**	2.10.28 Solar is a highly flexible technology and as such can be deployed on a wide variety of land types. 2.10.29 While land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise suitable previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land avoiding the use of "Best and Most Versatile" agricultural land where possible. 'Best and Most Versatile agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification.	**Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. In line with this policy, **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** confirms that the Applicant had considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites. The Report also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection. The Applicant sought to identify countryside/ undeveloped greenfield land which according to the provisional ALC mapping (provided by DEFRA and Natural England) could meet the objectives of the Proposed Development whilst avoiding as far as practicable the take of BMV land. It is concluded that 94.42% of the Site is non-BMV, 4.07% of the Site is non-agricultural land and 1.51% of the Site is BMV. Further information on ALC is provided in **ES Volume 4, Appendix 12.1: Agricultural Land Classification Report [EN010158/APP/6.4]** and **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]**.
	2.10.30 Whilst the development of ground mounted solar arrays is not prohibited on Best and Most Versatile agricultural land, or sites designated for their natural beauty, or recognised for ecological or archaeological importance, the impacts of such are expected to be considered and are discussed under paragraphs 2.10.73 – 92 and 2.10.107 – 2.10.126.	**ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on soils and BMV within the Order Limits, or the Proposed Development will impact. Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape and visual, designated sites, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**.
	2.10.31 It is recognised that at this scale, it is likely that applicants' developments will use some agricultural land. Applicants should explain their choice of site, noting the preference for development to be on suitable brownfield, industrial and low and medium grade agricultural land. 2.10.32	**Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. In line with this policy, the **Site Selection Report** appended to the Planning Statement confirms that the Applicant had considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield

Policy	Policy Text	Applicant Assessment
	Where sited on agricultural land, consideration may be given as to whether the proposal allows for continued agricultural use and/or can be co-located with other functions (for example, onshore wind generation, storage, hydrogen electrolysers) to maximise the efficiency of land use.	register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites. The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection. The Applicant sought to identify countryside/ undeveloped greenfield land which, according to the provisional ALC mapping (provided by DEFRA and Natural England) could meet the objectives of the Proposed Development whilst avoiding as far as practicable the take of BMV land. The **Site Selection Report** confirms that the south western extent of the Search Area, which took the point of connection as the anchor point to the Search Area, demonstrated a larger presence of Grade 4 non-BMV land.
	2.10.33 The Agricultural Land Classification (ALC) is the only approved system for grading agricultural quality in England and Wales and, if necessary, field surveys should be used to establish the ALC grades in accordance with the current, or any successor to it, grading criteria and identify the soil types to inform soil management at the construction, operation, and decommissioning phases in line with the Defra Construction Code.	Agricultural Land Classification (ALC) surveys have been completed at the Site. The results of this survey are presented in **ES Volume 4, Appendix 12.1: Agricultural Land Classification Report [EN010158/APP/6.4].**
	2.10.34 Applicants are encouraged to develop and implement a Soil Resources and Management Plan which could help to use and manage soils sustainably and minimise adverse impacts on soil health and potential land contamination. This should be in line with the ambition set out in the Environmental Improvement Plan to bring at least 40% of England's agricultural soils into sustainable management by 2028 and increase this up to 60% by 2030.	An **Outline SMP [EN010158/APP/7.7]** has been submitted with this DCO Application and includes measures to: • ensure the protection and conservation of soil resources on Site; • identify best practice measures to maintain the physical properties of the soil on Site; and • provide measures for the management of the soil resource for Site operators. The objective of the **Outline SMP [EN010158/APP/7.7]** is to identify the importance and sensitivity of the soil resource and to provide specific guidance to ensure that there is no significant adverse effect on the soil resource as a result of the Proposed Development.
Applicant assessment: Accessibility **EN-3 (2.10)**	2.10.35 Applicants will need to consider the suitability of the access routes to the proposed site for both the construction and operation of the solar farm with the former likely to raise more issues. 2.10.36 Given that potential solar farm sites are largely in rural areas, access for the delivery of solar arrays and associated infrastructure during construction can be a significant consideration for solar farm siting.	The suitability of the road network to be used during the construction and operational (including maintenance) phases of the Proposed Development are presented in Section 4.6 of **ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4].** The **Transport Assessment** confirms the suitability of the access points serving the Site, as demonstrated in the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4].** The Site is accessible by the rural road network and the Strategic Road Network (SRN) via the A41 and A421. This is an important factor when considering possible effects during construction and the ability of the road network to accommodate Heavy Goods Vehicles (HGVs) and potential Abnormal Indivisible Loads (AILs). Further information on transport

Policy	Policy Text	Applicant Assessment
	2.10.37 Developers will usually need to construct on-site access routes for operation and maintenance activities, such as footpaths, earthworks, or landscaping. 2.10.38 In addition, sometimes access routes will need to be constructed to connect solar farms to the public road network. 2.10.39 Applications should include the full extent of the access routes necessary for operation and maintenance and an assessment of their effects.	and access is provided in **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]**. Section 2.2 of the **Outline CTMP [EN010158/APP/7.5]** sets out the access strategy for AILs. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter. The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, set out measures to manage any potential transport and access effects that may arise from construction activities and are secured by requirements in the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects.
Applicant assessment: Public rights of ways **EN-3 (2.10)**	2.10.40 Proposed developments may affect the provision of public rights of way networks. 2.10.41 Public rights of way may need to be temporarily closed or diverted to enable construction, however, applicants should keep, as far as is practicable and safe, all public rights of way that cross the proposed development site open during construction and protect users where a public right of way borders or crosses the site. 2.10.42 Applicants are encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way where possible during construction, and in particular during operation of the site.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on Public Rights of Way within the Order Limits, or that will be impacted by the Proposed Development. The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used throughout the construction, and operational (including maintenance) and decommissioning phases of the Proposed Development with minimal impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as proposals to provide three new permissive paths and would include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site. These are secured through the **Draft DCO [EN010158/APP/3.1].**
	2.10.43 Applicants are encouraged where possible to minimise the visual impacts of the development for those using existing public rights of way, considering the impacts this may have on any other visual amenities in the surrounding landscape.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual within the Order Limits, or that will be impacted by the Proposed Development. Users of PRoW is identified as a primary visual receptor within the study area likely to be affected by the Proposed Development. Visual receptors within the study area, including

Policy	Policy Text	Applicant Assessment
		the PRoWs, are identified in **ES Volume 3, Figures 10.5a-d: Visual Receptors within 2km [EN010158/APP/6.3].** Where Solar PV development is proposed adjacent to footpaths, perimeter fencing will be offset at least 10m from either side of existing PRoW as secured by the **Design Commitments [EN010158/APP/5.9]**.
	2.10.44 Applicants should consider and maximise opportunities to facilitate enhancements to the public rights of way and the inclusion, through site layout and design of access, of new opportunities for the public to access and cross proposed solar development sites (whether via the adoption of new public rights of way or the creation of permissive paths), taking into account, where appropriate, the views of landowners.	The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used throughout the construction, operational (including maintenance) and decommissioning phases of the Proposed Development with minimal impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as proposals to provide three new permissive paths and would include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site as set out within the **Outline RoWAS [EN010158/APP/7.8]**.
	2.10.45 Applicants should set out detail on how public rights of way would be managed to ensure they are safe to use in an outline Public Rights of Way Management Plan.	The **Outline RoWAS [EN010158/APP/7.8]** sets out details of how PRoWs will be managed to ensure they're safe to use during all stages of the Proposed Development.
Applicant assessment: Security and lighting **EN-3 (2.10)**	2.10.46 Security of the site is a key consideration for developers. Applicants may wish to consider not only the availability of natural defences such as steep gradients, hedging and rivers but also perimeter security measures such as fencing, electronic security, CCTV and lighting, with the measures proposed on a site-specific basis.	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures incorporated in the design of the Proposed Development design, as secured through the **Design Commitments [EN010158/APP/5.9]**.
	2.10.47 Applicants should assess the visual impact of these security measures, as well as the impacts on local residents, including for example issues relating to intrusion from CCTV and light pollution in the vicinity of the site. 2.10.48 Applicants should consider the need to minimise the impact on the landscape and the visual impact of security measures.	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures incorporated in the design of the Proposed Development. Efforts have been made to reduce the impact of security fencing and lighting, as set out in detail in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and secured in the **Draft DCO [EN010158/APP/3.1].**
Technical considerations: Capacity of a site **EN-3 (2.10)**	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	The Applicant's approach to EIA, including the use of the Rochdale envelope to assess effects, is set out in **ES Volume 1, Chapter 3: Proposed Development Description** and **Chapter 5: Approach to the EIA [EN010158/APP/6.1].**

Policy	Policy Text	Applicant Assessment
	solar panel technology to be used. Applicants may account for this by overplanting solar panel arrays. 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.	
Technical considerations: Site layout design, and appearance **EN-3 (2.10)**	2.10.59 Applicants should consider the criteria for good design set out in EN-1 Section 4.7 at an early stage when developing projects.	As detailed in Section 2 of the **Planning Statement [EN010158/APP/5.7]**, good design has been an early and key consideration of the Applicant.
	2.10.60 As set out above applicants will consider several factors when considering the design and layout of sites, including proximity to available grid capacity to accommodate the scale of generation, orientation, topography, previous land–use, and ability to mitigate environmental impacts and flood risk. 2.10.61 For a solar farm to generate electricity efficiently the panel array spacing should seek to maximise the potential power output of the site. The type, spacing and aspect of panel arrays will depend on the physical characteristics of the site such as site elevation.	As detailed in **Appendix 1: Site Selection Assessment** to the **Planning Statement [EN010158/APP/5.7]**, the location and design of the Proposed Development is the result of a comprehensive site selection process that was environmentally, technically and planning led to avoid and minimise the potential impacts of the Proposed Development as early as possible. Following this, the Proposed Development has undergone an iterative design process, as outlined within **ES Volume 1, Chapter 4: Alternatives and Design Iteration [EN010158/APP/6.1]** which has resulted in the delivery of a functional and efficient Proposed Development design which will deliver a large amount of renewable and low carbon electricity using solar PV arrays. This delivery is achieved whilst ensuring the design remains sensitive to the local context and surrounding area within which the Proposed Development is located. The Proposed Development has sought to avoid and minimise impacts on the environment as far as practicable. As set out in Table 3.1 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1**] and secured in **Design Commitments [EN010158/APP/5.9],** the mounting structures to which the Solar PV modules will be fitted and designed to face southwards on a fixed platform. The Solar PV modules would be angled at a tilt of 10 to 30 degrees from horizontal to optimise daylight absorption.
	2.10.62 In terms of design and layout, applicants may favour a south-facing arrangement of panels to maximise output although other orientations may be chosen. For example, an east-west layout, whilst likely to result in reduced output compared to south-facing panels on a panel-by-panel basis, may allow for a greater density of panels to compensate and therefore for generation to be spread more evenly throughout the day.	As set out in Table 3.1 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and secured in **Design Commitments [EN010158/APP/5.9],** the mounting structures to which the Solar PV modules will be fitted and designed to face southwards on a fixed platform. The Solar PV modules would be angled at a tilt of 10 to 30 degrees from horizontal to optimise daylight absorption. These details will be further developed through detailed design and engineering details to maximise the development area within Works No.1 of the **Works Plan [EN010158/APP/2.3]** to achieve the available capacity
	2.10.63	Sections 3.9 and 3.10 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** set out the works contained in Work No. 6 – Grid Connection Cabling

Policy	Policy Text	Applicant Assessment
	It is likely that underground and overhead cabling will be required to connect the electrical assets of the site, such as from the substation to the panel arrays or storage facilities. 2.10.64 In the case of underground cabling, applicants are expected to provide a method statement describing cable trench design, installation methodology, as well as details of the operation and maintenance regime.	Compound and Work No. 7 – Interconnection Cabling Corridor(s). The electricity generated by the Proposed Development would be exported via 400kV underground cabling from the Rosefield Substation. Lower voltage cabling is required to connect the Solar PV modules to the Inverters and the Inverters to the Transformers. Cabling would be laid underground, except and where: • Cabling connects Solar PV modules and String Inverters; • Solar PV modules are located in flood risk areas; • archaeological sensitivity dictates that below ground cabling is unsuitable; and • where a statutory undertaker's utility does not allow for cabling to be buried. **Appendix 2: Cabling and Grid Connection Method Statement** to the **Outline CEMP [EN010158/APP/7.2]** describes the grid connection and internal cable corridor, cable trench design, installation methodology, equipment, and details of construction and operation.
Technical considerations: Project lifetime **EN-3 (2.10)**	2.10.65 Applicants should consider the design life of solar panel efficiency over time when determining the period for which consent is required. An upper limit of 40 years is typical, although applicants may seek consent without a time-period or for differing time-periods of operation. 2.10.66 Time limited consent, where granted, is described as temporary because there is a finite period for which it exists, after which the project would cease to have consent and therefore must seek to extend the period of consent or be decommissioned and removed.	As set out in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1],** the operational life of the Proposed Development for a period up to 40 years, which is controlled by a requirement of the **Draft DCO [EN010158/APP/3.1]**. Following the operational (including maintenance) phase, the Proposed Development will require decommissioning.
	2.10.67 Solar panel efficiency deteriorates over time and applicants may elect to replace panels during the lifetime of the site.	Table 3.23 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** provides the equipment service life assumptions that have been applied. Assets with a service life of 40 years would not require any replacement unless damaged or faulty. Solar PV modules have an assumed service life of 40 years.
Technical considerations: Decommissioning **EN-3 (2.10)**	2.10.68 Solar panels can be decommissioned relatively easily and cheaply. The nature and extent of decommissioning of a site can vary. Generally, it is expected that the panel arrays and mounting structures will be decommissioned, and underground cabling dug out to ensure that prior use of the site can continue. 2.10.69 Applicants should set out what would be decommissioned and removed from the site at the end of the operational life of the generating station, considering instances where it may be less harmful for the ecology of the site to keep or	As set out in Section 3.18 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1],** the Proposed Development is to be operational for a period of up to 40 years. Following the operational (including maintenance) phase, the Proposed Development will require decommissioning. This would involve the removal of all the above ground infrastructure and any infrastructure up to a depth of 1m (BGL). The Site would be reinstated in accordance with the **Outline DEMP [EN010158/APP/7.4]**. The decommissioning phase would see the land returned to the landowner. The permanently diverted PRoWs would not be altered any further and would remain, post-

Policy	Policy Text	Applicant Assessment
	retain certain types of infrastructure, for example underground cabling, and where there may be socio-economic benefits in retaining site infrastructure after the operational life, such as retaining pathways through the site or a site substation.	decommissioning of the Proposed Development. The permissive footpaths would be retained or removed at the discretion of the landowner post-decommissioning.
Technical considerations: Flexibility in the project details **EN-3 (2.10)**	2.10.70 In many cases, not all aspects of the proposal may have been settled in precise detail at the point of application. Such aspects may include: • the type, number and dimensions of the panels; • layout and spacing; • the type of inverter or transformer; and • whether storage will be installed (with the option to install further panels as a substitute). 2.10.71 Applicants should set out a range of options based on different panel numbers, types and layout, with and without storage. 2.10.72 Guidance on how applicants should manage flexibility is set out at Section 2.6 of this NPS.	The Applicant wishes to retain flexibility regarding the design detail of certain components of the Proposed Development. The extent of the flexibility required is described in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and set out in the **Design Approach Document [EN010158/APP/5.8]** and **Design Commitment [EN010158/APP/5.9].** **ES Volume 1, Chapter 5: Approach to the EIA and Chapter 3: Proposed Development Description [EN010158/APP/6.1]** explain that the parameters for the Proposed Development are defined by the **Design Commitment [EN010158/APP/5.9]** which have been informed by the assessments in the ES and reciprocally used for assessment purposes. Where there is uncertainty, the Applicant has assessed the worst-case scenario for the purposes of the ES. The Applicant's approach to EIA, including the use of the Rochdale envelope to assess effects, is set out in **ES Volume 1, Chapter 3: Proposed Development Description** and **Chapter 5: Approach to the EIA [EN010158/APP/6.1].**
Impacts: Biodiversity, ecological, geological conservation and water management **EN-3 (2.10)**	2.10.76 The applicant's ecological assessments should identify any ecological risk from developing on the proposed site. 2.10.77 Issues that need assessment may include habitats, ground nesting birds, wintering and migratory birds, bats, dormice, reptiles, great crested newts, water voles and badgers.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the baseline biodiversity levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy.
	2.10.78 The applicant should use an advising ecologist during the design process to ensure that adverse impacts are avoided, minimised or mitigated in line with the mitigation hierarchy, and biodiversity enhancements are maximised.	**ES Volume 1, Chapter 5: Approach to the EIA [EN010158/APP/6.1],** sets out the approach to assessing and assigning significance to an environmental effect is derived from a variety of sources including legislative requirements, topic-specific guidance, standards and codes of practice, the EIA Regulations, advice from statutory consultees and other stakeholders and the expert judgement of the team undertaking the EIA. As part of the EIA, an iterative approach has been adopted where significant environmental effects have been avoided where possible through design refinements and iterations as detailed further within **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** and the **Design Approach Document [EN010158/APP/5.8]**.

Policy	Policy Text	Applicant Assessment
	2.10.79 The assessment may be informed by a 'desk study' of existing ecological records, an evaluation of the likely impacts of the solar farm upon ecological features, and should specify mitigation to avoid or minimise these impacts, and any further surveys required.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the baseline biodiversity levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning and is supported by extensive survey work to confirm the ecological habitats and species likely to be affected by the Proposed Development, **ES Volume 4, Appendix 7.1 – 7.17 [EN010158/APP/6.4]**.
	2.10.80 Applicants should consider earthworks associated with construction compounds, access roads and cable trenching. 2.10.81 Where soil stripping occurs, topsoil and subsoil should be stripped, stored, and replaced separately to minimise soil damage and to provide optimal conditions for site restoration. Further details on minimising impacts on soil and soil handling are above at paragraphs 2.10.33 and 2.10.34.	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** describes the works required for construction of the Proposed Development, including installation of cables, which will include earthworks. An **Outline SMP [EN010158/APP/7.7]** has been submitted with this application and has been prepared to: • ensure the protection and conservation of soil resources on Site; • identify best practice measures to maintain the physical properties of the soil on Site; and • provide measures for the management of the soil resource for Site operators. Sections 4.3, 5.3, 6.3, 7.3, 8.3 and 9.2 **Outline SMP [EN010158/APP/7.7]** set out the measures for soil management including the measures for soil striping.
	2.10.82 Applicants should consider how security and lighting installations may impact on the local ecology. Where pole mounted CCTV facilities are proposed the location of these facilities should be carefully considered to minimise impact. If lighting is necessary, it should be minimised and directed away from areas of likely habitat.	Section 3.14 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** details the security, lighting and CCTV requirements for the Proposed Development, as included in the Works in Connection with and in addition to Work Nos. 1 to 10: Fencing, Security & Ancillary infrastructure. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects, including those from security and lighting installations, on the Proposed Development. An embedded mitigation measure pertaining to biodiversity includes the lighting design which would use directional fittings facing away from woodland and hedgerow boundaries and into the Order Limits. This is detailed within and secured within the **Design Commitments [EN010158/APP/5.9]** while additional mitigation measures are detailed in **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline LEMP [EN010158/APP/7.6]** and **Outline DEMP [EN010158/APP/7.4]**.
	2.10.83 Applicants should consider how site boundaries are managed. If any hedges/scrub are to be removed, further surveys may be necessary to account for impacts. Buffer strips between perimeter fencing and hedges may be proposed, and the construction and design of any fencing should account for enabling mammal, reptile and other fauna access into the site if required to do so in the ecological report.	The **ES [EN010158/APP/6.1 - 6.4]** takes account of all works boundaries and hedgerows. Buffers to woodland and hedgerow are included, and proposals for fencing incorporate features to enable the movement of mammals, reptiles and other fauna. These are set out in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and secured via the **Design Commitments [EN010158/APP/5.9].**

Policy	Policy Text	Applicant Assessment
	2.10.84 Where a Flood Risk Assessment has been carried out this must be submitted alongside the applicant's ES. This will need to consider the impact of drainage. As solar PV panels will drain to the existing ground, the impact will not, in general, be significant.	This DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage.
	2.10.85 Where access tracks need to be provided, permeable tracks should be used, and localised Sustainable Drainage Systems (SuDS), such as swales and infiltration trenches, should be used to control any run-off where recommended.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff from the Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.
	2.10.86 Given the temporary nature of solar PV farms, sites should be configured or selected to avoid the need to impact on existing drainage systems and watercourses. 2.10.87 Culverting existing watercourses/drainage ditches should be avoided. 2.10.88 Where culverting for access is unavoidable, applicants should demonstrate that no reasonable alternatives exist and where necessary it will only be in place temporarily for the construction period.	Section 15.7 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** sets out the Proposed Development's embedded mitigation measures to ensure existing water assets are conserved through a sustainable drainage strategy. Perimeter fencing surrounding the Solar PV development would be offset at least 10m either side from all existing ditches where crossings are not required, which is secured by the **Design Commitments [EN010158/APP/5.9]**. The proposed offset provides a buffer for any sediment entrained within surface water runoff here sediment can deposit and ensures no erosion of the banking of the watercourses which could result in degradation of water quality. There is also the potential for a reduction in channel capacity due to creation of new crossings or culverts. However, as part of the Proposed Development, existing watercourse crossings have been utilised where possible. Any new bridges/culverts would be designed to ensure flow capacity is retained and access to the watercourse for maintenance is maintained. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise effects on existing watercourses/drainage ditches.
	2.10.89 Solar farms have the potential to increase the biodiversity value of a site, especially if the land was previously intensively managed. In some instances, this can result in significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains which is encouraged. 2.10.90 For projects in England, applicants should consider enhancement, management, and monitoring of biodiversity in line with the ambition set out in the Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.	As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. A requirement of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum biodiversity net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than what Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.

Policy	Policy Text	Applicant Assessment
Impacts: Landscape, visual and residential amenity **EN-3 (2.10)**	2.10.93 Generic landscape and visual impacts are covered in Section 5.10 of EN-1.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual within the Order Limits, or that will be impacted by the Proposed Development.
	2.10.94 The approach to assessing cumulative landscape and visual impact of large-scale solar farms is likely to be the same as assessing other onshore energy infrastructure. Solar farms are likely to be in low lying areas of good exposure and as such may have a wider zone of visual influence than other types of onshore energy infrastructure.	
	2.10.95 However, whilst it may be the case that the development covers a significant surface area, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography, the area of a zone of visual influence could be appropriately minimised.	Photographs and visualisations have been included to support the descriptions of baseline views and visual effects in reference to the viewpoints, which have been agreed through consultation with the relevant local planning authority. Annotated photographs of the existing view at all assessment viewpoints as well as photomontages from a selection of viewpoints are provided in **ES Volume 4, Appendix 10.6: LVIA Visualisations [EN010158/APP/6.4]**.
	2.10.96 Landscape and visual impacts should be considered carefully pre-application. Potential impacts on the statutory purposes of nationally designated landscapes should form a part of the preapplication process.	
	2.10.97 Applicants should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints.	
	2.10.98 Applicants should follow the criteria for good design set out in Section 4.7 of EN-1 when developing projects and will be expected to direct considerable effort towards minimising the landscape and visual impact of solar PV arrays especially within nationally designated landscapes.	While the appearance of solar panels is largely determined by their function, the site layout, landscaping and access have all been designed to reflect principles of good design. Good design has been a key consideration from the outset. The Proposed Development has undergone an iterative design process, informed by the LVIA, set out in section 2 of the **Planning Statement [EN010158/APP/5.7]** and the **Design Approach Document [EN010158/APP/5.8],** The Proposed Development layout has been developed in response to policy requirements, published landscape character assessment and fieldwork analysis. The design mitigation has been embedded into the Proposed Development to minimise effects on landscape character and visual amenity as outlined in the **Outline LEMP [EN010158/APP/7.6]** and **Design Commitments [EN010158/APP/5.9].**
	2.10.99 Whilst there is an acknowledged need to ensure solar PV installations are adequately secured, required security measures such as fencing should consider the need to minimise the impact on the landscape and visual impact (see paragraphs 2.10.46 – 2.10.48 above).	

Policy	Policy Text	Applicant Assessment
		As set out in the **Design Approach Document [EN010158/APP/5.8],** the landscape design principles incorporate the following: • Ensure proposals fit with the natural environment and draw from existing characteristics, informed by relevant local studies such as the Aylesbury Vale Landscape Character Assessment. • Within parts of the Site that fall within the Quainton-Wing Hills Area of Attractive Landscape (AAL), give careful consideration to the location of any development and respecting the Special Qualities of the designation e.g. enhancing field boundaries and retaining key views towards the AAL. • Respect the historic pattern of the landscape and setting of cultural sites, including Claydon House and individual Listed Buildings, responding to the distinctive character of the local environment. • Conserve and where possible enhance designed landscape features such as Home Wood and Knowl Hill, including ensuring that the 'designed' appearance of woodlands such as Shrubs Wood is retained. • Retain existing vegetation wherever reasonably possible to maintain the fabric of the Site and aid assimilation of development into its context.
	2.10.100 The applicant should consider as part of the design, layout, construction, and future maintenance plans how to protect and retain, wherever possible, the growth of vegetation on site boundaries, as well as the growth of existing hedges, established vegetation, including mature trees within boundaries. Applicants should also consider opportunities for individual trees within the boundaries to grow on to maturity.	Section 5.2 of the **Outline LEMP [EN010158/APP/7.6]** sets out the measures relating to Habitat Management, including Vegetation Management and Grazing.
	2.10.101 The impact of the proposed development on established trees and hedges should be informed by a tree survey and arboricultural/hedge assessment as appropriate.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** is supported by extensive survey works which include **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4].**
Impacts: Glint and glare **EN-3 (2.10)**	2.10.103 Applicants should map receptors qualitatively to identify potential glint and glare issues and determine if a glint and glare assessment is necessary as part of the application. 2.10.104 When a quantitative glint and glare assessment is necessary, applicants are expected to consider the geometric possibility of glint and glare affecting nearby receptors, and provide an assessment of potential impact and	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding receptors such as road users, railway operations, dwellings, and aviation activity. Section 3.2 of the **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** sets out the methodology used for the glint and glare assessment, which includes a geometric analysis to determine if solar reflections will be visible from each receptor.

Policy	Policy Text	Applicant Assessment
	impairment based on the angle and duration of incidence and the intensity of the reflection.	
	2.10.105 The extent of reflectivity analysis required to assess potential impacts will depend on the specific project site and design. This may need to account for 'tracking' panels if they are proposed as these may cause differential diurnal and/or seasonal impacts.	As set out in Table 3.1 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and secured in **Design Commitments [EN010158/APP/5.9],** the mounting structures to which the Solar PV modules will be fitted and designed to face southwards on a fixed platform (no solar tracking system). The Solar PV modules would be angled at a tilt of 10 to 30 degrees from horizontal to optimise daylight absorption.
	2.10.106 When a glint and glare assessment is undertaken, the potential for solar PV panels, frames and supports to have a combined reflective quality may need to be assessed, although the glint and glare of the frames and supports is likely to be significantly less than the panels.	Section 3.4 of the **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** sets out that the technical assessment has been undertaken under the assumption that only the front part of the Solar PV panels will reflect the solar rays. The reverse of the panels and other parts of the solar system (i.e. frames or supports) will have a matt finish and will therefore not cause solar reflections. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** confirms that the Solar PV modules consist of a series of photovoltaic cells with an anti-reflective coating, as secured through the **Design Commitments [EN010158/APP/5.9].**
Impacts: Cultural Heritage **EN-3 (2.10)**	2.10.107 The impacts of solar PV developments on the historic environment will require expert assessment in most cases and may have effect both above and below ground. 2.10.108 Above ground impacts may include the effects on the setting of Listed Buildings and other designated heritage assets as well as on Historic Landscape Character. 2.10.109 Below ground impacts, although generally limited, may include direct impacts on archaeological deposits through ground disturbance associated with trenching, cabling, foundations, fencing, temporary haul routes etc.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
	2.10.110 Equally, solar PV developments may have a positive effect, for example archaeological assets may be protected by a solar PV farm as the site is removed from regular ploughing and shoes or low-level piling is stipulated.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies two opportunities to enhance the historic environment. These are: • Providing support for initiatives that improve the access and visitor experience at Claydon House; and • The provisioning of interpretation boards for Claydon House and Claydon Registered Park and Garden on the proposed permissive path to Knowl Hill to better reveal the significance of the assets and improve appreciation and

Policy	Policy Text	Applicant Assessment
		understanding of it. This is secured by the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]** and the **Outline RoWAS [EN010158/APP/7.8]**.
	2.10.112 Applicant assessments should be informed by information from Historic Environment Records (HERs) or the local authority.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development and has been informed by the HER.
	2.10.113 Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, the applicant should submit an appropriate desk-based assessment and, where necessary, a field evaluation. These should be carried out using expertise where necessary and in consultation with the local planning authority, and should identify archaeological study areas and propose appropriate schemes of investigation, and design measures, to ensure the protection of relevant heritage assets. 2.10.114 In some instances, field studies may include investigative work (and may include trial trenching beyond the boundary of the proposed site) to assess the impacts of any ground disturbance, such as proposed cabling, substation foundations or mounting supports for solar panels on archaeological assets. 2.10.115 The extent of investigative work should be proportionate to the sensitivity of, and extent of, proposed ground disturbance in the associated study area.	Section 9.5 of **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** sets out the existing cultural heritage baseline conditions. The full details of the baseline conditions are presented established from the following appendices presented in **ES Volume 4 [EN010158/APP/6.4]**: • **Appendix 9.1: Archaeological Desk-based Assessment and Setting Assessment;** • **Appendix 9.2: Geophysical Survey Report;** • **Appendix 9.3: Archaeological Trial Trenching Report; and** • **Appendix 9.4: Aerial Interpretation Mapping Report**.

Policy	Policy Text	Applicant Assessment
	2.10.116 Applicants should take account of the results of historic environment assessments in their design proposal. 2.10.117 Applicants should consider what steps can be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. 2.10.118 As the significance of a heritage asset derives not only from its physical presence but also from its setting, careful consideration should be given to the impact of large-scale solar farms which depending on their scale, design, and prominence, may cause substantial harm to the significance of the asset. 2.10.119 Applicants may need to include visualisations to demonstrate the effects of a proposed solar farm on the setting of heritage assets.	The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to take account for the historic environment. Project Principle 6.3 sets out to respect the historic pattern of the landscape and setting of cultural sites, including Claydon House and individual Listed Buildings, responding to the distinctive character of the local environment. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. The Chapter describes the heritage assets within the Study Area for the Proposed Development and their significance, and the contribution of their significance to the setting. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that this effect amounts to 'less than substantial harm' within the middle of this range and not approaching substantial harm. **Annex D** of **ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment and Setting Assessment [EN010158/APP/6.4]** assesses a total of 42 designated heritage assets (including the Grade I Claydon House, Grade II Claydon Registered Park and Garden and Grade II* Church of St Mary and Botolph House) and three non-designated heritage assets (the medieval field systems and two buildings associated with the registered park and garden of Claydon) and concludes that they would experience less than substantial harm within the lower end of the scale. These effects are concluded to be not significant. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. The ES is supported by annotated baseline photographs and photomontages presented in the Viewpoints and Visualisations document in **ES Volume 4, Appendix 10.6: LVIA Visualisations [EN010158/APP/6.4].**

Impacts: Construction including traffic and transport noise and vibration

EN-3 (2.10)

2.10.121

Many solar farms will be sited in areas served by a minor road network. Public perception of the construction phase of solar farms will derive mainly from the effects of traffic movements, which is likely to involve smaller vehicles than typical onshore energy infrastructure but may be more voluminous.

2.10.123

Applicants should assess the various potential routes to the site for delivery of materials and components where the source of the materials is known at the time of the application, and select the route that is the most appropriate.

2.10.124

Where the exact location of the source of construction materials, such as crushed stone or concrete is not be known at the time of the application, applicants should assess the worst-case impact of additional vehicles on the likely potential routes.

2.10.125

Applicants should ensure all sections of roads and bridges on the proposed delivery route can accommodate the weight and volume of the loads and width of vehicles. Although unlikely, where modifications to roads and/or bridges are required, these should be identified, and potential effects addressed in the ES.

2.10.126

Where a cumulative impact is likely because multiple energy infrastructure developments are proposing to use a common port and/or access route and pass through the same towns and villages, applicants should include a cumulative transport assessment as part of the ES. This should consider the impacts of abnormal traffic movements relating to the project in question in combination with those from any other relevant development. Consultation with the relevant local highways authorities is likely to be necessary.

The suitability of the road access routes to be used during both construction and once operational vehicular access arrangements for the Proposed Development are presented in Section 4.6 of **ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4].** The **Transport Assessment** confirms the suitability of the access points serving the Site, as demonstrated in the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4]**.

The Site is accessible by the rural road network and the Strategic Road Network (SRN) via the A41 and A421. This is an important factor when considering possible effects during construction and the ability of the road network to accommodate Heavy Goods Vehicles (HGVs) and potential Abnormal Indivisible Loads (AILs). Section 2.1 of the **Outline CTMP [EN010158/APP/7.5]** sets out that all construction traffic, with the sole exception of Abnormal Indivisible Loads (AIL) is proposed to approach the Site from the A41, located to the south of the Proposed Development. Section 2.2 of the **Outline CTMP [EN010158/APP/7.5]** sets out the access strategy for Abnormal Indivisible Loads. Further information on transport and access is provided in **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]**.

Table 15.6 of **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** sets out the reasonable worst-case scenario assessed for transport and access for those elements of the Proposed Development for which optionality is present within the design. This has been used for the assessment within the Chapter.

ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2] sets out the highways improvements that will be required to support construction HGVs travelling to/from the proposed site. These improvements are expected to comprise layby works at Granborough Road to accommodate the temporary increase in traffic and road enhancements on Snake Lane/Fiddlers Field.

ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2] concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter.

The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, set out measures to manage any potential transport and access effects that may arise from construction activities and are secured by requirements in the **Draft DCO [EN010158/APP/3.1]**.

A cumulative assessment on potential traffic impacts has been carried out and is included within **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2].** This concludes that, with embedded and additional mitigation measures in place, the Proposed Development and cumulative schemes considered are not considered to result in significant effects to traffic and transport.

Policy	Policy Text	Applicant Assessment
Mitigations: Agriculture Land classification and land type **EN-3 (2.10)**	2.10.127 The Defra Construction code of practice for the sustainable use of soils on construction sites provides guidance on ensuring that damage to soil during construction is mitigated and minimised. Mitigation measures focus on minimising damage to soil that remains in place, and minimising damage to soil being excavated and stockpiled. The measures aim to preserve soil health and soil structure to minimise soil carbon loss and maintain water infiltration and soil biodiversity. Mitigation measures for agricultural soils include use of green cover, multispecies cover crops - especially during the winter minimising compaction and adding soil organic matter.	**ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated soil effects of the Proposed Development's construction, operational (including maintenance) and decommissioning phases in accordance with this policy. It concludes that, with embedded and additional mitigation measures in place, no significant residual adverse soil and access effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded and additional mitigation measures are documented within and secured via the **Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2]** and **Outline SMP [EN010158/APP/7.7].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual soil effects.
Mitigations: Biodiversity and ecological conservation **EN-3 (2.10)**	2.10.128 In England, proposed enhancements should take account of the above factors and as set out in Sections 4.6 and 5.4 of EN-1 aim to achieve environmental and biodiversity net gain in line with the ambition set out in the Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.	**ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, a net gain of 21.17% for hedgerow units, and a net gain of 12.73% for watercourse units. Beyond the **Outline LEMP [EN010158/APP/7.6]** securing the delivery of BNG in excess of 10%**,** a requirement of the **Draft DCO [EN010158/APP/3.1]** secures the delivery of a minimum biodiversity net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than what Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.
	2.10.129 This might include maintaining or extending existing habitats and potentially creating new important habitats, for example by installing cultivated strips/plots for rare arable plants, rough grassland margins, bumble bee plant mixes, and wild bird seed mixes.	The Proposed Development seeks to provide a variety of biodiversity benefits including: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds. Further detail of these benefits are captured and secured within the **Outline LEMP [EN010158/APP/7.6]**.
	2.10.130 Applicants are advised to develop an ecological monitoring programme to monitor impacts upon the flora of the site and upon any particular ecological receptors (such as bats and wintering birds). Results of the monitoring will then inform any changes needed to the land management of the site, including, if appropriate, any livestock grazing regime.	Appropriate monitoring will be undertaken during construction, operation and decommissioning as set out and secured in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]**.
Mitigations: Landscape, visual	2.10.131	Section 10.7 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** sets out the embedded mitigation proposed in relation to landscape and visual, including,

Policy	Policy Text	Applicant Assessment
and residential amenity **EN-3 (2.10)**	Applicants should consider the potential to mitigate landscape and visual impacts through, for example, screening with native hedges, trees and woodlands.	but not limited to; new hedgerow planting along footpaths, field boundaries, Calvert Road and Claydon Road; infill hedgerow planting; establishment of species rich grassland and establishment of structural native woodland.
	2.10.132 Applicants should aim to minimise the use and height of security fencing. Where possible applicants should utilise existing features, such as hedges or landscaping, to assist in site security, or screen security fencing.	Section 3.14 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** describes the detail of the fencing required for the Proposed Development, as included in the Works in Connection with and in addition to Work Nos. 1 to 10: Fencing, Security & Ancillary infrastructure. Section 10.7 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** sets out the embedded mitigation proposed in relation to landscape and visual, including, that boundary fencing will not be constructed through existing hedgerows or across ditches where reasonably practicable.
	2.10.133 Applicants should minimise the use of security lighting. Any lighting should utilise a passive infra-red (PIR) technology and should be designed and installed in a manner which minimises impact.	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures, including lighting, incorporated in the design of the Proposed Development's design. The Proposed Development's security and lighting have been designed to respond sensitively to ecological and landscape features. The CCTV technology type will use a passive infra-red detector to reduce the use of lighting, as secured through the **Design Commitments [EN010158/APP/5.9].**
Mitigations: Glint and glare **EN-3 (2.10)**	2.10.134 Applicants should consider using, and in some cases the Secretary of State may require, solar panels to comprise of (or be covered with) anti-glare/anti-reflective coating with a specified angle of maximum reflection attenuation for the lifetime of the permission. 2.10.135 Applicants may consider using screening between potentially affected receptors and the reflecting panels to mitigate the effects. 2.10.136 Applicants may consider adjusting the azimuth alignment of, or changing the elevation tilt angle of, a solar panel within the economically viable range, to alter the angle of incidence. In practice this is unlikely to remove the potential impact altogether but in marginal cases may contribute to a mitigation strategy.	**ES Volume 4, Appendix 5: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. Section 5.1 of the **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** sets out that all reflector areas feature smooth glass with anti-reflective coating and an azimuth angle 180 degrees from north (due south). **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** confirms that the Solar PV modules consist of a series of photovoltaic cells with an anti-reflective coating, as secured through the **Design Commitments [EN010158/APP/5.9].** Section 5.2 of the **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/]6.4]** sets out embedded mitigation included in the Proposed Development consisting of screening in the form of vegetation to provide a barrier against glare, in order to ensure potential impacts are within recommendation range for receptors on the ground.
Mitigations: Cultural Heritage **EN-3 (2.10)**	2.10.137 The ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an important consideration by the Secretary of State when assessing the risk of damage to archaeology. 2.10.138	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. Where areas of archaeological sensitivity are identified, the **Design Commitments [EN010158/APP/5.9]** include an option for some mounting structures to be supported by ballasted or shallow concrete foundations, for example, to avoid piling depths.

Policy	Policy Text	Applicant Assessment
	Where requested by the applicant, the Secretary of State should consider granting consents which allow for the micrositing within a specified tolerance of elements of the permitted infrastructure, so that precise locations can be amended during the construction phase if unforeseen circumstances, such as the discovery of previously unknown archaeology, arise.	The Proposed Development will be constructed in accordance with the parameters set out in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and the **Design Commitments [EN010158/APP/5.9],** providing flexibility to amend the design should significant archaeological finds be discovered as a result of the programme of further archaeological trial trenching.
Mitigations: Construction including traffic and transport noise and vibration **EN-3 (2.10)**	2.10.139 In some cases, the local highway authority may request that the Secretary of State impose controls on the number of vehicle movements to and from the solar farm site in a specified period during its construction and, possibly, on the routeing of such movements particularly by heavy vehicles. 2.10.140 Where the Secretary of State agrees that this is necessary, requirements could be imposed on development consent.	Measures required to control any construction traffic impacts, including AIL Routing, and delivery routes and scheduling have been identified and are secured through the **Outline CTMP [EN010158/APP/7.5]**. The Applicant does not consider that any additional requirements need to be imposed by the Secretary of State on the Proposed Development.
	2.10.141 Where cumulative effects on the local road network or residential amenity are predicted from multiple solar farm developments, it may be appropriate for applicants for various projects to work together to ensure that the number of abnormal loads and deliveries are minimised, and the timings of deliveries are managed and coordinated to ensure that disruption to residents and other highway users is reasonably minimised. 2.10.142 It may also be appropriate for the highway authority to set limits for, and coordinate these deliveries through, active management of the delivery schedules through the abnormal load approval process.	**ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects.
	2.10.143 Once consent for a scheme has been granted, applicants should liaise with the relevant local highway authority (or other coordinating body) regarding the start of construction and the broad timing of deliveries. Applicants may need to agree a planning obligation to secure appropriate measures, including restoration of roads and verges.	Section 3.2 of the **Outline CTMP [EN010158/APP/7.5]** sets out that the Principal Contractor will liaise with Buckinghamshire Council to prepare a diary for local community events such as village fetes, farmer's markets, etc. Where possible, HGV traffic flows would avoid moving on these days.
	2.10.144 Further, it may be appropriate for any non-permanent highway improvements carried out for the development (such as temporary road widening) to be made available for use by other subsequent solar farm developments.	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** sets out the works included in Works No 9: Highways Works, as secured spatially through the **Works Plan [EN010158/APP/2.3].** The works required for highways improvements are set out within the **Streets, Rights of Way and Access Plans [EN010158/APP/2.4].**

Policy	Policy Text	Applicant Assessment
Secretary of State decision making **Factors influencing site selection and design: Agriculture land classification and land type** **EN-3 (2.10)**	2.10.145 The Secretary of State should take into account the economic and other benefits of the best and most versatile agricultural land. The Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources.	**ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated soil effects of the Proposed Development's construction, operational (including maintenance) and decommissioning phases in accordance with this policy. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse soil and access effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded and additional mitigation measures are documented within and secured via the **Design Commitments [EN010158/APP/5.9].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual soil effects.
Secretary of State decision making **Technical considerations: Project lifetime and decommissioning** **EN-3 (2.10)**	2.10.146 The Secretary of State should ensure that the applicant has put forward outline plans for decommissioning the generating station when no longer in use and restoring the land to a suitable use (taking into account paragraphs 2.10.68 and 2.10.69). 2.10.147 Where the consent for a solar farm is to be time-limited, the DCO should impose a requirement setting that time-limit from the date the solar farm starts to generate electricity. 2.10.148 Such a requirement should also secure the decommissioning of the generating station after the expiration of its permitted operation to ensure that inoperative plant is removed after its operational life. 2.10.149 An upper limit of 40 years is typical, although applicants may seek consent without a time period or for differing time-periods for operation. 2.10.150 The time limited nature of the solar farm, where a time limit is sought as a condition of consent, is likely to be an important consideration for the Secretary of State. 2.10.151 The Secretary of State should consider the period of time the applicant is seeking to operate the generating station, as well as the extent to which the	An **Outline DEMP [EN010158/APP/7.4]** has been submitted with this DCO Application and provides the likely structure of the detailed DEMP(s) and controls which might be included within the DEMP(s) to deliver the decommissioning phase of the Proposed Development. As set out in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1],** the operational life of the Proposed Development is for a period of up to 40 years. Following the operational (including maintenance) phase, the Proposed Development will require decommissioning. These are controlled via requirements of the **Draft DCO [EN010158/APP/3.1]**. The Solar PV Development will be reinstated in accordance with the **Outline DEMP [EN010158/APP/7.4]** which has been provided with this application. A Detailed DEMP will be subject to the approval of the Local Planning Authority at the time of decommissioning. The Site would be reinstated in accordance with the **Outline DEMP [EN010158/APP/7.4]**. The decommissioning phase would see the land returned to the landowner. The permanently diverted PRoWs would not be altered any further and would remain, post-decommissioning of the Proposed Development. The permissive footpaths would be retained or removed at the discretion of the landowner post-decommissioning. The effects of decommissioning, which are often similar to, or of a lesser magnitude than, construction effects, are considered in **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**.

Policy	Policy Text	Applicant Assessment
	site will return to its original state, when assessing impacts such as landscape and visual effects and potential effects on the settings of heritage assets and nationally designated landscapes.	
Secretary of State decision making **Impacts: Biodiversity, ecological, geological conservation and water management** **EN-3 (2.10)**	2.10.154 Water management is a critical component of site design for ground mount solar plants. Where previous management of the site has involved intensive agricultural practice, solar sites can deliver significant ecosystem services value in the form of drainage, flood attenuation, natural wetland habitat, and water quality management.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded and additional mitigation measures are documented within and secured via the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2]** **Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** as secured within the **Draft DCO [EN010158/APP/3.1],** as well as mitigations shown on the **ES Volume 3, Figure 2.1: Zonal Masterplan [EN010158/APP/6.3]** and secured in the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects. The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. The **Outline Drainage Strategy [EN010158/APP/7.11]** provide recommendations on how surface water runoff from the Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.
	2.10.155 The Secretary of State must consider the worst-case effects in its consideration of the application and consent.	The impact assessment within **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]** has been based on the worst-case parameters for each technical topic and justification is presented within the relevant technical chapter.
Secretary of State decision making **Impacts: Landscape, visual and residential amenity**	2.10.157 The Secretary of State will consider the landscape and visual impact of any proposed solar PV farm, taking account of any sensitive visual receptors, and the effect of the development on landscape character, together with the possible cumulative effect with any existing or proposed development. Nationally designated landscapes (National Parks, The Broads and Areas of	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual receptors and identifies construction, Year 1 of operation, Year 10 of operation and decommissioning as the phases for assessment across the Proposed Development. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** concludes the following significant residual adverse impacts:

Policy	Policy Text	Applicant Assessment
EN-3 (2.10)	Outstanding Beauty) are afforded extra protection due their statutory purpose. Development in these areas needs to satisfy policy as set out in EN-1 Section 5.10.	• For LCA 5.7: Hogshaw Claylands, there are moderate adverse effects across all phases of the Proposed Development. • For LCA 7.3: Claydon Bowl, there are moderate adverse effects across all phases of the Proposed Development. • For LCA 9.1: Finemere Hill, there are moderate adverse effects across the construction and decommisisoning phases and major/moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For North Buckinghamshire Way/Midshires Way, there are moderate adverse effects across construction, decommissioning Year 1 of the Proposed Development's operational (including maintenance) phase. • For Swan's Way/Outer Aylesbury Ring, there are moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For Bernwood Jubilee Way, there are moderate adverse effects across the consturction and decommisisoning phases and major/moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For PRoW between Calvert Road and HS2, there are major/moderate adverse effects identified across construction and decommissioning and major adverse effects identified across Years 1 and 10 of the Proposed Development's operational (including maintenance) phase. • For PRoW between Botolph Claydon and Runt's Wood, there are major/moderate adverse effects identified across construction and decommissioning and Year 10 of the of the Proposed Development's operational (including maintenance) phase and a major adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase. • For PRoW to Finemere Hill, there are major/moderate adverse effects across all phases of the Proposed Development. • For PRoW, lanes and roads between East Claydon/East Claydon Road and to within Parcel 3 there are moderate adverse effects identified across construction and decommissioning and at Year 10 of the Proposed Development's operational (including maintenance) phase and a major/moderate adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase. • For Claydon House, there are moderate adverse effects across Years 1 and 10 of the Proposed Development's operational (including maintenance) phase • For Hogshaw Farm and Wildlife Park, there are moderate adverse effects across all phases of the Proposed Development.

Policy	Policy Text	Applicant Assessment
		ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] also concludes that, at Year 10 of the operational (including maintenance) phase of the Proposed Development, there will be a moderate beneficial effect upon the landscape fabric (woodland, trees and hedgerows). The residual effects above cannot be mitigated further. Paragraph 5.10.35 of NPS EN-1 confirms that "*The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project."* Table 17.9 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** goes on to set out a summary of the landscape and visual inter-project significant cumulative residual effects, including residual significant effects, in EIA terms. Whilst a number of significant residual effects are identified in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**, the Applicant confirms that the mitigation hierarchy has been applied and demonstrated throughout the ES and DCO Application more widely. The Applicant is confident that all residual landscape impacts are those that cannot be avoided, reduced or mitigated further. With regard to avoidance, the Proposed Development is a Critical National Priority (CNP), for which the government has concluded an urgent need for development, such as the Proposed Development, to come forward as soon as possible (Paragraph 3.3.83 of NPS EN-1). This need, coupled with the need for other infrastructure in the area (such as HS2 and EWR), presents a backdrop of infrastructure development which, when taken together, makes it inevitable that some level of significant landscape and visual harm is to be expected.
Secretary of State decision making **Impacts: Glint and glare** **EN-3 (2.10)**	2.10.158 Solar PV panels are designed to absorb, not reflect, irradiation. However, the Secretary of State should assess the potential impact of glint and glare on nearby homes, motorists, public rights of way, and aviation infrastructure (including aircraft departure and arrival flight paths). 2.10.159 Whilst there is some evidence that glint and glare from solar farms can be experienced by pilots and air traffic controllers in certain conditions, there is no evidence that glint and glare from solar farms results in significant impairment on aircraft safety. Therefore, unless a significant impairment can be demonstrated, the Secretary of State is unlikely to give any more than limited weight to claims of aviation interference because of glint and glare from solar farms.	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, and aviation activity. Embedded mitigation has been included within the assessment which concludes that the Proposed Development will only have low impact on certain identified sensitive receptors, and all effects are predicted to be not significant. Cumulative effects from nearby solar projects are also predicted to be not significant.
Secretary of State decision making	2.10.160 Solar farms are generally consented on the basis that they will be time-limited in operation. The Secretary of State should therefore consider the length of	As set out in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1],** the operational life of the Proposed Development is for a period of up to 40 years, which is controlled by a requirement of the **Draft DCO**

Policy	Policy Text	Applicant Assessment
Impacts: Cultural Heritage **EN-3 (2.10)**	time for which consent is sought when considering the impacts of any indirect effect on the historic environment, such as effects on the setting of designated heritage assets.	**[EN010158/APP/3.1]**. Following the operational (including maintenance) phase, the Proposed Development will require decommissioning. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The assessment within **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** has been carried out for the 40 year life time of the Proposed Development.
Secretary of State decision making **Impacts: Construction including traffic and transport noise and vibration** **EN-3 (2.10)**	2.10.161 Once solar farms are in operation, traffic movements to and from the site are generally very light, in some instances as little as a few visits each month by a light commercial vehicle or car. Should there be a need to replace machine components, this may generate heavier commercial vehicle movements, but these are likely to be infrequent. 2.10.162 The Secretary of State is unlikely to give any more than limited weight to traffic and transport noise and vibration impacts from the operational phase of a project.	The low level of traffic generated during the operation (including maintenance) phase of the Proposed Development is such that this matter has been scoped out of the assessment within **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2].**

3. NPS for Electricity Networks Infrastructure EN-5 (NPS EN-5)

Table 1-3 NPS for Electricity Networks Infrastructure EN-5 (NPS EN-5) Table of Compliance

Policy	Policy Text	Applicant Assessment
Climate change adaptation and resilience **EN-5 (2.3)**	2.3.1 Section 4.10 of EN-1 sets out the generic considerations that applicants and the Secretary of State should take into account in order to ensure that electricity networks infrastructure is resilient to the effects of climate change. 2.3.2 As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to: • flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change; • the effects of wind and storms on overhead lines; • higher average temperatures leading to increased transmission losses; • earth movement or subsidence caused by flooding or drought (for underground cables); and • coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.	Refer to Table 1-1 of this Appendix which sets out in detail the compliance of the Proposed Development with section 4.10 of NPS EN-1. The design of the Proposed Development incorporates nature-based solutions, where practicable, including biodiversity enhancement measures and consideration of hydrology, flood risk, landscape, and ecological factors.**ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** provides an assessment of the Proposed Development in relation to its effects on climate. Climate resilience has been considered and is set out within **ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4]**. **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** provides a site-specific Flood Risk Assessment which takes into account potential changes in rainfall from climate change.
	2.3.3 Section 4.10 of EN-1 advises that the resilience of the project to the effects of climate change must be assessed in the Environmental Statement (ES) accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Sections 5.8 in EN-1). Consideration should also be given to coastal change (see sections 5.6 in EN1).	A Climate Change Resilience Assessment has been provided for in **ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4]** and concludes that no likely significant environmental effects are identified. Therefore, further assessment of climate resilience is not included within **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]**. This matter is scoped out of the assessment in relation to solar PV, as detailed within **ES Volume 4, Appendix 5.1: EIA Scoping Report [EN010158/APP/6.4]** and confirmed within **ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4].** NPS EN-1 has also been considered for the Proposed Development, with an assessment of NPS EN-1 contained within Table 1 of this Appendix.
Consideration of good design for	2.4.1	As detailed in Section 2 of the **Planning Statement [EN010158/APP/5.7]**, good design has been a fundamental consideration from the outset of the Proposed Development.

Policy	Policy Text	Applicant Assessment
energy infrastructure **EN-5 (2.4)**	The Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, and in determining applications for development consent to the desirability of good design. 2.4.2 Applicants should consider the criteria for good design set out in EN1 Section 4.7 at an early stage when developing projects.	The **Design Approach Document [EN010158/APP/5.8]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project-level design principles (Project Principles) to guide decision-making and embed good design outcomes in the Proposed Development. It explains the way in which the design has evolved since inception, the rationale for the proposals contained within the DCO Application, and the mechanism by which good design would be secured post-consent. Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**.
	2.4.3 However, the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant's ability to influence the aesthetic appearance of that infrastructure. 2.4.4 While the above principles should govern the design of an electricity networks infrastructure application to the fullest possible extent – including in its avoidance and/or mitigation of potential adverse impacts (particularly those detailed in Sections 2.9 below) – the functional performance of the infrastructure in respect of security of supply and public and occupational safety must not thereby be threatened.	Security is an important consideration across the construction, operational (and maintenance) and decommissioning phases of the Proposed Development. Each area of the Site has been assessed against its function and requirements for security measures, focused on being safe and secure by design. This has led to mitigation measures being put in place such as fencing, security gates, CCTV and passive infrared lighting. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures incorporated in the design of the Proposed Development design, as secured through the **Design Commitments [EN010158/APP/5.9]**. The Applicant has sought to reduce the impact of security fencing and lighting, as set out in detail in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and secured via the **Draft DCO [EN010158/APP/3.1].** The DCO Application is accompanied by an **Outline BSMP [EN010158/APP/7.9]**, which sets out the key fire safety provisions for the BESS including measures to reduce fire risk and fire protection measures in accordance with regulatory requirements, guidance, and good industry practice. The Outline Battery Safety Management Plan will address aspects such as safe design, construction, operation, and disposal, as well as the strategy for firefighting and emergency planning.
Land Rights and Land Interests **EN-5 (2.6)**	2.6.1 In order to be lawfully able to install, inspect, maintain, repair, adjust, alter, replace or remove an electricity line (above or below ground), its related equipment (such as monopoles, pylons/transmission towers, transformers and cables), and/or its associated mitigation or enhancement schemes, applicants must: i. own the land on, over, or under which the relevant activity is to take place; or	The **Schedule of Negotiations and Powers Sought [EN010158/APP/4.4]** sets out that the Applicant has been and continues to seek to acquire the relevant freehold interests, new rights and temporary use of land by private agreement, in order to ensure implementation of the Proposed Development. Whilst seeking compulsory acquisition powers, the Applicant will continue to negotiate and seek to reach voluntary agreement with affected persons wherever possible.

Policy	Policy Text	Applicant Assessment
	ii. hold sufficient rights over or interests in that land (typically in the form of an easement); or iii. have permission for the activity from the present owner or occupier of that land (typically in the form of a wayleave). 2.6.2 Where the applicant does not own or wish to own the land in question, it should try to reach a voluntary agreement giving it sufficient rights and/or permissions to undertake the relevant work. 2.6.3 As a last resort, where it does not succeed in reaching the agreement that it requires, the network company may, as part of its application to the Secretary of State, seek to acquire rights compulsorily over the land in question by means of a provision in the DCO. 2.6.4 In such cases (i.e. where the compulsory acquisition of rights is sought) permanent arrangements are strongly preferred over voluntary wayleaves (which could, for example, be terminable on notice by the landowner) in virtue of their greater reliability and economic efficiency and reflecting the importance of the relevant infrastructure to the nation's net zero goals.	This **Schedule of Negotiations and Powers Sought [EN010158/APP/4.4]** is one of a number of documents accompanying the DCO Application. It should be read in conjunction with the following documents: • **Land Plans [EN010158/APP/2.2];** • **Works Plans [EN010158/APP/2.3];** • **Draft DCO [EN010158/APP/3.1];** • **Statement of Reasons [EN010158/APP/4.1]; and** • **Book of Reference [EN010158/APP/4.3].**
Strategic Network Planning **EN-5 (2.8)**	2.8.4 The Secretary of State should also take into account that Transmission Owners (TOs) and Distribution Network Operators (DNOs) are required under Section 9 of the Electricity Act 1989 to bring forward efficient and economical proposals in terms of network design. 2.8.5 TOs and DNOs are also required to facilitate competition in the generation and supply of electricity, and electricity distributors have a statutory duty to provide a connection where requested.	The **Grid Connection Statement [EN010158/APP/7.1]** sets out that the Applicant has secured a connection to the National Grid that allows the export and import of a significant amount of electricity to the NETS to the National Grid East Claydon 400kV Substation.
Applicant assessment **Impacts: Electric and Magnetic Fields (EMFs)** **EN-5 (2.9)**	2.9.46 All overhead power lines produce EMFs. These tend to be highest directly under a line and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. EMFs can have both direct and indirect effects on human health, aquatic and terrestrial organisms. 2.9.47 The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through	The Applicant does not anticipate any significant adverse EMF effects on any receptors. A high-level electromagnetic assessment has been undertaken and can be found within **ES Volume 4, Appendix 5.6: EMF Assessment (Electromagnetic Field Assessment) [EN010158/APP/6.4].** The study sets out the proposed siting zone for the cabling and includes an assessment of EMF for underground cabling and transformer and substations.

Policy	Policy Text	Applicant Assessment
	electric charges building up on the surface of the body producing a microshock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful.	
	2.9.48 To prevent these known effects, the International Commission on Non-Ionizing Radiation Protection (ICNIRP) developed health protection guidelines in 1998 for both public and occupational exposure. These are expressed in terms of the induced current density in affected tissues of the body, 'basic restrictions', and in terms of measurable 'reference levels' of electric field strength (for electric fields), and magnetic flux density (for magnetic fields). The relationship between the (measurable) electric field strength or magnetic flux density and induced current density in body tissues requires complex dosimetric modelling. 2.9.49 The reference levels are such that compliance with them will ensure that the basic restrictions are not reached or exceeded. Exceeding the reference levels does not necessarily mean that the basic restrictions will not be met; this would be a trigger for further investigation into the specific circumstances.	As set out in the **ES Volume 4, Appendix 5.6: EMF Assessment (Electromagnetic Field Assessment) [EN010158/APP/6.4],** maximum electromagnetic radiation levels from the proposed underground cables are predicted to be below ICNIRP reference levels for all circuit configurations, including cumulative trench configurations. No significant impacts associated with the proposed underground cables are predicted.

4. National Planning Policy Framework (NPPF, 2024)

Table 1-4 National Planning Policy Framework (NPPF, 2024) Table of Compliance

Policy	Policy Text	Applicant Assessment
Section 2: Achieving sustainable development. Paragraph 8	Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a. an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b. a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c. an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.	The **Planning Statement [EN010158/APP/5.7]** sets out how the Proposed Development achieves the three objectives of sustainable development set out in Paragraph 8. The **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]** set out the critical need for large-scale ground mounted solar deployment, as established under national planning policy, specifically NPS EN-1 and NPS EN-3. The Proposed Development would contribute substantially to the need to supply low carbon energy, in order for the government to meet its objectives and commitments. By generating low carbon electricity at a low marginal cost, large-scale solar power reduces the energy generated by more expensive and more carbon intensive forms of generation. The Proposed Development will therefore help to decarbonise the electricity system and lower the market price of electricity <u>Economic</u> **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** assesses the impacts on the economic objectives of the NPPF. This concludes that, with embedded and additional mitigation measures in place, a slight beneficial socio-economic effect was identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline RoWAS [EN010158/APP/7.8], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4], Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** and **Outline LEMP [EN010158/APP/7.6]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. <u>Social</u> As detailed in the **Design Approach Document [EN010158/APP/5.8]**, achieving good design has been a fundamental consideration from the outset of the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes into the Proposed Development. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** assesses the impacts on the social objectives of the NPPF and concludes that, with embedded and additional mitigation measures in places, there are no significant residual effects to these across the Proposed Development's construction, operational (including maintenance) and decommissioning phases.

Policy	Policy Text	Applicant Assessment
		The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as the inclusion of three new permissive paths to enhance the recreational and amenity connectivity across the Site. As set out though the scoping stage, health is considered through individual topic chapter assessments within the ES and other documents and summarised in **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4].** <u>Environmental</u> **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** provides an assessment of potential effects on internationally, nationally and locally designated sites of ecological or geological importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. This concludes that, with embedded and additional mitigation measures in place, only a single and potentially significant residual adverse effect is identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In accordance with Paragraphs 5.4.42 of NPS EN-1 and Policy NE1 of the VALP, this potentially significant residual adverse effect is not anticipated to give rise to 'significant harm'. Otherwise, there are no other significant residual adverse biodiversity effects are identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development During the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, an operational (including maintenance) phase significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland. The additional mitigation measures are documented and secured within the: **Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]**, **Outline SMP [EN010158/APP/7.7]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. The management plans, for example, have set out control measures that will be implemented during construction to protect hedgerows and habitats through the use of fencing and signage where appropriate to establish and maintain appropriate buffer zones. If the hedgerows and habitats cannot be maintained or protected, once construction is completed, compensatory habitat creation, hedgerow re-instatement and improvement measures (such as tree planting, gapping-up existing hedgerows, improving species diversity) are detailed within and secured by the **Outline LEMP [EN010158/APP/7.6].** As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]**, the ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units while a requirement of the **Draft DCO [EN010158/APP/3.1]** commits to delivering a minimum net gain of 40% for habitats area

Policy	Policy Text	Applicant Assessment
		units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a significant beneficial climate effect was identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**.
Section 6: Building a strong, competitive economy. Paragraph 85	Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** assesses the anticipated socio-economic effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. It also assesses the impacts of the Proposed Development on development land and other (non-agricultural) business, and on other (non-agricultural) businesses and landholdings relating to viability, environmental change and access; and effects on allocated commercial development land. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, slight beneficial socio-economic effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The scale and diversity of the wider tourist economy is broad, and while change may be experienced by some receptors, this is limited and managed by embedded and additional mitigation within the: **Design Commitments [EN010158/APP/5.9], Outline RoWAS [EN010158/APP/7.8], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4],** and **Outline LEMP [EN010158/APP/7.6]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. Other forms of embedded mitigation diversions, new or alternative links, both permanent and temporary, that would be provided as part of the Proposed Development, such as diverted/replacement PRoW, and which would be subject to the commitments in terms of delivery, design and maintenance set out in the Outline RoWAS [EN010158/APP/7.8]. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual population effects. An **Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** has been submitted with this application to describe how the Applicant would promote the delivery of economic benefits generated by the Proposed Development to people and businesses across Buckinghamshire and will be secured through a corresponding requirement of the **Draft DCO [EN010158/APP/3.1]**.
Supporting a prosperous rural economy Paragraph 88	Planning policies and decisions should enable: a. the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings; b. the development and diversification of agricultural and other land-based rural businesses; c. sustainable rural tourism and leisure developments which respect the character of the countryside; and d. the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship	

Policy	Policy Text	Applicant Assessment
Section 8: Promoting healthy and safe communities. Paragraph 96	Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a. promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b. are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and c. enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** assesses the anticipated socio-economic effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a slight beneficial socio-economic effect is identified for: • During the construction phase – employment and workforce spending and GVA/supply chain; • During the construction and decommissioning phases – beneficial effects on tourism and the tourist economy (tourist accommodation); and • During the operational (including maintenance) phase – employment and community access/walkers, cyclists and horse riders. An **Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** has been submitted with this application and sets out that the economic benefits that the Proposed Development could generate are: • Greater access to employment, upskilling and re-skilling opportunities for people; and • Enhanced business growth and productivity and potential to increase capabilities and specialisms in green construction and manufacturing. The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as the inclusion of three new permissive paths to enhance the recreational and amenity connectivity across the Site. The Proposed Development would incorporate a number of green infrastructure proposals, as set out in the **Outline LEMP [EN010158/APP/7.6]** which would enhance the strategic green infrastructure network in the surrounding area. The green infrastructure proposed is illustrated in the **Appendix 1: Green and Blue Infrastructure Parameters** to the **Outline LEMP [EN010158/APP/7.6]**.
Paragraph 102	Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a. anticipating and addressing possible malicious threats and other hazards (whether natural or man-made), especially in locations where large numbers of people are expected to congregate . Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and	The **Outline RoWAS** ensures safe access across the Order Limits for pedestrians, cyclists and equestrians. Additional mitigation measures, such as the provision of a banksman, will be implemented at the Site access to guide traffic and ensure health and safety access. The banksman will be in radio contact with the wider Site compound to advise of movements to and from the Site, as set out in the **Outline CTMP [EN010158/APP/7.5]** and **Outline RoWAS [EN010158/APP/7.8],** which function to improve access and ensure road safety and efficiency for all users.

Policy	Policy Text	Applicant Assessment
	their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security. The safety of children and other vulnerable users in proximity to open water, railways and other potential hazards should be considered in planning and assessing proposals for development; and b. recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.	The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. As set out within the **Outline RoWAS [EN010158/APP/7.8]** the Proposed Development is proposing to enhance the connectivity in the local area through the inclusion of three new operational (including maintenance) phase permissive footpaths within the Site as well as five permanent diversions to existing PRoWs to rationalise and improve the network.
Paragraph 103	Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well- being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.	
Paragraph 105	Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on Public Rights of Way within the Order Limits, or that will be impacted by the Proposed Development. A number of existing PRoW traverse the Proposed Development and are illustrated in **ES Volume 3, Figure 3.10: Existing and Proposed PRoW and Permissive Footpaths [EN010158/APP/6.3]**. The **Outline RoWAS [EN010158/APP/7.8]** has been prepared in support of the DCO Application and sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as proposals to provide three new permissive paths within the Site as well as five permanent diversions to existing PRoW to rationalise and improve the network. The **Consultation Report [EN010158/APP/5.1]** and **Consultation Report Appendices [EN010158/APP/5.2]** set out that in response to the feedback received following Phase Two Consultation, the following changes were introduced relating to PRoW: - diversions to some existing PRoW within the Order Limits, including the closest PRoW to Addison Road, to provide a connection to the new HS2 footway; and

Policy	Policy Text	Applicant Assessment
		- incorporation of permissive path routes to allow circular routes to connect to the PRoW network north of Calvert Road.
Section 9: Promoting sustainable transport. Paragraph 109	Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve: a. making transport considerations an important part of early engagement with local communities; b. ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places; c. understanding and addressing the potential impacts of development on transport networks; d. realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated; e. identifying and pursuing opportunities to promote walking, cycling and public transport use; and f. identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** assesses the anticipated transport and access effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter. The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, set out measures to manage any potential transport and access effects that may arise from construction activities. The production of a detailed Construction Traffic Management Plan and Rights of Way and Access Strategy are secured by corresponding requirements in the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4]** has been prepared in accordance with current transport guidance. The **Transport Assessment** demonstrates that the Proposed Development will not have a significant impact on the operation and safety of the surrounding highway network.
Paragraph 115	In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a. sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b. safe and suitable access to the site can be achieved for all users; c. the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d. any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.	The Order Limits do not fall within or lie adjacent to any Local Plan site allocations.

Policy	Policy Text	Applicant Assessment
Paragraph 116	Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated transport and access effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter. The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, setting out measures to manage any potential transport and access effects that may arise from construction activities and are secured by corresponding requirements in the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects. There are no grounds relating to highways impacts in this regard and therefore the Applicant considers that it is compliant with the relevant policy test in this regard.
Paragraph 118	All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.	Section 4.9 of the **Outline CTMP [EN010158/APP/7.5]** sets out that a Staff Travel Plan will be developed, to manage the arrival and departure profile of staff and to encourage sustainable modes of transport, especially car-sharing. The Staff Travel Plan will be administered by the detailed CTMP's Co-ordinator and would be a contractual requirement as part of the Principal Contractor's contract with the Applicant. The Staff Travel Plan will include targets to reduce car use during construction and will apply to Site visitors, where it is practical to do so.
Section 11: Making effective use of land Paragraph 125(a)	Planning policies and decisions should 'encourage multiple benefits from both urban and rural land, including through […] taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation […].'	As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units while a requirement of the **Draft DCO [EN010158/APP/3.1]** commits to delivering a minimum net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. Maximising the restoration, creation, and enhancement of wider biodiversity has been key to the evolution of the Proposed Development's design. As outlined in the **Outline LEMP [EN010158/APP/7.6]** the Proposed Development seeks to establish: new habitat for

Policy	Policy Text	Applicant Assessment
		invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds.
Section 12: Achieving well- designed and beautiful places. Paragraph 131	The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.	As detailed in Section 2 of the **Planning Statement [EN010158/APP/5.7]**, good design has been a fundamental consideration from the outset of the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes to the Proposed Development. The **Design Commitments [EN010158/APP/5.9]** relate to the size, type and colour of elements of the Proposed Development, as well as offsets from features of the Site and its surrounding context identified as embedded mitigation through the EIA process. They are organised according to the Project Principles (where applicable) as set out and explained in greater detail in the **Design Approach Document [EN010158/APP/5.8].** The design commitments and parameters will be secured with respect to the detailed design for the Proposed Development as follows, in order to provide confidence to the relevant planning authority that the environmental effects would be the same or no worse than those assessed. Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**. As part of the EIA process, an iterative approach has been adopted where significant environmental effects have been avoided where possible through design refinements and iterations as detailed further within **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** and the **Design Approach Document [EN010158/APP/5.7]**. The Proposed Development's compliance with local policies is considered in Tables 6 and 7 of this **Appendix 4: Policy Compliance Assessment Tables** to the **Planning Statement [EN010158/APP/5.7]**. Engagement with key stakeholders, including the host authorities, near neighbours and community organisations has helped to inform the design of the Proposed Development and the Applicant's approach to assessing environmental effects. A summary of engagement by stakeholder type, and how engagement has influenced the Proposed Development is provided in the **Consultation Report [EN010158/APP/5.1].**
Paragraph 137	Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should, where applicable, provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy, and should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.	
Paragraph 139	Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a. development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b. outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings	

Policy	Policy Text	Applicant Assessment
Section 14: Meeting the challenge of climate change, flooding and coastal change. Paragraph 161	The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.	As set out in the **Statement of Need [EN010158/APP/5.6]** and the **Planning Statement [EN010158/APP/5.7]**, the Proposed Development would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Proposed Development would also help to reduce the UK's reliance on imported energy and to improve energy security. The Proposed Development will therefore help to decarbonise the electricity system and lower the market price of electricity.**ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated climate effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. The beneficial impact of carbon sequestration has not been accounted for within this assessment, due to the inherent difficulty of accurately quantifying such measures. This results in a more conservative, worst-case scenario. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a significant residual beneficial climate effect was identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional measures are documented within the: **Works Plans [EN010158/APP/2.3], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. The **Outline CEMP**, for example, has set out ways to use lean design to minimise the use of concrete, steel, aggregates, etc. This minimises the use of construction materials, reducing product stage emissions associated with the construction of the Proposed Development. The **Outline Drainage Strategy [EN010158/APP/7.11]**, which is also secured by the **Draft DCO [EN010158/APP/3.1]** provides recommendations on how surface water runoff will be managed from the Site. The Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development.
Paragraph 164	New development should be planned for in ways that: a. avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and b. help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the Government's policy for national technical standards.	
Paragraph 167	Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.	
Paragraph 168	When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should: a. not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal's contribution to a net zero future; b. recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;	The **Statement of Need [EN010158/APP/5.6]** and the **Planning Statement [EN010158/APP/5.7]** set out how the Proposed Development would contribute substantially to the need to supply low carbon energy, in order for the government to meet its objectives and commitments as mentioned above. By generating low carbon electricity at a low marginal cost, large-scale solar power reduces the energy generated by more expensive and more carbon intensive forms of generation. The Proposed Development will therefore help to decarbonise the electricity system and lowers the market price of electricity. The urgent need for the Proposed Development is also established by the NPS, in particular NPS EN-1 Paragraphs 3.2.6 – 3.2.8.

Policy	Policy Text	Applicant Assessment
	c. in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.	
Paragraph 170	Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. It concludes that, with embedded and additional mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded mitigation has been incorporated into the design of the Proposed Development, for example, panel design and panel height of Solar PV modules within Flood Zone 3. Where Solar PV modules are proposed within Flood Zone 3, the design of the arrays would enable the panels to sit above the flood water level, and only the supporting structure of the panel would be below the flood water level. This will mitigate against the potential damage caused by flooding. The embedded and additional mitigation measures are documented within and secured via the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2]**. The **Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** are secured within the **Draft DCO [EN010158/APP/3.1]**, as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Impact [EN010158/APP/6.2]** assesses the impact of the Proposed Development cumulatively with relevant developments within the Zone of Influence. It concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects. The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. Within Flood Zone 2 and 3, the Applicant is only proposing Solar PV development. **Appendix 5: Sequential and Exception Tests** to the **Planning Statement [EN010158/APP/5.7]** and **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** advise and provide full assessment on how the Sequential and Exception Tests have been passed. Section 7 of the **Sequential and Exception Tests**, demonstrates how the Proposed Development would remain operational and safe in times of flooding. **Appendix 5: Sequential and Exception Tests** concludes that Proposed Development is capable of operating safely without increasing flood risk elsewhere (subject to an appropriate site-specific design solution) when located in medium and high flood risk areas should, following the application of the **Sequential and Exception Tests**, there be no other reasonably available sites at a low-risk from flooding.

Policy	Policy Text	Applicant Assessment
		ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4] deems that there would be a negligible displacement of flood water and storage within functional flood plains (Flood Zone 3b). Therefore, the locating of Solar PV modules and string inverters in Flood Zone 2 and 3 areas would not materially increase flood risk elsewhere.
Paragraph 181	When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a. within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b. the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c. it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d. any residual risk can be safely managed; and e. safe access and escape routes are included where appropriate, as part of an agreed emergency plan.	In relation to flooding, the **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** confirms that Flood Zones 2 and 3 were evenly distributed across the Search Area and there were no available areas entirely within Flood Zone 1 that were large enough to support a utility scale solar farm. Whilst sites in Flood Zone 1 were preferred on the basis of lower flood risk, the available land, which has small areas of Flood Zones 2 and 3, was not ruled out on the basis that there are technical solutions to allow solar to be safely accommodated within these zones. Resultingly, a small area of the Order Limits is within Flood Zone 2 and 3. **Appendix 5: Sequential and Exception Tests** to the **Planning Statement [EN010158/APP/5.7]** and **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** provide full assessment on how the Sequential and Exception Tests have been passed. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operation (including maintenance), and decommissioning in accordance with this policy. It concludes that, with embedded and additional mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded and additional mitigation measures are documented within the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** and are secured within the **Draft DCO [EN010158/APP/3.1],** as well as the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects. The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage. The **Outline CEMP [EN010158/APP/7.2]** secures a number of additional environmental management plans, to be prepared as part of the detailed CEMP(s) prior to construction of the Proposed Development. This includes an Emergency Preparedness and Response Plan and a Flood Management and Evacuation Plan.
Paragraph 182	Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the	The **Outline Drainage Strategy [EN010158/APP/7.11],** secured by the **Draft DCO [EN010158/APP/3.1]** provides recommendations on how surface water runoff from the Site. The Site will be managed in line with the national, regional and local requirements on

Policy	Policy Text	Applicant Assessment
	proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should: a. take account of advice from the Lead Local Flood Authority; b. have appropriate proposed minimum operational standards; and c. have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.	flood risk and drainage. The **Outline Drainage Strategy** includes requirements for surface water retention within the Site, recommendations on pollution control and other statutory requirements relevant to the Proposed Development. Section 10 of the **Outline Drainage Strategy** sets out the surface water drainage system's management and maintenance arrangements for the Proposed Development. In preparing the **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** and the **ES [EN010158/APP/6.1-6.4]**, the Applicant has considered advice and taken account of feedback received through consultation with key bodies, including the Environment Agency (EA), the Lead Local Flood Authorities (LLFAs) and the Internal Drainage Boards (IDBs). Listed below are the statutory consultees and stakeholders that have provided comments in relation to the water environment: • Environment Agency; • Buckinghamshire Council - Lead Local Flood Authority; • Buckingham and River Ouzel Internal Drainage Board; • Anglian Water; and • Buckinghamshire Fresh Water Resilience Project.
Section 15: Conserving and enhancing the natural environment. Paragraph 187	Planning policies and decisions should contribute to and enhance the natural and local environment by: a. protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b. recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c. maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs; e. preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f. remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning. It concludes that, with embedded and additional mitigation measures in place, no significant residual adverse biodiversity effects were identified across the construction, operational (including maintenance), and decommissioning phases of the Proposed Development. During the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, an operational (including maintenance) phase significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland. Section 7.7 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** sets out the mitigation measures embedded relevant to biodiversity into the Proposed Development, including the incorporation of acoustic barriers to surround the Rosefield Substation, Main Collector Compound, BESS and Satellite Collector Compound. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3], Outline LEMP [EN010158/APP/7.6], Outline SMP [EN010158/APP/7.7]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. Table 17.7 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** sets out the summary of the biodiversity inter-project cumulative effects, including residual significant effects, in EIA terms. The Table concludes a total of eight significant adverse effects and includes detail on where mitigation measures for these effects are included within the DCO Application.

Policy	Policy Text	Applicant Assessment
		ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2] describes the existing levels and assesses the anticipated land and groundwater, including geology and contamination, effects of the Proposed Development's construction, operational (including maintenance), and decommissioning. **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse land and groundwater effects, including geology and contamination, were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP (including the Piling Risk Assessment that is secured by it) [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4], Outline BSMP [EN010158/APP/7.9], Outline Drainage Strategy [EN010158/APP/7.11]** and **Design Commitments [EN010158/APP/5.9]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated soil effects of the Proposed Development's construction, operational (including maintenance) and decommissioning phases in accordance with this policy. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse soil and access effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. Through design and layout, the proposed embedded mitigation seeks to minimise disturbance to the agricultural land of BMV quality. Siting infrastructure has not been placed on BMV land. Where possible, existing access tracks within the Order Limits will be used, and new access tracks will avoid BMV land as far as is practical. This example of an embedded mitigation measure is documented within and secured via the **Design Commitments [EN010158/APP/5.9].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development and cumulative schemes considered are not considered to result in significant effects to land and groundwater, and soil. An **Outline SMP [EN010158/APP/7.7]** has been submitted with this DCO Application and has been prepared to: • ensure the protection and conservation of soil resources on Site; • identify best practice measures to maintain the physical properties of the soil on Site; and • provide measures for the management of the soil resource for Site operators. The location of the Proposed Development being within the countryside is justified due to the Proposed Development's delivery of the substantial renewable energy generation that the Proposed Development will provide, and the need to be in sufficient proximity of the connection point to the National Electricity Transmission System (NETS), and the

Policy	Policy Text	Applicant Assessment
		contribution the Proposed Development would make to meeting the established urgent need for renewable energy generation infrastructure. As set out in the **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]**, the Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to both local and national networks. As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units while a requirement of the **Draft DCO [EN010158/APP/3.1]** commits to delivering a minimum net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.
Paragraph 189	Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** confirms that no part of the Site or its immediately surrounding context falls within a statutorily designated landscape. Chilterns National Landscape (formally known as an Area of Outstanding Natural Beauty (AONB)) is the nearest statutorily designated site, situated over 18km from the Site.
Paragraph 193	When determining planning applications, local planning authorities should apply the following principles a. if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b. development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c. development resulting in the loss or deterioration of irrelaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning **It** concludes that, with embedded and additional mitigation measures in place, only a single and potentially significant residual adverse effect is identified for Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In accordance with Paragraphs 5.4.42 of NPS EN-1 and Policy NE1 of the VALP, this potentially significant residual adverse effect is not anticipated to give rise to 'significant harm'. Otherwise, there are no other significant residual adverse biodiversity effects are identified across the construction, operation (including maintenance), and decommissioning phases of the Proposed Development Section 7.7 of **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** sets out the mitigation measures embedded relevant to biodiversity into the Proposed Development, including the incorporation of acoustic barriers to surround the Rosefield Substation, Main Collector Compound, BESS and Satellite Collector Compound. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2]**, **Outline OEMP [EN010158/APP/7.3], Outline LEMP [EN010158/APP/7.6], Outline SMP**

Policy	Policy Text	Applicant Assessment
	d. development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.	**[EN010158/APP/7.7]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. Table 17.7 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** sets out the summary of the biodiversity inter-project cumulative effects, including residual significant effects, in EIA terms. The table concludes a total of eight significant adverse effects and includes detail on where mitigation measures for these effects are included within the DCO Application. Sheephouse Wood SSSI, Finemere Wood SSSI, Grendon and Doddershall Woods SSSI and Ham Home-cum-Hamgreen Woods SSSI have been scoped in to the assessment presented in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**. The **Outline CEMP [EN010158/APP/7.2]**, **Outline SMP [EN010158/APP/7.7]**, **Outline LEMP [EN010158/APP/7.6]** and **Outline DEMP [EN010158/APP/7.4]** set out the control measures that will be implemented to protect statutory designated sites, including demarcation fencing to prevent construction activity in proximity to statutory designated sites. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** notes that two areas of ancient woodland are located within the Order Limits and that multiple other areas of ancient woodland are located directly adjacent to the Order Limits in several locations. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, across all phases of the Proposed Development, there would be no loss of ancient woodland. The Proposed Development has included, as embedded mitigation, the retention of all statutory and locally designated wildlife sites and ancient woodland with a minimum 30m offset from the fence line. Within this 30m buffer, species-rich grassland, scrub planting and pond creation/restoration will occur to help reduce potential displacement effects from Solar PV and associated infrastructure to foraging and commuting bats (which make use of the ancient woodland) to maintain foraging and commuting corridors and improve links to the wider landscape. These mitigation measures are secured in the **Design Commitments [EN010158/APP/5.9]**, **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]**, **Outline LEMP [EN010158/APP/7.6]** and **Outline DEMP [EN010158/APP/7.4]**.
Paragraph 196	Planning policies and decisions should ensure that: a. a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b. after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and	**ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated contamination effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. It concludes that, with embedded and additional mitigation measures in place, no significant residual adverse contamination effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the **Design Commitments [EN010158/APP/5.9], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4], Outline BSMP [EN010158/APP/7.9]** and the **Outline Drainage**

Policy	Policy Text	Applicant Assessment
	c. adequate site investigation information, prepared by a competent person, is available to inform these assessments.	**Strategy [EN010158/APP/7.11]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1].** 24. **ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4]** was completed to undertake a review of potential land contamination sources and to present an initial consideration of geotechnical constraints to the Proposed Development. In summary, the overall risks determined at the Preliminary Risk Assessment stage risk assessment are as follows: • Risks to current or future Site users from migration of hazardous ground gases, potentially followed by asphyxiation or explosion, due to the presence of off Site current and historical landfill sites at Calvert. These risks are defined as moderate to low based on available information; and • Risks to current or future buildings and services from migration of hazardous ground gases, potentially followed by explosion, due to the presence of off Site current and historical landfill sites at Calvert. These risks are defined as moderate to low based on available information. **ES Volume 4, Appendix 11.1: Preliminary Risk Assessment [EN010158/APP/6.4]** recommends that these potential contaminant linkages be assessed further through appropriate pre-construction site investigation (which is secured by a requirement to the **Draft DCO [EN010158/APP/3.1]**) to target the identified sources of potential contamination and assess the feasibility of identified pathways **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual land and groundwater effects.
Paragraph 198	Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a. mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life b. identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c. limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	As set out through the scoping stage, health is considered through individual topic chapter assessments within the ES and other documents and summarised in **ES Volume 4, Appendix 5.5: Health and Wellbeing Summary Statement [EN010158/APP/6.4].** The Applicant commits to using Best Practicable Means as defined by the Control of Pollution Act 1974, which would serve to minimise the potential noise and vibration impacts at receptors in the vicinity of the construction, operation and decommissioning works. This example of embedded and additional mitigation measures are identified within the **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]** is expected to prevent any significant impacts on human health from occurring; residual effects are therefore assessed as being not significant. The **Statutory Nuisance Statement [EN010158/APP/5.4]** concludes that the only matters addressed by the Environmental Protection Act 1990 which have been assessed as potentially being significant for the Proposed Development are those associated with noise, dust, health, light and vibration. However, it is demonstrated in this Statement that the

Policy	Policy Text	Applicant Assessment
		Proposed Development would not have significant effects following the implementation of the identified mitigation measures. **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant adverse noise effect was identified on human health across the Proposed Development's construction, operation (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in additive effects that would combine to increase the level of effect on individual receptors to a significant scale across most relevant determinants of health (including noise, air quality, land and water contamination, transport and access and socio-economics).
Paragraph 199	Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.	The Proposed Development is located within the administrative area of Buckinghamshire Council. There are currently five Air Quality Management Areas (AQMAs) declared within this administrative area. However, no AQMAs are located close to the Site. The closest AQMA is located in the neighbouring administrative area of Cherwell District Council in Bicester approximately 14km from the Order Limits. **ES Volume 4, Appendix 6.2: Air Quality Assessment [EN010158/APP/6.4]** to **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** considers the likely significant effects of the Proposed Development on local air quality and concludes no significant residual effects during the construction, operation (including maintenance) and decommissioning phases. The chapter provides an overview of the existing environment for the Proposed Development.
Section 16: Proposals affecting heritage assets Paragraph 207	In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. The Chapter describes the heritage assets within the Study Area for the Proposed Development and their significance, and the contribution of their significance to the setting. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. The contribution of the setting of the house to its significance could be affected by the presence of Solar PV modules altering the character and the rural landscape which

Policy	Policy Text	Applicant Assessment
		contributes to its significance. The Proposed Development has included embedded mitigation to include set backs from Pond Farmhouse (NGLE 1214849). **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.
Paragraph 213	Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, including non-designated heritage assets, within the Order Limits, or that will be impacted by the Proposed Development. A 5km study area surrounding the Order Limits, informed by the ZTV, has been used for consideration of effects on designated heritage assets as demonstrated in the **ES Volume 3, Figure 9.3: Designated heritage assets within 5km of the Order Limits overlain on ZTV [EN010158/APP/6.3].** **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. Given that this residual adverse effect is of a moderate magnitude, it constitutes 'less than substantial harm' within the middle of this range and not approaching substantial harm. **Annex D** of **ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment and Setting Assessment [EN010158/APP/6.4]** assesses a total of 42 designated heritage assets (including the Grade I Claydon House, Grade II Claydon Registered Park and Garden and Grade II* Church of St Mary and Botolph House) and three non-designated heritage assets (the medieval field systems and two buildings associated with the registered park and garden of Claydon) and concludes that they would experience less than substantial harm within the lower end of the scale. These effects are concluded to be not significant. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. For example, the reduction in number of Solar PV modules proposed around Knowl Hill (Fields B17 and B9), which is secured through the **Work Plans [EN010158/APP/2.3]**. Other forms of embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via corresponding requirements of the **Draft DCO [EN010158/APP/3.1]**.
Paragraph 216	The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, including non-designated heritage assets, within the Order Limits, or that will be impacted by the Proposed Development. A 1km study area surrounding the Order Limits has been used for

Policy	Policy Text	Applicant Assessment
	balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.	consideration of effects on non-designated heritage assets as demonstrated in the **Figure 9.2: Non-designated heritage assets within 1km of the Order Limits overlain on ZTV [EN010158/APP/6.3].** **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that there are no significant adverse effects anticipated on non-designated heritage assets.

5. National Planning Practice Guidance (NPPG, 2024)

Table 1-5 National Planning Practice Guidance (NPPG, 2024) Table of Compliance

Policy	Policy Text	Applicant Assessment
Paragraph: 013 **Reference ID: 5-013-20150327**	**What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms?** The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively. Particular factors a local planning authority will need to consider include: • encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value;	**Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. As part of the EIA process, an iterative approach has been adopted where significant environmental effects have been avoided where possible through design refinements and iterations as detailed further within **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** and the **Design Approach Document [EN010158/APP/5.8]**. In line with this policy, the **Site Selection Report** confirms that the Applicant has considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites. The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection. The land beneath and around the Solar PV arrays will include a seed mix for ground cover. The mix has been selected to improve biodiversity value for pollinators which can support the productivity of surrounding agricultural land as set out in the **Outline LEMP [EN010158/APP/7.5]**
	• where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013 and written ministerial statement on solar energy: protecting the local and global environment made on 25 March 2015.	The Applicant sought to identify countryside/ undeveloped greenfield land which according to the provisional ALC mapping (provided by DEFRA and Natural England) could meet the objectives of the Proposed Development whilst avoiding as far as practicable the take of BMV land. It is concluded that 94.42% of the Site is non-BMV, 4.07% of the Site is non-agricultural land and 1.51% of the Site is BMV. Further information on ALC is provided in **ES Volume 4, Appendix 12.1: Agricultural Land Classification Report [EN010158/APP/6.4]** and **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]**. An **Outline SMP [EN010158/APP/7.7]** has been submitted with this DCO Application and has been prepared to: • ensure the protection and conservation of soil resources on Site; • identify best practice measures to maintain the physical properties of the soil on Site; and • provide measures for the management of the soil resource for Site operators.

Policy	Policy Text	Applicant Assessment
		The objective of the **Outline SMP [EN010158/APP/7.7]** is to identify the importance and sensitivity of the soil resource and to provide specific guidance to ensure that there is no significant adverse effect on the soil resource as a result of the Proposed Development.
	• that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;	As set out in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1],** the operational life of the Proposed Development is for a period of up to 40 years, which is controlled by a requirement of the **Draft DCO [EN010158/APP/3.1]**. Following the operational (including maintenance) phase, the Proposed Development will require decommissioning, which is expected to take approximately 24 months. The Solar PV Site will be reinstated in accordance with the **Outline DEMP [EN010158/APP/7.4].** A DEMP will be subject to the approval of the local planning authorities at the time of decommissioning. Decommissioning activities will involve the removal of all of the Solar PV infrastructure, including the Ground Mounted Solar PV Generating Stations, Collector Compounds, Rosefield Substation, BESS and ancillary infrastructure, including any on-site compounds.
	• the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;	**ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** has undertaken an assessment of potential impacts of glint and glare on surrounding road users, railway operations, dwellings, ProW and bridleway, and aviation activity. Embedded mitigation has been included within the assessment, which concludes that the Proposed Development will only have a low impact on certain identified sensitive receptors, and all effects are predicted to be not significant. Cumulative effects from nearby solar projects are also predicted to be not significant.
	• the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;	As set out in Table 3.1 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** and secured in **Design Commitments [EN010158/APP/5.9]**, the mounting structures to which the Solar PV modules will be fitted will be designed to face southwards on a fixed platform. The Solar PV modules would be angled at a tilt of 10 to 30 degrees from horizontal to optimise daylight absorption.
	• the need for, and impact of, security measures such as lights and fencing;	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures incorporated in the design of the Proposed Development design, as secured through the **Design Commitments [EN010158/APP/5.9]**. Efforts have been made to reduce the impact of security fencing and lighting, including conforming with best practice guidelines with respect to minimising light spill into adjacent habitats, the use of motion detection or manually operate lighting and inward/downward directional lighting, perimeter fencing providing clearances above ground to allow mammals to squeeze underneath or mammal gates to permit the passage of wildlife. These measures are set out in detail in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4].** Final versions of these documents will be produced and secured as part of the DCO.

Policy	Policy Text	Applicant Assessment
		The Proposed Development's security and lighting have been designed to respond sensitively to ecology and landscape features. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** sets out embedded mitigations including that boundary fencing will not be constructed through retained existing hedgerows or across ditches.
	• great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. The assessment concludes that with embedded and additional mitigation in place, there are no other significant adverse impacts anticipated. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Draft Archaeological Management Strategy [EN010158/APP/7.10]** and **Outline CTMP [EN010158/APP/7.5]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the likely effects and residual effects, respectively, of the Proposed Development on cultural heritage. All effects, including dust, noise, vibration and indirect impacts are considered. Due to the limited effects from noise, vibration and dust, the majority of impacts are as a result of direct impacts on non-designated heritage assets and impacts to the setting of designated heritage assets.
	• the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;	Section 10.7 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** sets out the embedded mitigation proposed in relation to landscape and visual, including, but is not limited to; new hedgerow planting along footpaths, field boundaries, Calvert Road and Claydon Road; infill hedgerow planting; establishment of species rich grassland and establishment of structural native woodland, offsets from existing woodlands, existing PRoWs and proposed Permissive paths, which has aimed to reduce visual impacts.
	• the energy generating potential, which can vary for a number of reasons including, latitude and aspect. The approach to assessing cumulative landscape and visual impact of large scale solar farms is likely to be the same as assessing the impact of wind turbines. However, in the case of ground-mounted solar panels it should be noted that with effective screening and appropriate land topography the area of a zone of visual influence could be zero.	The **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]** set out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated from 2031. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** includes a Landscape and Visual Impact Assessment (LVIA) of the construction, operation (including maintenance) and decommissioning phases of the Proposed Development. The study area

Policy	Policy Text	Applicant Assessment
		for the LVIA has been informed through a combination of Zone of Theoretical Visibility (ZTV) analysis and site work. A series of ZTVs for different elements of the Proposed Development are provided as Figures 10.7-10.12 of **ES Volume 3 [EN010158/APP/6.3]**. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** includes an assessment of cumulative landscape and visual effects where the approach to the assessment is explained. In addition, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** considers cumulative impacts of the Proposed Development across all topics assessed in Chapters 6-16 of the **ES [EN010158/APP/6.2].**
Paragraph: 034 **Reference ID: 5-034-20230814**	**What can applicants seeking planning permission for battery energy storage systems do to ensure they consider any potential risks?** Where planning permission is being sought for development of battery energy storage systems of 1 MWh or over, and excluding where battery energy storage systems are associated with a residential dwelling, applicants are encouraged to engage with the relevant local fire and rescue service before submitting an application to the local planning authority. This is so matters relating to the siting and location of battery energy storage systems, in particular in the event of an incident, prevention of the impact of thermal runway, and emergency services access can be considered before an application is made. Applicants are also encouraged to consider guidance produced by the National Fire Chiefs Council (PDF, 488 KB) when preparing the application. The location of such sites are of particular interest to fire and rescue services; who will seek to obtain details of the design, and firefighting access and facilities at these sites in their register of site specific risks that they maintain for the purposes of Section 7 of the Fire and Rescue Services Act 2004.	The DCO Application is accompanied by an **Outline BSMP [EN010158/APP/7.9]**, which sets out the key fire safety provisions for the BESS, including measures to reduce fire risk and fire protection measures. The approach to be taken to manage the safety of the BESS in accordance with regulatory requirements, guidance, and good industry practice. The Outline Battery Safety Management Plan will address aspects such as safe design, construction, operation, and disposal, as well as the strategy for firefighting and emergency planning. The Applicant has engaged with Buckinghamshire and Milton Keynes Fire Authority throughout the pre-application phase on the topics discussed in this section. Outcomes of this engagement are detailed in the **Draft SoCG with Buckinghamshire and Milton Keynes Fire Authority [EN010158/APP/5.11].**

6. Vale of Aylesbury Local Plan 2013 – 2033 (Buckinghamshire Council, 2021)

Table 1-6 Vale of Aylesbury Local Plan 2013 – 2033 Table of Compliance

Policy	Policy Text	Applicant Assessment
S1 Sustainable development for Aylesbury Vale	All development must comply with the principles of sustainable development set out in the NPPF. In the local context of Aylesbury Vale this means that development proposals and neighbourhood planning documents should: Contribute positively to meeting the vision and strategic objectives for Aylesbury Vale set out above, and fit with the intentions and policies of the VALP (and policies within neighbourhood plans where relevant). Proposals that are in accordance with the development plan will be approved without delay, unless material considerations indicate otherwise. The council will work proactively with applicants to find solutions so that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. a. Where there are no policies relevant to the application then the council will grant permission unless material considerations indicate otherwise taking into account whether: – any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (2012) taken as a whole, or – specific policies in the NPPF (2012) indicate that development should be restricted. In assessing development proposals, consideration will be given to: b. providing a mix of uses, especially employment, to facilitate flexible working practices so minimising the need to travel c. delivering strategic infrastructure and other community needs to both new and existing communities d. giving priority to the reuse of vacant or underused brownfield land. e. minimising impacts on local communities f. building integrated communities with existing populations g. minimising impacts on heritage assets, landscapes and biodiversity h. providing high-quality accessibility through the implementation of sustainable modes of travel including public transport, walking and cycling i. providing access to facilities including healthcare, education, employment, retail and community facilities j. meeting the effects of climate change and flooding.	The Proposed Development's compliance with the NPPF is considered in Table 1-4 of this **Appendix 4: Policy Compliance Assessment Tables** to the **Planning Statement [EN010158/APP/5.7]**. The Proposed Development would make a significant contribution to the achievement of both the national renewable energy targets and to the UK's contribution to global efforts to reduce the effects of climate change. The **Planning Statement [EN010158/APP/5.7]** sets out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated from 2031. In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community. The Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to local and national networks. In the case of the Proposed Development, the residual significant adverse effects are limited to effects on cultural heritage, and landscape and visual. From a cumulative effects perspective, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** outlines that further residual significant adverse effects are expected with regard to landscape and visual, and biodiversity. As reported in the **Statutory Nuisance Statement [EN010158/APP/5.4],** the Proposed Development does not have an unacceptable interference with human health and public safety, defence, irreplaceable habitats or pose an unacceptable risk to achievement of net zero. In addition, there are a significant number of additional benefits that would be achieved by the Proposed Development. As set out in **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]**, the Applicant considered brownfield land when identifying an appropriate Site for the Proposed Development. That document also sets out how minimising impacts on local communities was considered in site selection, while **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** sets out how they were considered throughout the design development of the Proposed Development. The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as the inclusion of three new permissive paths to enhance the recreational and amenity connectivity across the Site.

Policy	Policy Text	Applicant Assessment
		ES Volume 4, Appendix 8.2: Climate Change Resilience Assessment [EN010158/APP/6.4] details how the Proposed Development has been designed to be resilient to climate change, with regard to construction, operation and decommissioning. The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage and concludes that the Proposed Development would not contribute to a cumulative increase in flood risk elsewhere.
S3 Settlement hierarchy and cohesive development	The scale and distribution of development should accord with the settlement hierarchy set out in Table 2, the site allocation policies that arise from it and the requirements of Policy S1. Other than for specific proposals which accord with policies in the plan to support thriving rural communities and the development of allocations in the Plan, new development in the countryside should be avoided, especially where it would: a. compromise the character of the countryside between settlements, and b. result in a negative impact on the identities of neighbouring settlements or communities leading to their coalescence . In considering applications for building in the countryside the council will have regard to maintaining the individual identity of villages and avoiding extensions to built-up areas that might lead to further coalescence between settlements.	As set out in the **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]**, the Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to both local and national networks. The Order Limits do not conflict with any allocations within the Vale of Aylesbury Local Plan and would not restrict the achievement of the objectives of Policy S3. The location of the Proposed Development being within the countryside is justified due to the Proposed Development's delivery of the substantial renewable energy generation that the Proposed Development will provide, the need to be in sufficient proximity of the connection point to the National Electricity Transmission System (NETS), and the contribution the Proposed Development would make to meeting the established urgent need for renewable energy generation infrastructure.
S5 Infrastructure	All new development must provide appropriate on- and off-site infrastructure (in accordance with the Infrastructure Delivery Plan) in order to: a. avoid placing additional burden on the existing community b. avoid or mitigate adverse social, economic and environmental impacts and c. make good the loss or damage of social, economic and environmental assets. In planning for new development, appropriate regard will be given to existing deficiencies in services and infrastructure provision. Development proposals must demonstrate that these have been taken into account when determining the infrastructure requirements for the new development. Development proposals must provide sufficient bin storage. The provision of infrastructure should be linked directly to the phasing of development to ensure that infrastructure is provided in a timely and comprehensive manner to support new development. Where an applicant advises that a proposal is unviable in light of the infrastructure requirement(s), open book calculations verified by an	The **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]** set out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated from 2031. In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community. The Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to local and national networks. The Proposed Development does not have an unacceptable interference with the existing provision of infrastructure. In addition, there are a significant number of additional benefits that would be achieved by the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles. Project Principles 9.1-9.5 set out how the Proposed Development is to provide new ways to enjoy the countryside that go beyond the lifetime of the scheme.

Policy	Policy Text	Applicant Assessment
	independent consultant approved by the council will need to be provided by the applicant and be submitted to the council for its consideration.	
E7 Tourism development	The council will promote a growing, sustainable tourism sector, and will support proposals for new or expanded tourism, visitor or leisure facilities other than accommodation within or adjacent to settlements. Elsewhere, proposed development must: a. involve the conversion or replacement of buildings which form part of an existing tourist facility or well designed new building(s) which promotes diversification of agricultural and other land-based rural businesses, b. justify a countryside location and minimise environmental impacts, and c. demonstrate that the need is not met by existing provision within nearby settlements In all cases such development must: d. respect the character and appearance of the location, and e. avoid unacceptable traffic impact on the local road network. f. In the case of seasonal structures these must be temporary in nature and not have an adverse impact on the landscape. g. Demonstrate that their benefits outweigh the harm. The council will require a marketing strategy and business plan to be submitted to explain how the development will achieve a high quality tourism product that meets demand.	**ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated socio-economic effects on tourism of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse socio-economic effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9], Outline RoWAS [EN010158/APP/7.8], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4],** and **Outline LEMP [EN010158/APP/7.6]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, slight beneficial socio-economic effects were identified, including on construction and decommissioning effects on tourism and the tourist economy (tourist accommodation). In response to part d of this Policy, the **Design Approach Document [EN010158/APP/5.8]** outlines how the National Infrastructure Commission's (NIC) 'Design Principles for National Infrastructure' have informed the wider Project Objectives of the Proposed Development. These Project Objectives include: • 'people' which means to reflect what society wants and share benefits widely. This also means being a good neighbour by respecting others, working considerately and recognising our place within the community; and • 'places' which means to provide a sense of identity and improve our environment. This also means designing a layout that responds to the distinctive character of the local environment and creates opportunities to deliver recreational, landscape and ecological enhancements. In response to part e of this Policy, **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated transport and access effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse transport and access effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CTMP [EN010158/APP/7.5]** and **Outline RoWAS [EN010158/APP/7.8]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.

Policy	Policy Text	Applicant Assessment
		ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2] concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects. Given that the Proposed Development is not a tourism development, parts f and g of this Policy are not considered relevant for assessment Further, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual population effects.
T2 Supporting and Protecting Transport Schemes	Planning permission will not be granted for development that would prejudice the implementation of existing or protected transport schemes including the implementation of the East West Rail project including new stations and twin tracking to the south of Aylesbury. The council will continue to work with High Speed 2 Ltd with the aim of influencing the design and construction of the route through Aylesbury Vale to minimise adverse impacts and maximise any benefits that arise from the proposal including support of the Stoke Mandeville A4010 realignment. Subject to being within the provisions of the Act, the implementation of HS2 will also be expected to: a. deliver high-quality design to protect local communities and the environment b. prevent or reduce prejudicial effects on road safety or on the free flow of traffic and to preserve sites of archaeological or historic interest or nature conservation value c. ensure that community and other benefits are fully realised.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected in isolation across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter. With regard for in combination impacts and effects with cumulative developments, such as HS2 and EWR, **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects. Therefore, the Proposed Development in isolation and in combination with other cumulative developments is not considered to prejudice the implementation of existing or protected transport schemes.
T4 Capacity of the transport network to deliver development	New development will be permitted where there is evidence that there is sufficient capacity in the transport network to accommodate the increase in travel demand as a result of the development. The guidelines set out below which are taken from Buckinghamshire Council's guidelines for Transport Assessment thresholds for development should be used to in considering whether a transport impact assessment and travel plan will be required to assess the transport impacts of a development. **Land Use** / **Smaller Developments** / **Major Developments** **Require a Transport Statement** / **Require a Transport Statement**	**ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4]** has been prepared in accordance with current transport guidance. The **Transport Assessment** demonstrates that the Proposed Development will not have a significant impact on the operation and safety of the surrounding highway network. Section 4.9 of the **Outline CTMP [EN010158/APP/7.5]** sets out that a Staff Travel Plan will be developed in the finalised CTMP, to manage the arrival and departure profile of construction staff and to encourage sustainable modes of transport, especially car-sharing. The Staff Travel Plan will be developed to reduce the number of single occupancy car journeys to and from the Site during construction and will minimise traffic on the local road network. The Staff Travel Plan will be administered by the CTMP Co-ordinator and will be a contractual requirement as part of the Principal Contractor's contract with the Applicant.

Policy	Policy Text			Applicant Assessment
	B2 General industrial	2500-4000 sqm	>4000 sqm	The Staff Travel Plan will include targets to reduce car use during construction and will apply to Site visitors, where it is practical to do so.
	B8 Storage of distribution	3000-5000 sqm	>5000 sqm	
	C1 Hotels	75-100 bedrooms	>100 bedrooms	
	C2 Residential institutions – hospitals, nursing homes	30-50 beds	>50 beds	
	C2 Residential institutions – residential education	50-150 students	>150 students	
	C2 Residential institutions – hostels	250-400 residents	>400 residents	
	C3 Dwelling houses	50-80 units	>80 units	
	E(a) Display or retail sale of goods, other than hot food	250-800 sqm	>1500 sqm	
	E(b) Sale of food and drink for consumption (mostly) on the premises	300-1500 sqm	>1500 sqm	
	E (c)(i) Financial services,	1000-2500 sqm	>2500 sqm	
	E (c)(ii) Professional services (other than health or medical services)	1000-2500 sqm	>2500 sqm	
T5 Delivering transport in new development	Transport and new development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development. This will be achieved, as appropriate, through:			**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated transport and access effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy.

Policy	Policy Text	Applicant Assessment
	a. The submission of a transport statement or assessment and the implementation of measures arising from it b. Ensuring that the scale of traffic generated by the proposal is appropriate for the function and standard of the roads serving the area c. The implementation of necessary works to the highway d. Contributions towards local public transport services and support for community transport initiatives e. The provision of new, and the improvement of existing, pedestrian and cycle routes f. The provision of a travel plan to promote sustainable travel patterns for work and education related trips.	Additionally, **ES Volume 4, Appendix 15.1: Transport Assessment** has been prepared in accordance with this Policy and in accordance with appropriate guidance including the Department for Transport's guidance on Travel Plans, Transport Assessments and Statements in Decision Taking (2014). The **Outline CTMP [EN010158/APP/7.5**] sets out the highways infrastructure improvements and safety works that the Proposed Development would carry out, if necessary. This includes minor junction improvement works, road widening, passing places and works to facilitate vehicular access to the Site. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse transport and access-related effects expected across the Proposed Development's construction phase, noting the operational (including maintenance) and decommissioning phases of the Proposed Development have been scoped out of the Chapter. The residual effects outlined in the assessment rely on controls established within the **Outline CTMP [EN010158/APP/7.5]** and the **Outline RoWAS [EN010158/APP/7.8]**. These outline management plans have been prepared in support of the DCO Application, set out measures to manage any potential transport and access effects that may arise from construction activities and are secured by requirements in the **Draft DCO [EN010158/APP/3.1]**. The Proposed Development includes opportunities for enhancement and includes the proposal to provision three new permissive paths. The Proposed Development would also include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site, in accordance with part e of this Policy. Section 4.9 of the **Outline CTMP [EN010158/APP/7.5]** sets out that a Staff Travel Plan will be developed in the finalised CTMP, to manage the arrival and departure profile of construction staff and to encourage sustainable modes of transport, especially car-sharing, in accordance with part f of this Policy. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects.
T6 Vehicle Parking	All development must provide an appropriate level of car parking, in accordance with the standards set out in Appendix B. If a particular type of development is not covered by the standards set out in Appendix B then the following criteria will be taken into account in determining the appropriate level of parking: a. The accessibility of the site, including the availability of public transport, and b. The type, mix and use of development c. Local car ownership levels	Section 4.8 of the **Outline CTMP [EN010158/APP/7.5]** sets out the on-site parking requirements. Section 4.9 of the **Outline CTMP [EN010158/APP/7.5]** sets out that a Staff Travel Plan will be developed in the finalised CTMP, to manage the arrival and departure profile of construction staff and to encourage sustainable modes of transport, especially car-sharing. The Staff Travel Plan will be developed to reduce the number of single occupancy car journeys to and from the Site during construction and will minimise traffic on the local road network.

Policy	Policy Text	Applicant Assessment
	d. Security and public realm e. Provision for both on street and off street parking where appropriate Rear parking courts will only be provided in exceptional circumstances where no alternative parking can be provided and where the rear parking court is well located in terms of the development it serves, is overlooked, enclosed and secure. The provision of garages and/or car ports will not be counted as a parking space for a development unless they are of at least the size set out in Appendix B.	The Staff Travel Plan will be administered by the CTMP Co-ordinator and will be a contractual requirement as part of the Principal Contractor's contract with the Applicant. The Staff Travel Plan will include targets to reduce car use during construction and will apply to Site visitors, where it is practical to do so. The **Outline CTMP [EN010158/APP/7.5]** is be secured through requirement of the **Draft DCO [EN010158/APP/3.1]**.
T7 Footpaths and cycle routes	For development which will have implications for the footpath and cycle route networks all the following criteria will apply: a. The delivery of a strategic cycle network and improvements to the footpaths will be supported in accordance with schemes identified in Policy T3 Supporting Local Transport Schemes and in the IDP Appendix b. In dealing with planning applications the council will seek new or improved cycle access and facilities where necessary, including cycle storage, and will use planning conditions or legal agreements to secure such arrangement. c. Development proposals must provide for direct, convenient and safe pedestrian movement and routes, connected where appropriate to the existing pedestrian network and alongside strategic routes. In deciding planning applications the council will use planning conditions or legal agreements to secure the provision of new footpaths and the improvement of existing routes. d. The council will ensure that networks of pedestrian and cycle routes are provided to give easy access into and through new developments and to adjacent areas, and also to public transport services.	Section 4.10 of the **Outline CTMP [EN010158/APP/7.5]** sets out the mitigation measures relating to non-motorised users, including pedestrians and cyclists. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated transport and access effects of the Proposed Development's construction, operational (including maintenance), and decommissioning on non-motorised user amenity in accordance with this policy. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse transport and access effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases are expected on non-motorised user amenity. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development and cumulative schemes considered are not considered to result in significant effects to traffic and transport. In accordance with parts c and d of this Policy, the **Outline RoWAS [EN010158/APP/7.8]** has been prepared to support the DCO Application and sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. The Proposed Development includes opportunities for enhancement and includes the proposal to provision three new permissive paths. The Proposed Development would also include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site.
BE1 Heritage assets	The historic environment, unique in its character, quality and diversity across the Vale is important and will be preserved or enhanced. All development, including new buildings, alterations, extensions, changes of use and demolitions, should seek to conserve heritage assets in a manner appropriate to their significance, including their setting, and seek enhancement wherever possible. Proposals for development shall contribute to heritage values and local distinctiveness. Where a development proposal is likely to affect a designated heritage asset and/or its setting negatively, the significance of the heritage asset must be fully assessed and supported in the submission of an	**ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** identifies a single moderate residual adverse impact (which is significant in EIA terms) which is indirect, long term but temporary due to changes of the setting of Pond Farmhouse (NHLE 1214849) across the Proposed Development's operational (including maintenance) phase. With regard for this residual adverse cultural heritage effect, **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** concludes that this effect amounts to 'less than substantial

Policy	Policy Text	Applicant Assessment
	application. The impact of the proposal must be assessed in proportion to the significance of the heritage asset and supported in the submission of an application. Heritage statements and/or archaeological evaluations will be required for any proposals related to or impacting on a heritage asset and/or possible archaeological site. Proposals which affect the significance of a non-designated heritage asset should be properly considered, weighing the direct and indirect impacts upon the asset and its setting. There will be a presumption in favour of retaining heritage assets wherever practical, including archaeological remains in situ, unless it can be demonstrated that the harm will be outweighed by the benefits of the development. Heritage statements and/or archaeological evaluations may be required to assess the significance of any heritage assets and the impact on these by the development proposal. The council will: a. Support development proposals that do not cause harm to, or which better reveal the significance of heritage assets b. Require development proposals that would cause substantial harm to, or loss of a designated heritage asset and its significance, including its setting, to provide a thorough heritage assessment setting out a clear and convincing justification as to why that harm is considered acceptable on the basis of public benefits that outweigh that harm or the four circumstances in paragraph 133 of the NPPF all apply. Where that justification cannot be demonstrated proposals will not be supported, and c. Require development proposals that cause less than substantial harm to a designated heritage asset to weigh the level of harm against the public benefits that may be gained by the proposal, including securing its optimum viable use. Development affecting a heritage asset should achieve a high quality design in accordance with the Aylesbury Vale Design SPD and the council will encourage modern, innovative design which respects and complements the heritage context in terms of scale, massing, design, detailing and use.	harm' within the middle of this range and not approaching substantial harm. **Annex D** of **ES Volume 4, Appendix 9.1: Archaeological Desk-Based Assessment and Setting Assessment [EN010158/APP/6.4]** assesses a total of 42 designated heritage assets (including the Grade I Claydon House, Grade II Claydon Registered Park and Garden and Grade II* Church of St Mary and Botolph House) and three non-designated heritage assets (the medieval field systems and two buildings associated with the registered park and garden of Claydon) and concludes that they would experience less than substantial harm within the lower end of the scale. These effects are concluded to be not significant. This means that part b of this Policy is not engaged. As outlined in **Section 3** of the Planning Statement and the **Statement of Need [EN010158/APP/5.6]**, the Proposed Development is urgently required. The **Statement of Need [EN010158/APP/5.6]** concludes that the Proposed Development will form a critical part of the UK's portfolio of renewable energy generation and will be required to decarbonise the UK's energy supply quickly whilst also bolstering a secure and affordable national energy supply. With this in mind, the public benefits associated with the Proposed Development demonstrably outweigh the less than substantial harm identified, in accordance with part c of this Policy. A balance of the effects of the Proposed Development against the public benefits that it brings about is set out within **Section 10** of the Planning Statement. This concludes that the benefits of the Proposed Development firmly outweigh any effects, including those set out above to heritage assets, showing compliance with part c of this Policy.
BE2 Design of new development	All new development proposals shall respect and complement the following criteria: a. The physical characteristics of the site and its surroundings including the scale and context of the site and its setting b. The local distinctiveness and vernacular character of the locality, in terms of ordering, form, proportions, architectural detailing and materials c. The natural qualities and features of the area, and d. The effect on important public views and skylines.	As detailed in Section 2 of the **Planning Statement [EN010158/APP/5.7]**, good design has been a fundamental consideration from the outset of the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes to the Proposed Development. Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and

Policy	Policy Text	Applicant Assessment
	More guidance on the detail for the application and implementation of this policy will be provided in the Aylesbury Vale Design SPD.	cultural context of the Site by a broad range of technical disciplines (including landscape and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2]**.
BE3 Protection of the amenity of residents	Planning permission will not be granted where the proposed development would unreasonably harm any aspect of the amenity of existing residents and would not achieve a satisfactory level of amenity for future residents. Where planning permission is granted, the council will use conditions or planning obligations to ensure that any potential adverse impacts on neighbours are eliminated or appropriately controlled.	The **Statutory Nuisance Statement [EN010158/APP/5.4]** draws upon the assessment conclusions from **ES Volume 2, Chapter 6: Air Quality** and **Chapter 13: Noise and Vibration [EN010158/APP/6.2]** to set out that the construction, operational (and maintenance) and decommissioning phases of the Proposed Development would not cause a statutory nuisance. The **Statutory Nuisance Statement [EN010158/APP/5.4]** considers sections a., d., e., fb., g. and ga. of the Environmental Protection Act 1990 (as amended) in coming to this position and is, therefore, in accordance with this Policy.
NE1 Biodiversity and Geodiversity	**Protected Sites** Internationally or nationally important Protected Sites (SACs and SSSIs) and species will be protected. Avoidance of likely significant adverse effects should be the first option. Development likely to affect the Chiltern Beechwoods SAC will be subject to assessment under the Habitat Regulations and will not be permitted unless any significant adverse effects can be fully mitigated. Development proposals that would lead to an individual or cumulative adverse impact on an internationally or nationally important Protected Site or species, such as SSSIs or irreplaceable habitats such as ancient woodland or ancient trees, will be refused unless exceptional circumstances can be demonstrated as follows: a. the benefits of the development at this site significantly and demonstrably outweigh both the impacts that it is likely to have on the features of the site that make it internationally or nationally important and any broader impacts on the national network – for example of Sites of Special Scientific Interest, and b. the loss can be mitigated and compensation can be provided to achieve a net gain in biodiversity/geodiversity Sufficient information must be provided for the council to assess the significance of the impact against the importance of the Protected Site and its component habitats and the species which depend upon it. This will include the area around the Protected Site and the ecosystem services it provides and evidence that the development has followed the mitigation hierarchy set out in (d) below **Protection and enhancement of Biodiversity and Geodiversity** Protection and enhancement of biodiversity and geodiversity will be achieved by the following: c. A net gain in biodiversity on minor and major developments will be sought by protecting, managing, enhancing and extending existing biodiversity resources, and by creating new biodiversity resources.	**Protected Sites** Sheephouse Wood SSSI, Finemere Wood SSSI, Grendon and Doddershall Woods SSSI and Ham Home-cum-Hamgreen Woods SSSI have been scoped in to the assessment presented in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]**. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that there are no likely significant residual adverse effects expected on internationally or nationally important Protected Sites. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and **ES Volume 1, Chapter 2: Location of the Proposed Development [EN010158/APP/6.1]** note that two areas of ancient woodland are located within the Order Limits and that multiple other areas of ancient woodland are located directly adjacent to the Order Limits in several locations. The two areas of ancient woodland included in the Order Limits are to allow for the use of an existing access track to provide access to Parcel 1a for habitat creation works. No development is included in either area of ancient woodland. **Protection and enhancement of Biodiversity and Geodiversity** In accordance with this Policy, **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units while a requirement of the **Draft DCO [EN010158/APP/3.1]** commits to delivering a minimum net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. In response to parts d and e of this Policy, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, only a single and 'potentially significant' residual adverse effect is identified; for

Policy	Policy Text	Applicant Assessment
	These gains must be measurable using best practice in biodiversity and green infrastructure accounting and in accordance with any methodology (including a Biodiversity Impact Assessment) to be set out in the Buckinghamshire Biodiversity Accounting SPD. d. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted. If a net loss in biodiversity is calculated, using a suitable Biodiversity Impact Assessment (see c) then avoidance, mitigation and compensation, on site first, then offsite must be sought so the development results in a net gain (percentage of net gain to meet any nationally-set minimum standard and Vale of or as detailed in an SPD) in order for development to be permitted. Mitigation, compensation and enhancement measures must be secured and should be maintained in perpetuity. These assessments must be undertaken in accordance with nationally-accepted standards and guidance (BS 8683 Biodiversity net gain in project design and construction; and CIRIA Biodiversity Net Gain Good practice principles for development). e. Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance (such as Local Wildlife Sites or Local Geological Sites) including habitats of principal importance (known as Priority Habitats) or the habitats of species of principal importance (Priority Species) or their habitats will not be permitted except in exceptional circumstances where the need for, and benefits of the development significantly and demonstrably outweigh the harm it would cause to the site, and the loss can be mitigated and compensation provided to achieve a net gain. f. The Council will, where appropriate, expect ecological surveys for planning applications. These must be undertaken by a suitably qualified person and consistent with nationally accepted standards and guidance (BS 42020: Biodiversity – Code of Practice for planning and development; and CIEEM Ecological Report Writing guidance) as replaced g. Where development proposals affect a Priority Habitat (As defined in the Buckinghamshire Biodiversity Action Plan or UK Biodiversity Action Plan and as listed in accordance with s41 of the NERC Act 2006) then mitigation should not be off-site. Where no Priority Habitat is involved then mitigation is expected to follow the mitigation hierarchy, where options for avoidance, mitigation and compensation on- site, and then offsite compensation, should be followed in that order as outlined in d. When there is a reasonable likelihood of the presence of protected or priority species or their habitats, development will not be permitted until it has been demonstrated that the proposed development will not result in adverse impacts on these species or their habitats. The only	Bechstein's bats (foraging, commuting and roosting) across the operational (including maintenance) phase of the Proposed Development at the District Level. In this case, the potentially significant effect has been identified in an abundance of caution and does not mean that a significant effect will definitely occur. This potentially significant effect has been identified as the impact of solar farms on bat species is not well understood at present, with limited research available on which to build a common consensus. Therefore, the potentially significant effect has been identified to capture the cautious worst-case effect. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms, in accordance with this Policy, that this potentially significant effect does not amount to 'significant harm', for the purposes of NPS EN-1 paragraphs 5.4.42 and 5.4.43. In response to part f of this Policy, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** is supported by Appendices 7.1 to 7.16 which reflect the surveys and reports that support the conclusions in the assessment. These surveys and reports have been carried out by suitably qualified persons, as noted in each appendix. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that Priority Habitats will not be affected but, rather, these will be enhanced by the Proposed Development which provides a variety of biodiversity benefits for species of fauna but also flora. Further detail of these benefits are captured and secured within the **Outline LEMP [EN010158/APP/7.6]**. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms through Table 7.5 the ways in which, through assessment, regard has been paid to the biodiversity mitigation hierarchy comprises 'avoid, reduce, mitigate and compensate'. For example, measures taken at the avoidance stage have ensured that the Proposed Development retains and protects all areas of woodland, ponds, watercourses, ditches and the majority of hedgerows and arable field margins within the Order Limits. In accordance with this Policy, the Proposed Development is to provide a variety of biodiversity benefits which will improve site permeability and access. These measures include: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds. Further detail of these benefits which promote site permeability for wildlife and avoid the fragmentation of wildlife corridors are captured and secured within the **Outline LEMP [EN010158/APP/7.6]**. As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4],** the ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units while a requirement of the **Draft DCO [EN010158/APP/3.1]** commits to delivering a minimum net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.

Policy	Policy Text	Applicant Assessment
	exception will be where the advantages of development to the protected site and the local community clearly outweigh the adverse impacts. In such a case, the council will consider the wider implications of any adverse impact to a protected site, such as its role in providing a vital wildlife corridor, mitigating flood risk or ensuring good water quality in a catchment. h. Development proposals will be expected to promote site permeability for wildlife and avoid the fragmentation of wildlife corridors, incorporating features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value on site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors including water courses should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity i. Planning conditions/obligations will be used to ensure net gains in biodiversity by helping to deliver the Buckinghamshire and Milton Keynes Biodiversity Action Plan targets in the biodiversity opportunity areas and other areas of local biodiversity priority. Where development is proposed within, or adjacent to, a biodiversity opportunity area, biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Biodiversity Opportunity Area from being achieved will not be permitted. Where there is potential for development, the design and layout of the development should secure biodiversity enhancement and the council will use planning conditions and obligations as needed to help achieve the aims of the biodiversity opportunity area. A monitoring and management plan will be required for biodiversity features on site to ensure their long-term suitable management (secured through planning condition or Section 106 agreement). j. Development proposals adversely affecting a Local Nature Reserve will be considered on a case-by-case basis, according to the amount of information available about the site and its significance, relative to the type, scale and benefits of the development being proposed and any mitigation. Any mitigation strategy will need to include co-operation with the nature reserve managers.	During the operational (including maintenance) phase of the Proposed Development, ground nesting birds are to experience, at a local level, an operational (including maintenance) phase significant beneficial effect due to the Proposed Development's creation of species-rich neutral grassland. Table 17.7 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** sets out the summary of the biodiversity inter-project cumulative effects, including residual significant effects, in EIA terms. The Table concludes a total of eight potentially significant adverse effects. In this case, the potentially significant effect has been identified in an abundance of caution and does not mean that a significant effect will definitely occur. This potentially significant effect has been identified as the impact of solar farms on bat species is not well understood at present, with limited research available on which to build a common consensus. Therefore, the potentially significant effect has been identified to capture the precautionary worst-case effect. However, this effect should not be given the same weight in decision-making as an identified likely significant effect. The Applicant notes that the Proposed Development is CNP and the government has stated that there is an urgent need for CNP development, such as the Proposed Development, to come forward as soon as possible (Paragraph 3.3.83 of NPS EN-1). This need provides a strong case that supports a position that consent for the Proposed Development is aligned with the Government's Net Zero aims as outlined in the **Statement of Need [EN010158/APP/5.6]** and the Planning Statement. Finemere Wood and Calvert Jubilee are two Local Nature Reserves in proximity to the Proposed Development. The Applicant has been cognisant in applying the mitigation hierarchy with regard for potential effects on Local Nature Reserves. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** confirms how the mitigation hierarchy has been applied and confirms, for example, that the design of the Proposed Development was amended to include buffer distances of at least 30m from fence lines within the Proposed Development to woodland/hedgerow along the boundary of Fields D28/D29 linking Finemere Wood and Runt's Wood. This design amend was made in response to engagement with the relevant nature reserve manager (Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust). **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse land and groundwater effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP (including the Piling Risk Assessment that is secured by it) [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3], Outline DEMP [EN010158/APP/7.4], Outline BSMP [EN010158/APP/7.9], Outline Drainage Strategy [EN010158/APP/7.11]** and **Design Commitments [EN010158/APP/5.9]** which are secured via requirements of the **Draft DCO [EN010158/APP/3.1].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development,

Policy	Policy Text	Applicant Assessment
		together with the cumulative schemes assessed, are not considered to result in significant adverse residual land and groundwater effects.
NE2 River and stream corridors	Development proposals must not have an adverse impact on the functions and setting of any watercourse and its associated corridor. They should conserve and enhance the biodiversity, landscape and consider the recreational value of the watercourse and its corridor through good design. Opportunities for de-culverting of watercourses should be actively pursued. Planning permission will only be granted for proposals which do not involve the culverting of watercourses and which do not prejudice future opportunities for de-culverting. Development proposals adjacent to or containing a watercourse shall provide or retain a 10m ecological buffer (unless existing physical constraints prevent) from the top of the watercourse bank and the development, and include a long-term landscape and ecological management plan for this buffer.	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance) and decommissioning in accordance with this policy. Section 15.7 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** sets out the Proposed Development's embedded mitigation measures to ensure existing water assets are conserved through a sustainable drainage strategy. As a form of embedded mitigation, perimeter fencing surrounding the Solar PV development would be offset at least 10m either side from all existing ditches where crossings are not required, which will be secured by the **Design Commitments [EN010158/APP/5.9]**. The proposed offset provides a buffer for any sediment entrained within surface water runoff here sediment can deposit and ensures no erosion of the banking of the watercourses which could result in degradation of water quality. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise effects on existing watercourses/drainage ditches. Project Principles 5.1 – 5.7 set out how the Proposed Development is to increase biodiversity appropriately to the landscape character and connect nature. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that the residual effects on water quality, flood risk and surface water drainage, Water Framework Directive waterbody (Claydon Brook Tributary) across all phases of the Proposed Development are no greater than slight adverse, which is not significant in EIA terms.
NE3 The Chilterns AONB and setting	The Chilterns Area of Outstanding Natural Beauty (AONB) is a nationally designated landscape and as such permission for major developments will be refused unless exceptional circumstances prevail as defined by national planning policy. Proposals for any major development affecting the AONB must demonstrate they: a. conserve and enhance, in accordance with criteria f-m below, the Chiltern AONB's special qualities, distinctive character, tranquillity and remoteness in accordance with national planning policy and the overall purpose of the AONB designation b. are appropriate to the economic, social and environmental wellbeing of the area or is desirable for its understanding and enjoyment c. within the AONB areas, meet the aims of the statutory Chilterns AONB Management Plan, making practical and financial contributions as appropriate; d. within the AONB area, have had regard to the Chilterns Building Design Guide and technical notes by being of high quality design which	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** confirms that the Chilterns Area National Landscape (formally Outstanding Area of Natural Beauty) is scoped out of the assessment as detailed within **ES Volume 4, Appendix 5.1: EIA Scoping Report [EN010158/APP/6.4]** and confirmed within **ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4]**. The National Landscape is situated over 18km from the Site and there would be no intervisibility at this distance.

Policy	Policy Text	Applicant Assessment
	respects the natural beauty of the Chilterns, its traditional built character and reinforces the sense of place and local character, and e. avoid adverse impacts from individual proposals (including their cumulative effects), unless these can be satisfactorily mitigated. In the case of major developments, actions to conserve and enhance the AONB shall be informed by landscape and visual impact assessment, having considered all relevant landscape character assessments, and shall focus upon: f. the Chilterns AONB's special qualities which include the steep chalk escarpment with areas of flower-rich downland, broadleaved woodlands (especially beech), commons, tranquil valleys, the network of ancient routes, villages with their brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures g. the scope for enhancing and restoring those parts of the landscape which are degraded or subject to existing intrusive developments, utilities or infrastructure h. locally distinctive patterns and species composition of natural features such as chalk downland, trees, hedgerows, woodland, field boundaries, rivers and chalk streams i. the locally distinctive character of settlements and their landscape settings, including the transition between man-made and natural landscapes at the edge of settlements; j. visually sensitive skylines, geological and topographical features k. landscapes of cultural, historic and heritage value l. important views and visual amenity from public vantage points, including key views from the steep north-west facing chalk escarpment overlooking the low clay vale, and foreground views back to the AONB, and m. tranquillity, remoteness and the need to avoid intrusion from light pollution, noise, and transport. Any other (non-major) development can also have an impact on the AONB and its setting and will be required to meet criteria a., d. and e. above. Any development likely to impact on the AONB should provide a Landscape and Visual Impact Assessment (LVIA) in line with the Guidelines for Landscape and Visual Impact Assessment - version 3 or as amended.	
NE4 Landscape character and locally important landscape	Development must recognise the individual character and distinctiveness of particular landscape character areas set out in the Landscape Character Assessment (LCA), their sensitivity to change and contribution to a sense of place. Development should consider the characteristics of the landscape character area by meeting all of the following criteria:	**ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on landscape and visual receptors and identifies construction, Year 1 of operation, Year 10 of operation and decommissioning as the phases for assessment across the Proposed Development. It concludes the following significant residual adverse impacts:

Policy	Policy Text	Applicant Assessment
	a. minimise impact on visual amenity b. be located to avoid the loss of important on-site views and off-site views towards important landscape features c. respect local character and distinctiveness in terms of settlement form and field pattern, topography and ecological value d. Carefully consider spacing, height, scale, plot shape and size, elevations, roofline and pitch, overall colour palette, texture and boundary treatment (walls, hedges, fences and gates) e. minimise the impact of lighting to avoid blurring the distinction between urban and rural areas, and in areas which are intrinsically dark and to avoid light pollution to the night sky f. ensure that the development is not visually prominent in the landscape, and g. not generate an unacceptable level and/or frequency of noise in areas relatively undisturbed by noise and valued for their recreational or amenity value The first stage in mitigating impact is to avoid any identified significant adverse impact. Where it is accepted there will be harm to the landscape character, specific on-site mitigation will be required to minimise that harm and, as a last resort, compensation may be required as part of a planning application. This reflects the mitigation hierarchy set out in paragraph 152 of the NPPF (2012). Applicants must consider the enhancement opportunities identified in the LCA and how they apply to a specific site. The Policies Map defines areas of attractive landscape (AALs) and local landscape areas (LLAs) which have particular landscape features and qualities considered appropriate for particular conservation and enhancement opportunities. Of the two categories, the AALs have the greater significance. Development in AALs and LLAs should have particular regard to the character identified in the report 'Defining the special qualities of local landscape designations in Aylesbury Vale District' (Final Report, 2016) and the LCA (2008). Development will be supported where appropriate mitigation to overcome any adverse impact to the character of the receiving landscape has been agreed. Where permission is granted, the council will require conditions to best ensure the mitigation of any harm caused to the landscape.	• For LCA 5.7: Hogshaw Claylands, there are moderate adverse effects across all phases of the Proposed Development. • For LCA 7.3: Claydon Bowl, there are moderate adverse effects across all phases of the Proposed Development. • For LCA 9.1: Finemere Hill, there are moderate adverse effects across the consturction and decommisisoning phases and major/moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For North Buckinghamshire Way/Midshires Way, there are moderate adverse effects across construction, decommissioning Year 1 of the Proposed Development's operational (including maintenance) phase. • For Swan's Way/Outer Aylesbury Ring, there are moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For Bernwood Jubilee Way, there are moderate adverse effects across the consturction and decommisisoning phases and major/moderate adverse effects across Year 1 and Year 10 of the Proposed Development's operational (including maintenance) phase. • For PRoW between Calvert Road and HS2, there are major/moderate adverse effects identified across construction and decommissioning and major adverse effects identified across Years 1 and 10 of the Proposed Development's operational (including maintenance) phase. • For PRoW between Botolph Claydon and Runt's Wood, there are major/moderate adverse effects identified across construction and decommissioning and Year 10 of the of the Proposed Development's operational (including maintenance) phase and a major adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase. • For PRoW to Finemere Hill, there are major/moderate adverse effects across all phases of the Proposed Development. • For PRoW, lanes and roads between East Claydon/East Claydon Road and to within Parcel 3 there are moderate adverse effects identified across construction and decommissioning and at Year 10 of the Proposed Development's operational (including maintenance) phase and a major/moderate adverse effect at Year 1 of the Proposed Development's operational (including maintenance) phase. • For Claydon House, there are moderate adverse effects across Years 1 and 10 of the Proposed Development's operational (including maintenance) phase • For Hogshaw Farm and Wildlife Park, there are moderate adverse effects across all phases of the Proposed Development. **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** also concludes that, at Year 10 of the operational (including maintenance) phase of the Proposed

Policy	Policy Text	Applicant Assessment
		Development, there will be a moderate beneficial effect upon the landscape fabric (woodland, trees and hedgerows). The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9]**, **Outline LEMP [EN010158/APP/7.6], Outline CTMP [EN010158/APP/7.5], Outline CEMP [EN010158/APP/7.2], Outline SMP [EN010158/APP/7.7]** and the **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1].** The residual effects above cannot be mitigated further. Paragraph 5.10.35 of NPS EN-1 confirms that "*The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.*" Table 17.9 of **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** goes on to set out a summary of the landscape and visual inter-project significant cumulative residual effects, including residual significant effects, in EIA terms. Whilst a number of significant residual effects are identified in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**, the Applicant confirms that the application of the mitigation hierarchy has been applied and demonstrated throughout the ES and DCO Application more widely. The Applicant is confident that all residual landscape impacts are those that cannot be avoided, reduced or mitigated further. With regard for avoidance, the Proposed Development is CNP, for which the government has concluded an urgent need for development, such as the Proposed Development, to come forward as soon as possible (Paragraph 3.3.83 of NPS EN-1). This need, coupled with the need for other infrastructure in the area (such as HS2 and EWR) present a backdrop of infrastructure development which, when taken together, makes it inevitable that some level of significant landscape and visual harm is to be expected.
NE5 Pollution, air quality and contaminated land	**Noise pollution** Significant noise-generating development will be required to minimise the impact of noise on the occupiers of proposed buildings, neighbouring properties and the surrounding environment. Applicants may be required to submit a noise impact study or to assess the effect of an existing noise source upon the proposed development, prior to the determination of a planning application. Developments likely to generate more significant levels of noise will be permitted only where appropriate noise attenuation measures are incorporated which would reduce the impact on the surrounding land uses, existing or proposed and sensitive human and animal receptors, to acceptable levels in accordance with Government guidance. Where necessary, planning conditions will be imposed and / or a planning obligation sought in order to specify and secure acceptable noise limits, hours of operation and attenuation measures. Planning permission for noise-	**Noise Pollution** **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** presents a noise assessment in accordance with the requirements of this policy, including a description of the noise generating aspects of the Proposed Development. It considers the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation and concludes that, with the implementation of mitigation measures, significant adverse noise and vibration effects during the construction, operation and decommissioning of the Proposed Development will be avoided at sensitive receptors. The embedded and additional mitigation measures are documented within the: **Works Plans [EN010158/APP/2.3], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **Light Pollution**

Policy	Policy Text	Applicant Assessment
	sensitive development, such as housing, schools and hospitals, will not be granted if its users would be affected adversely by noise from existing uses (or programmed development) that generate significant levels of noise. **Light pollution** In developments where external lighting is required, planning permission will only be granted where all of the following criteria are met: a. The lighting scheme proposed is the minimum required for the security and to achieve working activities which are safe b. Light spill and potential glare and the impact on the night sky is minimised through the control of light direction and levels, particularly in residential and commercial areas, areas of wildlife interest or the visual character of historic buildings and rural landscape character c. The choice and positioning of the light fittings, columns and cables minimise their daytime appearance and impact on the streetscape, and d. In considering development involving potentially adverse lighting impacts to wildlife, the council will expect surveys to identify wildlife corridors and ensure that these corridors are protected, and enhanced where possible. **Air quality** Developments requiring planning permission that may have an adverse impact on air quality will be required to prove through a submitted air quality impact assessment that: e. The effect of the proposal would not exceed the National Air Quality Strategy Standards (as replaced) or f. The surrounding area would not be materially affected by existing and continuous poor air quality. Potentially polluting developments will be required to assess their air quality impact with detailed air dispersion modelling and appropriate monitoring. Air quality impact assessments are also required for development proposals that would generate an increase in air pollution and are likely to have a significantly adverse impact on biodiversity. Required mitigation will be secured through a planning condition or Section 106 agreement. **Contaminated land** Development on or near land that is or may be affected by contamination will only be permitted where: g. an appropriate contaminated Land Assessment has been carried out as part of the application to identify any risks to human health, the natural environment or water quality h. where contamination is found which would pose an unacceptable risk to people's health, the natural environment or water quality, the council will impose a condition, if appropriate, to ensure the applicant	**ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** outlines the security measures, including lighting, incorporated in the design of the Proposed Development design. Section 3.14 of **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]** describes the detail of the security, lighting and CCTV required for the Proposed Development, as included in the Works in Connection with and in addition to Work Nos. 1 to 10: Fencing, Security & Ancillary infrastructure. Efforts have been made to reduce the impact of lighting, as set out in detail in the **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured in the **Draft DCO [EN010158/APP/3.1].** **Air Quality** **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated air quality effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. These embedded mitigation measures have been established based on the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction v2.2 (2024) to minimise the dust and exhaust emission impacts from the Proposed Development. **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse air quality effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The additional mitigation following IAQM Guidance measures are documented within the: **Outline CEMP [EN010158/APP/7.2]**, **Outline CTMP [EN010158/APP/7.5]**, **Outline OEMP [EN010158/APP/7.3]** and **Outline DEMP [EN010158/APP/7.4]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **Contaminated Land** The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection. **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** confirms the extent to which contaminated land has been scoped into the assessment. The Chapter confirms that: • potential land contamination in Parcel 3 associated with former agricultural activities has been scoped into the assessment (for the construction phase); • potential land contamination in all areas except Parcel 3 has been scoped in for assessment (for the construction phase) since Parcel 1 is located adjacent to a landfill site/infilled land (Calvert Pit) and Parcel 1 formed an extensive area of quarrying

Policy	Policy Text	Applicant Assessment
	undertakes a desktop study, and if required, an intrusive site investigation, remedial measures and a validation report to ensure that the site is suitable for the proposed use and that the development can safely proceed. Remediation works will usually be carried out prior to first occupation or use of any part of the development. Required remediation methods will be secured through a planning condition.	associated with brickworks and historic landfills. Potential land contamination associated with former agricultural activities has also been scoped into the assessment (for the construction phase); • potential land contamination across the construction, operation (including maintenance) and decommissioning of the Proposed Development has been scoped into the assessment; and • groundwater quality across the construction, operation (including maintenance) and decommissioning of the Proposed Development has been scoped into the assessment. **ES Volume 2, Chapter 11: Land and Groundwater [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse land and groundwater effects expected. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual land and groundwater effects. The **Statutory Nuisance Statement [EN010158/APP/5.4]** draws upon the assessment conclusions from **ES Volume 2, Chapter 6: Air Quality [EN010158/APP/6.2]**, **ES Volume 2, Chapter 13: Noise and Vibration [EN010158/APP/6.2]** to set out that the construction, operational (and maintenance) and decommissioning phases of the Proposed Development would not cause a statutory nuisance. As such, the Applicant considers that sufficient assessment and mitigation measures are in place to enable the Secretary of State to conclude that no statutory nuisances would arise from the Proposed Development's construction, operation and maintenance and decommissioning.
NE7 Best and most versatile agricultural land	Subject to the development allocations set out in the VALP, the council will seek to protect the best and most versatile farmland for the longer term. Proposals involving development of agricultural land shall be accompanied by an assessment identifying the Grades (1 to 5) Agricultural Land Classification. Where development involving best and more versatile agricultural land (Grades 1, 2 and 3a) is proposed, those areas on site should be preferentially used as green open space and built structures avoided. Where significant development would result in the loss of best and more versatile agricultural land, planning consent will not be granted unless: a. There are no otherwise suitable sites of poorer agricultural quality that can accommodate the development, and b. The benefits of the proposed development outweighs the harm resulting from the significant loss of agricultural land.	In line with this policy, **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** confirms that the Applicant had considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites. **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7]** presents the reasoning for why the Proposed Development and Order Limits are located in the Site's particular location. The **Site Selection Report** also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection. The Applicant sought to identify countryside/ undeveloped greenfield land which according to the provisional ALC mapping (provided by DEFRA and Natural England) could meet the objectives of the Proposed Development whilst avoiding as far as practicable the take of BMV land. The **Site Selection Report** confirms that the south western extent of the Search

Policy	Policy Text	Applicant Assessment
		Area, which took the point of connection as the anchor point to the Search Area, demonstrated a larger presence of Grade 4 non-BMV land. Since selecting the Site, ALC surveys have been carried out across 605.12ha of the Proposed Development's 675.05ha. The ALC survey has confirmed that 594.91ha of the surveyed land constitutes Grade 3b with 3.01ha constituting Grade 2, 7.19ha constituting Grade 3a and no Grade 1. Of the unsurveyed land, 27.48ha constitutes non-agricultural land whilst the remaining 42.45ha is identified as Grade 3b. This grading of the unsurveyed land has been agreed as being acceptable with Natural England through pre-application engagement. When including the unsurveyed areas within the calculations, it is concluded that 94.42% of the Site is non-BMV, 4.07% of the Site is non-agricultural land and 1.51% of the Site is BMV. Further information on ALC is provided in **ES Volume 4, Appendix 12.1: Agricultural Land Classification Report [EN010158/APP/6.4]** and **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]**. **ES Volume 2, Chapter 12: Soil [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse land and groundwater effects expected.
NE8 Trees, hedgerows and woodlands	Development should seek to enhance and expand Aylesbury Vale's tree and woodland resource, including native black poplars. Where trees within or adjacent to a site could be affected by development, a full tree survey and arboricultural impact assessment to BS 5837 (as replaced) will be required as part of the planning application. The implementation of any protective measures it identifies will be secured by the use of planning conditions. Development that would lead to an individual or cumulative significant adverse impact on ancient woodland or ancient trees will be refused unless exceptional circumstances can be demonstrated that the impacts to the site are clearly outweighed by the benefits of the development. Development that would result in the unacceptable loss of, or damage to, or threaten the continued well-being of any trees, hedgerows, community orchards, veteran trees or woodland which make an important contribution to the character and amenities of the area will be resisted. Where the loss of trees is considered acceptable, adequate replacement provision will be required that use species that are in sympathy with the character of the existing tree species in the locality and the site. Where species-rich native hedgerow (as commonly found on agricultural land) loss is unavoidable the developer must compensate for this by planting native species-rich hedgerow, which should result in a net gain of native hedgerow on the development site.	**ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated biodiversity effects of the Proposed Development's construction, operational (including maintenance), and decommissioning and is supported by extensive survey work including **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4].** As established under **Section 9.16** (biodiversity) of the Planning Statement, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** confirms that, across all phases of the Proposed Development, there would be no loss of ancient woodland and, therefore, no need to mitigate this. Further, the biodiversity assessment presented in **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** does not conclude any significant residual inter-project cumulative effects with regard for ancient woodland or ancient trees, in accordance with this Policy. The **Design Commitments [EN010158/APP/5.9]** secures embedded mitigation measures which include but are not limited to the planting of new hedgerows, native woodland belts and scrub planting within the buffers. These measures are further secured in the Proposed Development's design which proposes the planting of approximately 8.78ha of structural tree planting and approximately 4,336 linear meters of structural hedgerow planting (as secured in the **Outline LEMP [EN010158/APP/7.6])** which is a substantial net gain, factoring the construction-phase need for small scale removal. The minimum offsets from the perimeter fencing surrounding the Solar PV development are set out in the **Design Commitments [EN010158/APP/5.9]** and apply to existing features within the Order Limits, with the exception of where access tracks, security fencing and/or cable routes are required to cross an existing feature. Based on this Policy, 10m offsets are

Policy	Policy Text	Applicant Assessment
	Developers should aspire to retain a 10m (with a minimum of 5m) natural buffer around retained and planted native hedgerows (100m with a minimum 25 m natural buffer around woodlands) for the benefit of wildlife, incorporating a dark corridor with no lighting. Development must provide buffers to Ancient Woodland and should provide additional planting to join up fragmented areas of woodland as part of the development's GI. Buffers should allow the maximum space proportionate to the development, and would generally be expected to be a minimum of 50m between the ancient woodland and any built development or grey infrastructure. Within the buffer, native trees may be planted along with other ecology features to secure net gains in biodiversity and/or landscape mitigation unless the achievement of this would be contrary to other policies in the plan.	secured for existing hedgerows, ponds, ditches and ordinary watercourses, 20m for all other existing woodlands and HS2 planting and 30m for statutory and locally designated wildlife sites and ancient woodland. As noted above, Design Commitment C1 in **Design Commitments [EN010158/APP/5.8]** secures that perimeter fencing surrounding the Solar PV development will be offset at least 30m from existing ancient woodlands while Design Commitment D3 confirms that such perimeter fencing will comprise timber post and wire mesh 'deer-proof fencing'. Whilst not strictly in compliance with this Policy's general requirement for setback distances to be 50m between development and ancient woodlands, the Proposed Development is considered to be of a less impactful nature than what constitutes 'general development'. Therefore, the Applicant considers that the 30m offset secured is proportionate to the nature of the Proposed Development. Moreover, species-rich grassland, scrub planting and pond creation/restoration will occur within the ancient woodland offset buffers in order to maintain foraging and commuting corridors for wildlife (in particular bats) and improve links to the wider landscape
C3 Renewable Energy	All development schemes should look to achieve greater efficiency in the use of natural resources. Planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on the following issues: a. landscape and biodiversity including designations, protected habitats and species b. visual impacts on local landscapes c. the historic environment including designated and non designated assets and their settings d. the Green Belt, particularly visual impacts on openness e. aviation activities f. highways and access issues, and g. residential amenity. The council will seek to ensure that all development schemes achieve greater efficiency in the use of natural resources, including measures minimise energy use, improve water efficiency and promote waste minimisation and recycling. Developments should also minimise, reuse and recycle construction waste wherever possible. In seeking to achieve carbon emissions reductions, the council will assess developments using an 'energy hierarchy'. An energy hierarchy identifies the order in which energy issues should be addressed and is illustrated as follows:	The National Policy Statements for Energy contain policy tests that align with those established under this Policy and so a full assessment of this Policy's requirements have not been redrawn out here. The significant effects identified on landscape and visual receptors and matters, as outlined in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**, are assessed in compliance with the National Policy Statements (which accord with this Policy's landscape and visual tests) for Energy in Sections 9 and 10 of the Planning Statement. The significant effects identified on biodiversity receptors and matters, as outlined in **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2]** and **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]**, are assessed in compliance with the National Policy Statements (which accord with this Policy's biodiversity test) for Energy in Sections 9 and 10 of the Planning Statement. The significant effect identified on a single cultural heritage receptor is outlined in **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2]** is assessed in compliance with the National Policy Statements (which accord with this Policy's cultural heritage test) for Energy in Sections 9 and 10 of the Planning Statement. Section 6 of the **ES Volume 4, Appendix 5.4: Glint and Glare Assessment [EN010158/APP/6.4]** identifies aviation receptors, road and railway receptors, building receptors, other receptors and obstruction elements. Embedded mitigation has been used to inform the assessment in order to conclude that the Proposed Development will only have 'low impacts' on certain identified sensitive receptors whilst all effects are predicted to be not significant in EIA terms. Cumulative effects together with nearby solar projects are also predicted to be not significant. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse transport and access effects were identified across the Proposed Development's

Policy	Policy Text	Applicant Assessment
	h. reducing energy use, in particular by the use of sustainable design and construction measures i. supplying energy efficiently and giving priority to decentralised energy supply j. making use of renewable energy k. making use of allowable solutions, and l. an energy statement will be required for proposals for major residential developments (over 10 dwellings), and all non-residential development, to demonstrate how the energy hierarchy has been applied. With continually improving standards through building regulations, new buildings carry reduced need for heating and loads are based on winter heat and all year-round hot water demands. A feasibility assessment for district heating (DH) and cooling utilising technologies such as combined heat and power (CHP), including biomass CHP or other low carbon technology, will be required for: m. all residential developments of 100 dwellings or more n. all residential developments in off-gas areas for 50 dwellings or more, and o. all applications for non-domestic developments above 1000sqm floorspace. Where feasibility assessments demonstrate that decentralised energy systems are deliverable and viable and can secure at least 10% of their energy from decentralised and renewable or low carbon sources, such systems will be encouraged as part of the development. Planning permission will normally be granted for off-site renewable energy (for example, but not confined, to wind, solar, biomass and energy crops, anaerobic digestion and landfill gas), where it has been demonstrated that all the following criteria have been met: p. There is no significant adverse effect on landscape or townscape character, ecology and wildlife, heritage assets whether designated or not, areas or features of historical significance or amenity value q. there is no significant adverse impact on local amenity, health and quality of life as a result of noise, emissions to atmosphere, electronic interference or outlook through unacceptable visual intrusion, and r. there is no adverse impact on highway safety. Where development is granted, mitigation measures will be required as appropriate to minimise any environmental impacts. When considering the social and economic benefits, the council will encourage community participation/ownership of a renewable energy scheme.	construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CTMP [EN010158/APP/7.5]** and **Outline RoWAS [EN010158/APP/7.8]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**. **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual transport and access effects. With the above in mind, this **Planning Statement [EN010158/APP/5.7]** and **Statement of Need [EN010158/APP/5.6]** set out that the Proposed Development will deliver a significant amount of low-carbon, low-cost and UK-located solar electricity generation capacity connecting to the National Electricity Transmission System, anticipated from 2031. In addition to meeting the urgent national need for secure and affordable low-carbon energy infrastructure and its associated environmental and societal benefits, the Proposed Development delivers wider benefits to the environment and the local community. The Proposed Development is a substantial infrastructure asset, capable of delivering large amounts of secure, affordable low carbon electricity to local and national networks. In the case of the Proposed Development, the residual significant adverse effects are limited to temporary effects on cultural heritage, and landscape and visual.

Policy	Policy Text	Applicant Assessment
	Aylesbury Vale is located within an area of water stress and as such the council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day. Applications for the adaption of older buildings should include improved energy and water efficiency and retrofitted renewable energy systems where possible.	
C4 Protection of public rights of way	The council will enhance and protect public rights of way to ensure the integrity and connectivity of this resource is maintained. The protection and conservation of public rights of way needs to be reconciled with the benefits of new development, to maximise the opportunity to form links from the development to the wider public rights of way network, public transport, recreational facilities and green infrastructure. Development proposals will be required to retain and enhance existing green corridors, and maximise the opportunity to form new links between existing open spaces. Planning permission will not normally be granted where the proposed development would cause unacceptable harm to the safe and efficient operation of public rights of way.	The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used throughout the construction, and operational (including maintenance) and decommissioning phases of the Proposed Development with minimal impacts to PRoW users. The Proposed Development includes opportunities for enhancement and includes the proposal to provision three new permissive paths. The Proposed Development would also include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site. Embedded mitigation measures set out in the **Outline CTMP [EN010158/APP/7.5]** and **Outline RoWAS [EN010158/APP/7.8]** function to improve access and ensure road safety and efficiency for all users. The Proposed Development would incorporate a number of green infrastructure proposals, as set out in the **Outline LEMP [EN010158/APP/7.6]** which would enhance the strategic green infrastructure network in the surrounding area. The green infrastructure proposed is illustrated in the **Appendix 1: Green and Blue Infrastructure Parameters** under the secured **Outline LEMP [EN010158/APP/7.6]**.
I1 Green infrastructure	Green Infrastructure should provide a range of functions and provide multiple benefits for wildlife, improving quality of life and water quality and flood risk, health and wellbeing, recreation, access to nature and adaptation to climate change. The council will support proposals for green infrastructure where there is no significant adverse impact on: a. Wider green infrastructure networks including public rights of way and green infrastructure opportunity zones identified by the Buckinghamshire and Milton Keynes Natural Environment Partnership b. Potential to contribute to biodiversity net gains c. Management of flood risk and provision of sustainable drainage systems d. Provision of a range of types of green infrastructure e. Provision of sports, recreation facilities or public realm improvements f. Potential for local food cultivation by communities g. Achieving a satisfactory landscaping scheme including the transition between the development and adjacent open land New housing developments of more than 10 units or which have a combined gross floorspace of more than 1,000 square metres (gross internal area) will be required to meet the ANGSt (accessible natural green space standards) in	The Proposed Development would incorporate a number of green infrastructure proposals, as set out in the **Appendix 1: Green and Blue Infrastructure Parameters** to the **Outline LEMP [EN010158/APP/7.6]** which includes, but is not limited to: the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; and the establishment of ecological ponds (either former ponds for recreation or new ponds). As outlined in the **ES**, the Proposed Development will not give rise to any significant adverse impacts on the elements detailed under the sub sections of this Policy. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2]** provides an assessment of the Proposed Development's impact on Public Rights of Way within the Order Limits, or that will be impacted by the Proposed Development. The **Outline RoWAS [EN010158/APP/7.8]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used throughout the construction, and operational (including maintenance) and decommissioning phases of the Proposed Development with minimal impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as proposals to provide three new permissive paths and would include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site.

Policy	Policy Text	Applicant Assessment
	Appendix C to meet the additional demand arising from new residential development. Amenity green space will need to be provided on site. Sports and recreation facilities can be provided as required (Policy I2) on the same site where these are compatible with publicly accessible green infrastructure. The Accessibility Standards in Appendix C will need to be met by providing accessible natural green space on or off site for developments of more than 10 homes and which have maximum combined gross floorspace of more than 1,000 square metres (gross internal area) unless it has been demonstrated in an assessment for a planning application that accessible natural green space provision has already been met, when including the increased population of the new development and any other committed development. Conditions will be imposed on permissions or planning obligations sought in order to secure green infrastructure reasonably related to the scale and kind of housing proposed. The benefits to be obtained or provided by the council by virtue of the obligation will be directly relevant to the development permitted and the needs of its occupiers and fairly and reasonably related to its scale and kind. To count towards any ANGSt quantitative/accessibility requirement, such green space must meet the definitions of 'accessible' and 'natural' in paragraph 11.8. The council will only accept the loss of ANGSt including the incorporation of such areas into private garden land if: h. The ANGSt has been subject to an assessment which shows it to be surplus to requirements i. The land does not fulfil a useful purpose in terms of its appearance, landscaping, recreational use or wildlife value j. The land does not host an element of semi-natural habitat or any other feature of value to wildlife to a greater extent than would be the case if it were planted as a garden k. The loss of publicly accessible green infrastructure would not set a precedent for other similar proposals which could cumulatively have an adverse effect on the locality or the environment l. The continued maintenance of the land for publicly accessible green infrastructure would be impractical or unduly onerous m. Publicly accessible green infrastructure lost will need to be replaced by equivalent or better following an assessment justifying this need based on applying the standards in Appendix C Formal outdoor sports areas, play areas, and allotments all serve a specific purpose and may be located within or outside ANGSt. Either way such facilities should be located on land that is additional to the ANGSt provided by a developer and be complimentary to it.	

Policy	Policy Text	Applicant Assessment
	Green infrastructure being provided must have a long term management and maintenance strategy to be agreed by the council with assets managed for at least 30 years after completion and during this time secure a mechanism to manage sites into perpetuity. The management and maintenance strategy shall set out details of the owner, the responsible body and how the strategy can be implemented by contractors.	
I4 Flooding	**Management of flood risk** In order to minimise the impacts of and from all forms of flood risk the following is required: a. Site-specific flood risk assessments (FRAs), informed by the latest version of the SFRA, where the development proposal is over 1ha in size and is in Flood Zone 1, or the development proposal includes land in Flood Zones 2 and 3 (as defined by the latest Environment Agency mapping). A site-specific FRA will also be required where a development proposal affects land in Flood Zone 1 where evidence, in particular the SFRA, indicates there are records of historic flooding or other sources of flooding, e.g. due to critical drainage problems, including from ordinary watercourses and for development sites located within 9m of any water courses (8m in the Environment Agency's Anglian Region) b. All development proposals must clearly demonstrate that the flood risk sequential test , as set out in the latest version of the SFRA, has been passed and be designed using a sequential approach, and c. If the sequential test has been satisfied, development proposals, other than those allocated in this Plan, must also satisfy the exception test in all applicable situations as set out in the latest version of the SFRA. **Flood risk assessments** All development proposals requiring a Flood Risk Assessment in (a) above will assess all sources and forms of flooding, must adhere to the advice in the latest version of the SFRA and will: d. provide level-for-level floodplain compensation, up to the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change, and volume-for-volume compensation unless a justified reason has been submitted and agreed which may justify other forms of compensation e. ensure no increase in flood risk on site or elsewhere, such as downstream or upstream receptors, existing development and/or adjacent land, and ensure there will be no increase in fluvial and surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event, with an allowance for climate change (the design storm event)	**ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse water effects were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded and additional mitigation measures are documented the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2]** **Outline DEMP [EN010158/APP/7.4]** and **Outline OEMP [EN010158/APP/7.3]** and are secured within the **Draft DCO [EN010158/APP/3.1],** as well the **Works Plans [EN010158/APP/2.3].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects. The DCO Application is supported by **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** which considers the impacts of the Proposed Development on drainage and has been prepared in accordance with the requirements of Policy I4 (Flooding) of the VALP. Further, **Appendix 5: Sequential and Exception Tests** which is appended to the Planning Statement provide full detail on how the Sequential and Exception Tests have been passed. The **Outline Drainage Strategy [EN010158/APP/7.11]** provides recommendations on how surface water runoff from the Site will be managed in line with the national, regional and local requirements on flood risk and drainage. The **Outline Drainage Strategy [EN010158/APP/7.11]** also introduces and secures suitable SuDS measures to control surface water runoff and provide adequate runoff treatment. The SuDS measures identified within the Outline Drainage Strategy are considered proportionate to the nature and scale of the Proposed Development and are therefore compliant with this Policy. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated climate effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. The beneficial impact of carbon sequestration has not been accounted for within this

Policy	Policy Text	Applicant Assessment
	f. not flood from surface water up to and including the design storm event, or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site g. explore opportunities to reduce flood risk overall, including financial contributions from the developer where appropriate h. ensure development is safe from flooding for its lifetime (and remain operational where necessary) including an assessment of climate change impacts i. ensure development is appropriately flood resistant, resilient and safe and does not damage flood defences but does allow for the maintenance and management of flood defences j. take into account all sources and forms of flooding k. ensure safe access and exits are available for development in accordance with Department for Environment, Food and Rural Affairs (DEFRA) guidance. Access to "safe refuges" or "dry islands" are unlikely to be considered safe as this will further burden the Emergency Service in times of flood l. include detailed modelling of any ordinary watercourses within or adjacent to the site, where appropriate, to define in detail the area at risk of flooding and model the effect of climate change m. provide an assessment of residual flood risk n. provide satisfactory Evacuation Management Plans, where necessary, including consultation with the Emergency Services and Emergency Planners Sustainable drainage systems (SuDS) All development proposals must adhere to the advice in the latest version of the SFRA and will: o. Ensure development layouts are informed by drainage strategies incorporating SuDS and complete site specific ground investigations to gain a more local understanding of groundwater flood risk and inform the design of sustainable drainage components p. All development will be required to design and use sustainable drainage systems (SuDS) for the effective management of surface water run-off on site, as part of the submitted planning application and not increase flood risk elsewhere, including sewer flooding. All development should adopt exemplar source control SuDS techniques to reduce the risk of flooding due to post-development runoff. SuDS design should follow current best practice (CIRIA Manual 2015 or as replaced) and Buckinghamshire Council guidance on runoff rates and volumes to deliver wider environmental benefits. Where the final discharge point is the public sewerage network the runoff rate should be agreed with the sewerage undertaker.	assessment, due to the inherent difficulty of accurately quantifying such measures. This results in a more conservative, worst-case scenario. **ES Volume 2, Chapter 8: Climate [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, a significant beneficial climate effect was identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Outline CEMP [EN010158/APP/7.2]** and **Outline LEMP [EN010158/APP/7.6]** and are secured via requirements of the **Draft DCO [EN010158/APP/3.1]**.

Policy	Policy Text	Applicant Assessment
	q. Where site-specific FRAs are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems r. In considering SuDS solutions, the need to protect groundwater quality must be taken into account, especially where infiltration techniques are proposed in considering a response to the presence of any contaminated land. The Environment Agency need to be consulted where infiltration is proposed in contaminated land. SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. Opportunities will be sought to enhance natural river flows and floodplains, increasing their amenity and biodiversity value and a watercourse advice note is being prepared for further guidance s. Applicants will be required to provide a management plan to maintain SuDS in new developments, and a contribution will be required for maintenance of the scheme/SuDS t. Onsite attenuation options should be tested to ensure that changing the timing of peak flows does not exacerbate flooding downstream, and u. Only in exceptional circumstances will surface water connections to the combined or surface water system be permitted. Applicants will need to demonstrate in consultation with the sewerage undertaker that there is no feasible alternative and that there will be no detriment to existing users. Applicants will be required to liaise with the lead local flood authority, Internal Drainage Boards, and the Environment Agency on any known flood issues, and identify issues from the outset via discussions with statutory bodies. **Climate change** v. Climate change modelling should be undertaken using the relevant allowances (February 2016) for the type of development and level of risk w. Safe access and egress should be demonstrated in the 1 in 100 plus climate change event, and x. Compensation flood storage would need to be provided for the built footprint as well as any land-raising within the 1 in 100 plus appropriate climate change flood event. This compensation would need to be demonstrated within a Flood Risk Assessment (FRA).	
I5 Water resources and Wastewater Infrastructure	The council will seek to improve water quality, ensure adequate water resources, promote sustainability in water use and ensure wastewater collection and treatment has sufficient capacity. The baseline position on water resources, quality and supply infrastructure, wastewater collection and treatment work capacity is set out in the Aylesbury Vale Water Cycle Study 2017. On major developments where development	**Water Quality** **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** describes the existing levels and assesses the anticipated water effects of the Proposed Development's construction, operational (including maintenance), and decommissioning in accordance with this policy. **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, no significant residual adverse water effects

Policy	Policy Text	Applicant Assessment
	could have an impact on water resources and wastewater infrastructure capacity, early consultation is advised with either Anglian or Thames Water (whichever is appropriate) at the time a planning application is submitted (and evidence of this must be provided) to understand if the baseline position on water resources and wastewater has changed. Development proposals must meet all the following criteria: **Water quality** a. Water quality will be maintained and enhanced by avoiding adverse effects of development on the water environment. Development proposals will not be permitted which would adversely affect the water quality of surface or underground water bodies (including rivers, canals, lakes, reservoirs, source protection zones and groundwater aquifers) as a result of directly attributable factors. **Water resource availability** b. Development will only be permitted where adequate water resources exist, or can be provided without detriment to existing uses. New homes should be built to not exceed the water consumption standard of 110 litres per person per day. **Wastewater treatment** c. Planning applications must demonstrate that adequate capacity is available or can be provided within the foul sewerage network and at wastewater treatment works in time to serve the development. **Phasing** d. Where appropriate, phasing of development will be used to enable the relevant water infrastructure to be put in place in time to serve development. Conditions may be used to secure this phasing.	(including on water quality) were identified across the Proposed Development's construction, operational (including maintenance) and decommissioning phases. The embedded and additional mitigation measures are documented within the **Design Commitments [EN010158/APP/5.9], Outline Drainage Strategy [EN010158/APP/7.11]**, **Outline LEMP [EN010158/APP/7.6], Outline CEMP [EN010158/APP/7.2].** **ES Volume 2, Chapter 17: Cumulative Effects [EN010158/APP/6.2]** concludes that, with embedded and additional mitigation measures in place, the Proposed Development, together with the cumulative schemes assessed, are not considered to result in significant adverse residual water effects. **Water Resource Availability** Section 15.7 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]** sets out the Proposed Development's embedded mitigation measures to ensure existing water assets are conserved through a sustainable drainage strategy. As a form of embedded mitigation, perimeter fencing surrounding the Solar PV development would be offset at least 10m either side from all existing ditches where crossings are not required, which will be secured by the **Design Commitments [EN010158/APP/5.9]**. The proposed offset provides a buffer for any sediment entrained within surface water runoff here sediment can deposit and ensures no erosion of the banking of the watercourses which could result in degradation of water quality. The **Design Approach Document [EN010158/APP/5.8]** sets out Project Principles which have influenced the design evolution to avoid and minimise effects on existing watercourses/drainage ditches. **Wastewater Treatment** The Proposed Development does not propose to connect into the foul sewerage network. Any waste will be removed from the Site in accordance with the **Outline CEMP [EN010158/APP/7.2], Outline OEMP [EN010158/APP/7.3] and Outline DEMP [EN010158/APP/7.4].** Meanwhile, any potentially contaminated water from a firefighting event would be contained within an on-Site storage tank before it is collected, tested and tankered off-site to be suitably disposed of, to ensure this water does not enter the wider hydrological network. Phasing is not relevant to the Proposed Development.

7. Buckinghamshire Minerals and Waste Local Plan 2016-2036 (Buckinghamshire County Council, 2019)

Table 1-7 Buckinghamshire Minerals and Waste Local Plan 2016-2036 Table of Compliance

Policy	Policy Text	Applicant Assessment
Policy 1: Safeguarding Mineral Resources	Minerals are a finite natural resource; in order to secure their long-term conservation Mineral Safeguarding Areas (MSAs) have been defined within Buckinghamshire to prevent mineral resources of local and national importance from being needlessly sterilised by non-minerals development. Mineral resources of local and national importance identified within Buckinghamshire include: sand and gravel deposits of the Thames Valley (situated in the southern half of the county), the Great Ouse Valley east of Buckingham, the sand and gravel deposits in the north of the county, clay-with-flints around Bellingdon and white limestone in the far north of the county. Proposals for development within MSAs, other than that which constitutes exempt development, must demonstrate that: > prior extraction of the mineral resource is practicable and environmentally feasible and does not harm the viability of the proposed development; or > the mineral concerned is not of any value or potential value; or > the proposed development is of a temporary nature and can be completed with the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or > there is an overriding need for the development. A Mineral Assessment will be required to accompany the planning application for the proposed non-minerals development, detailing: > the size, nature and need for the (non-minerals) development, > the effect of the proposed development on the mineral resource beneath or adjacent to the site, > site-specific geological survey data (in addition to the MSAs and BGS mapping data) to establish the existence or otherwise of a mineral resource (detailing resource type, quality, estimated quantity and overburden to reserve ratio), > whether it is feasible and viable to extract the mineral resource ahead of the proposed development to prevent sterilisation and the potential for use (of the mineral resource) in the proposed development, and > where prior extraction can be undertaken how this will be carried out as part of the overall development scheme, with reference to the	**Appendix 2: Mineral Safeguarding Assessment** to the **Planning Statement [EN010158/APP/5.7]** has been submitted in support of this DCO Application which meets the requirements of this Policy. The Proposed Development will be decommissioned after a period of up to 40 years. As a result, the Proposed Development is considered to be both temporary and reversible and will not result in the permanent sterilisation of resources of hinder further extraction. The **Statement of Need [EN010158/APP/5.6]** accompanying the DCO Application sets out a detailed case for why the Proposed Development is urgently required, concluding that it will be a critical part of the UK's portfolio of renewable energy generation, and required to decarbonise its energy supply quickly and provide secure and affordable energy supplies.

Policy	Policy Text	Applicant Assessment
	proposed phasing of operations and construction of the non-mineral development. In the event that the non-mineral development is delayed or not implemented the site must be restored to a stable landform and appropriate after-use.	
Policy 26: Safeguarding of Minerals Development and Waste Management Infrastructure	The following sites are safeguarded for minerals and waste development: – mineral extraction sites with extant permission; and > site specific allocations for mineral extraction; and > other forms of minerals development and associated infrastructure; and > waste management sites with extant permission and associated infrastructure. Proposals for other forms of development within a site safeguarded for minerals or waste development will be permitted where it can be demonstrated that: > (for mineral extraction) the site is no longer required to support the delivery of the adopted provision rate and/or to maintain landbanks (with reference to the prevailing Local Aggregates Assessment); or > an alternative site could be provided that would be as appropriate for the use as the safeguarded location without significant interruption to operations and (for waste management) can service the existing catchment area; or > there is no longer a need for the facility in either the vicinity or the wider area as appropriate.	**Appendix 2: Mineral Safeguarding Assessment** to the **Planning Statement [EN010158/APP/5.7]** has been submitted in support of this DCO Application and confirms that the nearest permitted or allocated minerals and/or waste site/allocation is the 'Westhorpe Farm ROMP' which lies approximately 3.6 kilometres (km) south of the Order Limits.
Policy 27: Minimising Land Use Conflict	Proposals for new development within 300 metres of minerals and waste development (permitted or allocated) and 400 metres of sewage treatment works must demonstrate that it would not adversely affect the continued operation of, or prevent or prejudice the use of, the permitted or allocated land use. Proposals should include a site-specific assessment that identifies the following: > The compatibility and nature of both the proposed development and the minerals and/or waste development, with regard to the duration of the development(s) and construction and/or operational phasing. > Any potentially adverse impacts that may result, either now or in the future, from ongoing occupation and usage (of the proposed development). Where relating to sewage treatment works and involving buildings that would normally be occupied, the proposal should be accompanied by an odour assessment report and must consider existing odour emissions of the waste water treatment works at	**Appendix 2: Mineral Safeguarding Assessment** to the **Planning Statement [EN010158/APP/5.7]** has been submitted in support of this DCO Application and confirms that the nearest permitted or allocated minerals and/or waste site/allocation is the 'Westhorpe Farm ROMP' which lies approximately 3.6 kilometres (km) south of the Order Limits. The distance between the nearest allocated and/or permitted site exceeds the 300m and 400m consultation zones and so this policy is not engaged.

Policy	Policy Text	Applicant Assessment
	different times of the year and in a range of different weather conditions. Appropriate mitigation measures considered necessary to avoid and/or minimise potentially adverse effects to an acceptable level and a schedule for their implementation.	

8. Vale of Aylesbury Neighbourhood Plans

Table 1-8 Vale of Aylesbury Neighbourhood Plans

Policy	Policy Text	Applicant Assessment
	Granborough Neighbourhood Plan (2020-2035) Referendum Version July 2022	
Objectives	1. To protect and enhance the rural quality of the Parish and the compact form of the hilltop village 2. The historic character of the village and the extensive archaeological remains will be conserved, enhanced and recorded 3. The diversity of wildlife and habitats will be protected and enhanced, and new planting will be of appropriate native species (…) 6. Footpaths, cycle ways and bridleways will be enhanced to ensure connectivity between places and access into the countryside from the village 7. To manage and reduce traffic issues within and around the village (…)	In response to Objective 1, at the site level, a comprehensive mitigation package has been embedded into the design of the Proposed Development to date with further additional mitigation commitments made to minimise any likely significant effects. However, the nature of the Proposed Development, the sensitivity of receptors, the local context of cumulative development and the existing rural context mean that there are some effects which cannot be mitigated further without giving rise to significant operational constraints and/or a reduction in function which fundamentally undermines the commercial viability of the Proposed Development. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9.2] [AS-018]**, **Outline LEMP [EN010158/APP/7.6] [APP-142]**, **Outline CTMP [EN010158/APP/7.5] [APP-141]**, **Outline CEMP [EN010158/APP/7.2] [APP-138]**, **Outline SMP [EN010158/APP/7.7] [APP-143]** and the **Outline DEMP [EN010158/APP/7.4] [APP-140]** and secured via requirements of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**. In response to Objective 2, **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2] [APP-052]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse cultural heritage effects identified within the Granborough Neighbourhood Plan area. In response to Objective 3, the Proposed Development has included, as embedded mitigation, the retention of all statutory and locally designated wildlife sites and ancient woodland with a minimum 30m offset from the fence line. Within this 30m buffer, species-rich grassland, scrub planting and pond creation/restoration will occur to help reduce potential displacement effects from Solar PV and associated infrastructure to foraging and commuting bats (which make use of the ancient woodland) to maintain foraging and commuting corridors and improve links to the wider landscape. These mitigation measures are secured in the **Design Commitments [EN010158/APP/5.9.2] [AS-018]**, **Outline CEMP [EN010158/APP/7.2] [APP-138]**, **Outline OEMP [EN010158/APP/7.3] [APP-139]**, **Outline LEMP [EN010158/APP/7.6] [APP-142]** and **Outline DEMP [EN010158/APP/7.4] [APP-140]**. Further, Section 10.10 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] [APP-053]** sets out the assessment of residual effects (with additional mitigation) with consideration for the Granborough Neighbourhood Plan area. In response to Objective 6, the **Outline RoWAS [EN010158/APP/7.8] [APP-144]** has been prepared to support the DCO Application and sets out the measures to limit disruption and ensure the PRoW network can continue to be used through the construction, operational (including maintenance) and decommissioning phases of the Proposed Development whilst minimising impacts to PRoW users. The Proposed Development includes opportunities for enhancement and includes the proposal to provide three new permissive paths. The Proposed Development would also include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site. These improvements are not within the Granborough Neighbourhood Plan area but they will improve the wider PRoW network, which extends into the Granborough Neighbourhood Plan area.

Policy	Policy Text	Applicant Assessment
		In response to Objective 7, **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1] [APP-046]** and **ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4] [APP-131]** confirm that no construction traffic will be routed through the village of Granborough.
Policy RC1: Village Character	Development proposals should respect the rural character of the village and its surroundings. As appropriate to their scale, nature and location, development proposals should ensure that: I. New buildings compliment the character of the immediate locality of the site and the surrounding context and be in keeping with the rural setting (…)	As detailed in the **Design Approach Document [EN010158/APP/5.8] [APP-038]**, achieving good design has been a fundamental consideration from the outset of the development of the Proposed Development. The **Design Approach Document [EN010158/APP/5.8] [APP-038]** demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes into the Proposed Development. The **Design Commitments [EN010158/APP/5.9.2] [AS-018]** relate to the size, type and colour of elements of the Proposed Development, as well as offsets from features of the Site and its surrounding context identified as embedded mitigation through the EIA process. They are organised according to the Project Principles (where applicable) as set out and explained in greater detail in the **Design Approach Document [EN010158/APP/5.8] [APP-038]**. The **Design Commitments [EN010158/APP/5.9.2] [AS-018]** are secured with respect to the detailed design for the Proposed Development by Requirement 4 of the **Draft Development Consent Order (DCO) [EN010158/APP/3.1.2] [AS-010]** in order to provide confidence to the relevant planning authority that the environmental effects of the detailed design would not be materially worse than the likely worst-case effects that are reported in the ES. Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines (including landscape and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2] [APP-049 – 060]**.
Policy RC2: Protecting the Landscape	As appropriate to their scale, nature and location, development proposals should recognise and seek to protect and enhance the historic and natural landscape and local character of the Parish. In particular, proposals should ensure that: I. They do not impact on the skyline and are in keeping with adjacent development and not introduce over-dominant features. Where necessary, mitigation and/or design solutions should be incorporated to offset the impacts; and II. Field patterns and elements of the landscape heritage of the area (including ridge and furrow, field ponds, mature, notable and ancient trees, and historic hedgerows) are protected and incorporated into any landscape design schemes and include details to ensure their long-term management and maintenance.	
Policy B1: Nature Conservation	Development proposals should protect and enhance existing natural features of the site and enhance biodiversity. Where it is practicable to do so, and as appropriate to their scale, nature and location, proposals should: I. Provide at least 10% biodiversity gain, II. Incorporate appropriate species-related measures including, for example, swift bricks, bat and owl boxes, III. Incorporate native species into landscaping schemes,	The **Outline CEMP [EN010158/APP/7.2] [APP-138]**, **Outline SMP [EN010158/APP/7.7] [APP-143]**, **Outline LEMP [EN010158/APP/7.6] [APP-142]**, **Outline OEMP [EN010158/APP/7.3] [APP-139]** and **Outline DEMP [EN010158/APP/7.4] [APP-140]** set out the control measures that will be implemented to protect ancient woodland, ancient trees, veteran trees and other irreplaceable habitats including demarcation fencing to prevent construction activity in proximity to ancient woodland ancient trees, veteran trees and other irreplaceable habitats. The **Design Commitments [EN010158/APP/5.9.2] [AS-018]** secure embedded mitigation measures which include but are not limited to the planting of new hedgerows, native woodland belts and scrub planting within the buffers. These measures are further secured in the Proposed Development's design which proposes the planting of approximately 8.78ha of structural tree planting and approximately 4,336 linear meters of structural hedgerow planting (as secured in the **Outline LEMP [EN010158/APP/7.6] [APP-142]**) which is a substantial net gain, factoring the construction-phase need for small scale removal.

Policy	Policy Text	Applicant Assessment
	IV. Create new links to areas of existing biodiversity to create more robust wildlife networks, especially woodlands, grasslands and hedgerows, V. Link sustainable drainage systems to complement nature conservation to create new habitats	As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4] [APP-103]**, the ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. A requirement of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]** secures the delivery of a minimum biodiversity net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount than what Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. With regard for species-related measures and as outlined in the **Outline LEMP [EN010158/APP/7.6] [APP-142]** the Proposed Development seeks to establish: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds With regard for sustainable drainage systems, Section 15.7 of **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2] [APP-059]** sets out the Proposed Development's embedded mitigation measures to ensure existing water assets are conserved through a sustainable drainage strategy.
North Marston Neighbourhood Plan (2020-2035) Referendum Version		
Policy E1: Rural Character	As appropriate to their scale, nature and location, development proposals should respond positively to the rural character and linear form of the village and its surroundings by ensuring that: (…) • Key Views of particular importance as defined on Policy Map 1 should be respected by new development.	The **Design Approach Document [EN010158/APP/5.8] [APP-038]** sets out Project Principles which have influenced the design evolution to avoid and minimise harm on landscape. Meanwhile, Design Commitments C1 – C8 in **Design Commitments [EN010158/APP/5.9.2] [AS-018]** secure that the detailed design for the Proposed Development will lead with the landscape and that these commitments are secured under Requirement 4 of the **Draft Development Consent Order (DCO) [EN010158/APP/3.1.2] [AS-010]**. The key views identified within the Neighbourhood Plan have been reviewed in the field study and included in **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] [APP-053]**. The visualisations relating to the viewpoints can be found in **ES Volume 4, Appendix 10.6: LVIA Visualisations [EN010158/APP/6.4] [APP-115] [APP-116] [APP-117] [APP-118]** and discussion of the change in views can be found in Section 10.10 of **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] [APP-053]**.
Policy NE1: Protecting the Landscape	As appropriate to their scale, nature and location, development proposals should protect, and where practicable, enhance the natural landscape and local character of the Parish, including field ponds, mature, veteran, and notable trees and hedgerows, and existing field patterns. Where appropriate, protected natural landscape features should be incorporated into any landscape design schemes.	As set out in the **Design Approach Document [EN010158/APP/5.8] [APP-038]**, the landscape design principles incorporate the following: • Ensure proposals fit with the natural environment and draw from existing characteristics, informed by relevant local studies such as the Aylesbury Vale Landscape Character Assessment. • Within parts of the Site that fall within the Quainton-Wing Hills Area of Attractive Landscape (AAL), give careful consideration to the location of any development and respecting the Special Qualities of the designation e.g. enhancing field boundaries and retaining key views towards the AAL. • Respect the historic pattern of the landscape and setting of cultural sites, including Claydon House and individual Listed Buildings, responding to the distinctive character of the local environment.

Policy	Policy Text	Applicant Assessment
		• Conserve and where possible enhance designed landscape features such as Home Wood and Knowl Hill, including ensuring that the 'designed' appearance of woodlands such as Shrubs Wood is retained. • Retain existing vegetation wherever reasonably possible to maintain the fabric of the Site and aid assimilation of development into its context. While the appearance of solar panels is largely determined by their function, the site layout, landscaping and access have all been designed to reflect principles of good design. Good design has been a key consideration from the outset. The Proposed Development has undergone an iterative design process, informed by the LVIA, set out in Section 2 of the **Planning Statement [EN010158/APP/5.7.2]** and the **Design Approach Document [EN010158/APP/5.8] [APP-038]**. The Proposed Development layout has been developed in response to policy requirements, published landscape character assessment and fieldwork analysis. Design Commitments C1 – C8 in **Design Commitments [EN010158/APP/5.9.2] [AS-018]** secure that the detailed design for the Proposed Development will lead with the landscape and that these commitments are secured under Requirement 4 of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**.
Quainton Neighbourhood Plan (2015 – 2033) Modified Version – June 2022		
Policy QP3: Design Beyond the Conservation Areas	Proposals for development outside the conservation areas will be supported provided that: (…) (b) New development proposals must not significantly detract from those parts of the views on the Key Views and Vistas Map (as shown by Figure 8) that are visible from locations that are freely accessible to members of the general public. (c) All development should conserve and enhance the historic character and heritage assets of the Parish, particularly the landscape around the hills area and the stepping stones. Proposals must take account of the scale of any harm or loss and the significance of the heritage assets. (…)	**ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1] [APP-047]** notes a number of changes that took place at the Stage 2 Design phase of the Proposed Development with, for example, regard for mitigating landscape and visual impacts. Amongst these changes were: • the removal of Fields D27, D30, D32, D33, D34, D35, D36, D37 for Solar PV development due to their topography, ecological consideration and visibility within an AAL (local designation), the Neighbourhood Plan area and the wider landscape; and • the partial removal of Solar PV development in Fields D4, D11, D15 and D14 to reduce the impact on the landscape character and to retain views towards Quainton Hill and its landscape context from the Bernwood Jubilee Way. With regard for the Key Views and Vistas shown in Figure 8 of the Quainton Neighbourhood Plan, **ES Volume 3, Figure 10.6: Viewpoint locations [EN010158/APP/6.3] [APP-069]** spatially reflects the agreed viewpoints for assessment and that the nearest viewpoints to Quainton are viewpoints 17, 30 and 31 which sit, at the closest, within 1km of the settlement of Quainton. Therefore, no significant effect were anticipated from these Key Views and Vistas as they were not scoped in to **ES Volume 2, Chapter 10: Landscape and Visual [EN010158/APP/6.2] [APP-053]**. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2] [APP-052]** provides an assessment of the Proposed Development's impact on the historic environment, both above and below ground assets, within the Order Limits, or that will be impacted by the Proposed Development. The Chapter concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse cultural heritage effects identified within the Quainton Neighbourhood Plan area.

Policy	Policy Text	Applicant Assessment
Policy QP7: Parking Provision and Traffic	(…) (c) Car parking spaces, where required, should use permeable surfaces to allow for rainwater absorption and to maintain a rural character to the street scene. (…) (e) Development proposals will be supported where they demonstrate they will not further inhibit the free flow of traffic or add to the problems of parking on the narrow roads along the village. Tandem parking should be avoided.	There will be no parking of vehicles along the roads within the village of Quainton. **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1] [APP-046]** and **ES Volume 4, Appendix 15.1: Transport Assessment [EN010158/APP/6.4] [APP-131]** confirm that no construction traffic will be routed through the village of Quainton. Section 4.8 of the **Outline CTMP [EN010158/APP/7.5] [APP-141]** sets out the on-site parking requirements, whilst Section 3.1 of the **Outline CTMP [EN010158/APP/7.5] [APP-141]** confirms that there will be no verge parking by staff working at the Site. Section 4.9 of the **Outline CTMP [EN010158/APP/7.5] [APP-141]** sets out that a Staff Travel Plan will be developed in the finalised CTMP, to manage the arrival and departure profile of construction staff and to encourage sustainable modes of transport, especially car-sharing. The Staff Travel Plan will be developed to reduce the number of single occupancy car journeys to and from the Site during construction and will minimise traffic on the local road network.
Policy QP9: Green Infrastructure and Biodiversity	Development proposals that demonstrate they will conserve or enhance the natural environment will be supported provided they: (a) Produce and deliver high quality landscaping schemes for all development comprising new dwellings or non-residential floor space which respect the local distinctive landscape character, achieve a biodiversity net gain such as enabling new native species habitat creation, or new green infrastructure. (b) Provide a full tree survey and arboriculture impact assessment to BS 5837 (latest version) where trees of local provenance within or adjacent to a site could be affected by development. The implementation of any protective measures it identifies to be secured by planning conditions. Ecology surveys required must be undertaken by a suitably qualified person and consistent with nationally accepted standards and guidance. (…) (d) Protect existing hedgerows where at all possible as per the Hedgerow Regulations 1997 particularly when shielding the development from the highway. (e) Mitigate and compensate (that is avoid, minimise, restore and offset) for any loss of native species trees scrub or hedgerows and enhance wildlife value where possible. (f) Protect lowland meadows and priority habitats when part of an application site particularly those classed by Defra and Natural England as a Habitat of Principal	In response to each criterion of this policy: (a) The Proposed Development would incorporate a number of green infrastructure proposals, as set out in the **Appendix 1: Green and Blue Infrastructure Parameters** to the **Outline LEMP [EN010158/APP/7.6] [APP-142]** which includes, but is not limited to: the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; and the establishment of ecological ponds (either former ponds for recreation or new ponds). As presented in **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4] [APP-103]**, the on-site ecological mitigation and enhancement areas will deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although a 10% net gain in biodiversity not yet mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is committing to achieving this as a minimum level of BNG, which is secured by the **Outline LEMP [EN010158/APP/7.6] [APP-142]** and a requirement in the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**. (b) **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** is supported by extensive survey works which include **ES Volume 4, Appendix 7.13: Arboricultural Impact Assessment [EN010158/APP/6.4] [APP-099]**. This survey work extends into the Quainton Neighbourhood Plan area. The **Outline CEMP [EN010158/APP/7.2] [APP-138]**, **Outline SMP [EN010158/APP/7.7] [APP-143]**, **Outline LEMP [EN010158/APP/7.6] [APP-142]**, **Outline OEMP [EN010158/APP/7.3] [APP-139]** and **Outline DEMP [EN010158/APP/7.4] [APP-140]** set out the control measures that will be implemented to protect ancient woodland, ancient trees, veteran trees and other irreplaceable habitats, including demarcation fencing to prevent construction activity in proximity to ancient woodland ancient trees, veteran trees and other irreplaceable habitats. (d) and (e) Within the Quainton Neighbourhood Plan area, **Appendix 3: Vegetation Removal Parameters** to the **Outline LEMP [EN010158/APP/7.6] [APP-142]** identifies 'R32' which is a short extent of removal proposed for access between Fields D27 and D28. This is the sole removal within the Quainton Neighbourhood Plan area and, among others across the Order Limits, is identified in Part 2 of Schedule 12 (hedgerows to be removed) of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]**. The **Outline CEMP**

Policy	Policy Text	Applicant Assessment
	Importance (HPI) and provide a professional ongoing maintenance and supervision programme.	**[EN010158/APP/7.2]** [APP-138], **Outline OEMP [EN010158/APP/7.3]** [APP-139], **Outline LEMP [EN010158/APP/7.6]** [APP-142], **Outline SMP [EN010158/APP/7.7]** [APP-143] and **Outline DEMP [EN010158/APP/7.4]** [APP-140], for example, have set out control measures that will be implemented to protect hedgerows and habitats through the use of fencing and signage where appropriate to establish and maintain appropriate buffer zones. If the hedgerows and habitats cannot be maintained or protected, once construction is completed, compensatory habitat creation, hedgerow re-instatement and improvement measures (such as tree planting, gapping-up existing hedgerows, improving species diversity) are detailed within and secured by the **Outline LEMP [EN010158/APP/7.6]** [APP-142]. **(f)** **ES Volume 3, Figure 7.2: Location of Non-statutory Designated Sites [EN010158/APP/6.3]** [APP-067] identifies the spatial overlap between the Order Limits and the Bernwood Biodiversity Opportunity Areas (BOA) which identifies lowland mixed deciduous woodland, lowland meadows, and hedgerows (at least 2m wide) as priority habitats. Lowland mixed deciduous woodland priority habitats sit adjacent to the Order Limits whilst there are hedgerows within the Order Limits that qualify as priority habitat. The Bernwood BOA covers the majority of Parcels 1, 1a and 2. Therefore, maximising the restoration, creation, and enhancement of wider biodiversity has been key to the evolution of the Proposed Development's design. As outlined in the **Outline LEMP [EN010158/APP/7.6]** [APP-142] the Proposed Development seeks to establish: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds. The **Outline LEMP [EN010158/APP/7.6]** [APP-142] also secures the ongoing management and maintenance measures required for the upkeep of landscape and ecological mitigation.

Steeple Claydon Neighbourhood Plan (Referendum Plan 2013–2033) September 2017

Policy SC1: Steeple Claydon Settlement Boundary	The Neighbourhood Plan designates a Steeple Claydon Settlement Boundary, as shown on the Policies Map. (…) Development proposals, other than for rural housing exception schemes, on land outside the Settlement Boundary will not be permitted in the countryside unless: iii) They support the sustainable growth and expansion of a business or enterprise in the countryside area, both through the re-use of redundant or disused buildings and well-designed new buildings; iv) They promote the development and diversification of agricultural and other land-based rural businesses, including meeting the essential need for a rural worker; v) They support sustainable rural tourism and leisure developments that benefit businesses in the countryside	The **Planning Statement [EN010158/APP/5.7.2]** sets out how the Proposed Development achieves the three objectives of sustainable development established in the NPPF, being: economic, social and environmental objectives. The **Planning Statement [EN010158/APP/5.7.2]** and **Statement of Need [EN010158/APP/5.6]** [APP-036] set out the critical need for large-scale ground mounted solar deployment, as established under national planning policy, specifically NPS EN-1 and NPS EN-3. The Proposed Development would contribute substantially to the need to supply low carbon energy, in order for the government to meet its objectives and commitments. By generating low carbon electricity at a low marginal cost, large-scale solar power reduces the energy generated by more expensive and more carbon intensive forms of generation. The Proposed Development will therefore help to decarbonise the electricity system and lower the market price of electricity. Further, the **Design Approach Document [EN010158/APP/5.8]** [APP-038] demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes to the Proposed Development. The **Design Commitments [EN010158/APP/5.9.2]** [AS-018] relate to the size, type and colour of elements of the Proposed Development, as well as offsets from features of the Site and its surrounding context identified as embedded mitigation through the EIA process. They are organised according to the Project Principles (where applicable) as set out and explained in greater detail in the **Design Approach Document [EN010158/APP/5.8]**

Policy	Policy Text	Applicant Assessment
	area, communities and visitors, and which respect the character of the countryside (…)	[APP-038]. The design commitments and parameters will be secured with respect to the detailed design for the Proposed Development in order to provide confidence to the relevant planning authority that the environmental effects of the detailed design would be the same or no worse than those assessed. Section 14.5 of **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** [APP-057] describes the baseline socio-economic conditions within the Study Area. Section 14.5 describes, but is not limited to, the agricultural economy baseline, land use, employment and commercial activity and tourism and the tourist economy. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** [APP-057] assesses the anticipated socio-economic effects on tourism of the Proposed Development's construction, operational (including maintenance), and decommissioning. The assessment concludes that, with embedded and additional mitigation measures in place, no significant residual adverse socio-economic effects were identified across the Proposed Development's construction, operational (including maintenance), and decommissioning phases. The embedded and additional mitigation measures are documented within the: **Design Commitments [EN010158/APP/5.9.2]** [AS-018], **Outline RoWAS [EN010158/APP/7.8]** [APP-144], **Outline CTMP [EN010158/APP/7.5]** [APP-141], **Outline CEMP [EN010158/APP/7.2]** [APP-138], **Outline OEMP [EN010158/APP/7.3]** [APP-139], **Outline DEMP [EN010158/APP/7.4]** [APP-140], and **Outline LEMP [EN010158/APP/7.6]** [APP-142] and are secured via requirements of the **Draft DCO [EN010158/APP/3.1.2]** [AS-010]. An **Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** [APP-150] has been submitted with the DCO Application to describe how the Applicant would promote the delivery of economic benefits generated by the Proposed Development to people and businesses across Buckinghamshire, and is secured via a requirement of the **Draft DCO [EN010158/APP/3.1.2]** [AS-010]. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2]** [APP-057] concludes that, with embedded and additional mitigation measures in place, slight beneficial socio-economic effects were identified, including on construction and decommissioning effects on tourism and the tourist economy (tourist accommodation).
Policy SC8: Design	Development proposals will be supported, provided that their scale, density, massing, height, landscape design, layout and materials reflect the architectural and historic character and scale of the surrounding buildings and landscape. Proposals must in particular have regard to the following design principles: • The value of individual designated heritage assets in defining the character of the street scene, the significance of which should not be undermined by new development that will result in obscuring views to these assets • The prominence of buildings and land at key junctions in the village, which help define the legibility of the village, including West Street/Chaloners Hill, West Street/North End Road, West Street/Addison Road, Addison Road/Vicarage Lane, Vicarage Lane/Queen Catherine Road and Queen Catherine Road/Buckingham Road, should be reflected in the	The **Design Approach Document [EN010158/APP/5.8]** [APP-038] demonstrates how the design of the Proposed Development has been developed in accordance with a clear design framework, based on the criteria for good design set out in NPS EN-1. This has included the adoption of project level design principles (Project Principles) to guide decision making and embed good design outcomes to the Proposed Development. The **Design Approach Document [EN010158/APP/5.8]** [APP-038] sets out Project Principle 6.3 which sets out to respect the historic pattern of the landscape and setting of cultural sites, including individual Listed Buildings, responding to the distinctive character of the local environment. The **Design Commitments [EN010158/APP/5.9.2]** [AS-018] relate to the size, type and colour of elements of the Proposed Development, as well as offsets from features of the Site and its surrounding context identified as embedded mitigation through the EIA process. They are organised according to the Project Principles (where applicable) as set out and explained in greater detail in the **Design Approach Document [EN010158/APP/5.8]** [APP-038]. The design commitments and parameters will be secured with respect to the detailed design for the Proposed Development in order to provide confidence to the relevant planning authority that the environmental effects of the detailed design would be the same or no worse than those assessed. Throughout the design process, the Applicant maintained an interdisciplinary approach to design and considered both the opportunities and constraints of the Proposed Development. This included analysis of the existing physical, environmental, social and cultural context of the Site by a broad range of technical disciplines

Policy	Policy Text	Applicant Assessment
	orientation, scale and height of new buildings in those locations • The public views of open countryside between buildings on the south side of Queen Catherine Road to the open countryside should be respected.	(including landscape and visual, noise, ecology and heritage) as set out and assessed by **ES Volume 2, Environmental Factor Chapters [EN010158/APP/6.2] [APP-049 – 060]**. With regard for public views of open countryside, **ES Volume 3, Figure 10.6: Viewpoint locations [EN010158/APP/6.3] [APP-069]** details that Viewpoints 38 and 7 are in proximity to the buildings on the southern side of Queen Catherine Road. In **ES Volume 4, Appendix 10.4: Rosefield Viewpoint Analysis [EN010158/APP/6.4] [APP-113]**, the predicted scale of visual change during construction, at Viewpoint 38, is assessed as small, meanwhile the predicted scale of visual change in Year 1 of operation (including maintenance), at both Viewpoints 7 and 38, is also assessed as small.
Winslow Neighbourhood Plan (2022-2033) Modified Neighbourhood Plan		
Policy 1A Spatial Plan for the Town	(…) B. Save as provided for in Policy 1C, proposals for development outside the (Winslow Settlement Boundary (WSB) will be supported only when a location outside the WSB cannot be avoided and the requirements of paragraph 80 of the National Planning Policy Framework (2021) are met.	The Order Limits lie outside of the WSB and, with regard for paragraph 80 of the 2021 version of the NPPF, the Proposed Development does not involve the development of isolated homes in the countryside. **Appendix 1: Site Selection Report** to the **Planning Statement [EN010158/APP/5.7.2]** presents the reasoning for why the Proposed Development is located where it is. As part of the EIA process, an iterative approach has been adopted where significant environmental effects have been avoided where possible through design refinements and iterations as detailed further within **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1] [APP-047]** and the **Design Approach Document [EN010158/APP/5.8] [APP-038]**. In line with national policy, the Site Selection Report confirms that the Applicant has considered whether sufficient previously developed land (including available previously developed industrial land) would be available to develop a utility scale solar development within the Search Area. The search of Buckinghamshire Council's brownfield register confirmed that none of the brownfield sites would have the capability of meeting the project objectives, largely due to the size of the sites. The Site Selection Report also confirms that the Applicant had sought to identify contaminated land for development purposes. However, this was not possible as the Buckinghamshire Council Public register of contaminated land contained no entries at the time of site selection.
Policy 11 Traffic, Transport, Cycle Routes and Parking	(…)(b) Cycle-paths (which may in appropriate circumstances be combined with footpaths) should be incorporated as integral design features within major new developments and create useful and effective links for cyclists and pedestrians within the town and, for cyclists, with existing national and local cycle routes.	**ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2] [APP-058]** provides an assessment of the Proposed Development's impact on Public Rights of Way within the Order Limits, or that will be impacts by the Proposed Development beyond the Order Limits. **ES Volume 2, Chapter 15: Transport and Access [EN010158/APP/6.2] [APP-058]** also notes that, on review of the National Cycle Network (NCN) Route map, the NCN route is NCN 51 "Varsity Way – Oxford to Cambridge". This NCN passes to the north of the Site and does not interact with any of the proposed construction traffic delivery route roads. There is however a short interaction with the potential AIL route on Vicarage Road in Winslow, where NCN 51 shares a 310 m section of road with the AIL route. The **Outline RoWAS [EN010158/APP/7.8] [APP-144]** sets out the measures to limit disruption and ensure the PRoW network can continue to be used throughout the construction, and operational (including maintenance) and decommissioning phases of the Proposed Development with minimal impacts to PRoW users. The Proposed Development includes opportunities for enhancement such as proposals to provide three new

Policy	Policy Text	Applicant Assessment
		permissive paths and would include recreation and amenity improvements designed to retain and enhance recreational connectivity across the Site. **ES Volume 2, Chapter 14: Population [EN010158/APP/6.2] [APP-057]** concludes that, with embedded and additional mitigation measures in place, a slight beneficial socio-economic effect is identified during the operational (including maintenance) phase with regard for employment and community access/walkers, cyclists and horse riders.
Policy 13 Environment and Heritage	A. As appropriate to their scale, nature and location development proposals should include landscaping which incorporates green space, hedges and trees, where practicable of local provenance, that are relevant to the type of development as well as sensitive habitats and other relevant measures to promote biodiversity within the natural environment. (…) B. Development proposals should respond positively to publicly available views of listed buildings and other heritage assets of the town. Development proposals which would have an unacceptable impact on the setting of listed buildings and other heritage assets will not be supported.	Maximising the restoration, creation, and enhancement of wider biodiversity has been key to the evolution of the Proposed Development's design. As outlined in the **Outline LEMP [EN010158/APP/7.6] [APP-142]** the Proposed Development seeks to establish: new habitat for invertebrates, reptiles, amphibians, small mammals and birds; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds (either former ponds for recreation or new ponds as blue infrastructure works) and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and provide a winter seed source for birds. Further, **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4] [APP-103]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although not yet mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is still committing to achieving this as a minimum level of BNG. A requirement of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]** commits to delivering a net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2] [APP-052]** provides an assessment of the Proposed Development's impact on the historic environment, including non-designated heritage assets, within the Order Limits, or that will be impacted by the Proposed Development. A 5km study area surrounding the Order Limits, informed by the ZTV, has been used for consideration of effects on designated heritage assets as demonstrated in the **ES Volume 3, Figure 9.3: Designated Heritage Assets within 5 km of the Order Limits overlain with ZTV [EN010158/APP/6.3.2]**. **ES Volume 2, Chapter 9: Cultural Heritage [EN010158/APP/6.2] [APP-052]** concludes that, with embedded and additional mitigation measures in place, there are no significant (in EIA terms) residual adverse cultural heritage effects identified within the Winslow Neighbourhood Plan area.
Calvert Green Neighbourhood Plan (2024 – 2034) Pre-Submission Version		
Policy CALV3: Green Infrastructure Network	A. The Neighbourhood Plan identifies a Green Infrastructure Network, as shown on the Policies Map, comprising sites of biodiversity value, woodlands, significant trees and hedgerows, footpaths, water courses and bodies, green spaces and amenity land. As a parish in a rural environment the Green Infrastructure	The Proposed Development would incorporate a number of green infrastructure proposals, as set out in the **Outline LEMP [EN010158/APP/7.6] [APP-142]** which would enhance the strategic green infrastructure network in the surrounding area. The green infrastructure proposed is illustrated in the **Appendix 1: Green and Blue Infrastructure Parameters** under the secured **Outline LEMP [EN010158/APP/7.6] [APP-142]** and includes but is not limited to: the sowing of grassland open fields; scrub and margins with wildflower; and the establishment of ecological ponds (either former ponds for recreation or new ponds).

Policy	Policy Text	Applicant Assessment
	Network and the amenities it consists of are particularly valued by the community. B. Development proposals that lie within or adjoining the Network are required to have full regard to creating, maintaining and improving the Network, including delivering a net gain to general biodiversity value, in the design of their layouts, landscaping schemes and public open space and play provisions. Elsewhere, all proposals should protect and maintain trees and hedgerows, and provide for the planting of new trees, hedgerows and bulb planting where it is compatible with the street scene.	The **Design Commitments [EN010158/APP/5.9.2] [AS-018]** secures embedded mitigation measures which include but are not limited to the planting of new hedgerows, native woodland belts and scrub planting within the buffers. These measures are further secured in the Proposed Development's design which proposes the planting of approximately 8.78ha of structural tree planting and approximately 4,336 linear meters of structural hedgerow planting (as secured in the **Outline LEMP [EN010158/APP/7.6] [APP-142]**) which is a substantial net gain, factoring the construction-phase need for small scale removal. **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** has been produced taking due consideration for the appropriate weighting to be attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment. With the sensitivity weighting established, **ES Volume 2, Chapter 7: Biodiversity [EN010158/APP/6.2] [APP-050]** undertakes an assessment which considers embedded and secured additional mitigation measures. Lastly, **ES Volume 4, Appendix 7.17: Biodiversity Net Gain Assessment [EN010158/APP/6.4] [APP-103]** calculates that the Proposed Development would deliver a net gain of 49.99% for habitats area units, a net gain of 21.16% for hedgerow units, and a net gain of 12.73% for watercourse units. Although not yet mandatory for Nationally Significant Infrastructure Projects (such as the Proposed Development), the Applicant is still committing to achieving this as a minimum level of BNG. A requirement of the **Draft DCO [EN010158/APP/3.1.2] [AS-010]** commits to delivering a net gain of 40% for habitats area units, a net gain of 17% for hedgerow units, and a net gain of 10% for watercourse units. The Applicant is seeking to secure a lesser BNG amount that Appendix 7.17 sets out, while still committing to more than the minimum of 10%, to allow for flexibility at the design stage.

Rosefield Solar Farm

Appendix 5 - Sequential and Exception Tests



Table of Contents

Table of Contents 1

1. Introduction 3

1.1. Purpose of this Report 3

2. Policy and Guidance 5

3. Relevant Considerations from Recent Solar Decisions 12

3.2. Cleve Hill (EN010085): Examining Authority Recommendation Report to the Secretary of State and Decision Letter 12

3.3. Heckington Fen Solar Park (EN010123) Examining Authority Recommendation Report to the Secretary of State 13

3.4. Cottam Solar Project (EN010133): Examining Authority Recommendation Report to the Secretary of State 14

3.5. West Burton Solar Project (EN010132): Examining Authority Recommendation Report to the Secretary of State 15

3.6. Old Malton Solar Farm (North Yorkshire Council Application Ref. '23/00046/MFULE' and Appeal Ref. APP/Y2736/W/24/3342002) 15

3.7. Land at Ham Road, Faversham, Kent ME13 7TX (Swale District Council, Appeal Reference: APP/V2255/W/24/3350524) 17

3.8. R (Mead and Redrow) v SoS LUHC [2024] EWHC 279 (Admin) 18

3.9. Summary 19

4. Site Selection Principles and Context 20

4.1. Introduction 20

4.2. Site Selection Considerations 20

4.3. Site Selection and Flood Risk Context 21

4.4. Reasonably Available and Alternative Sites 23

4.5. Context of Flood Risk at the Site-Level 24

4.6. Assessment 26

5. Site-level Principles and Design 34

5.2. Principles 34

5.3. Design 35

5.4. Summary 36

6. Applicant Summary of the Sequential Test 37

7. Exception Test Assessment 39

7.1. Introduction 39

7.2. Making the Proposed Development safe for its lifetime without increasing flood risk elsewhere 39

7.3. The Proposed Development's provision of wider sustainability benefits to the community 41

7.4. Exception Test Summary and Other Considerations 42
8. Conclusion 44
Annex 1: Proposed Development's spatial overlap with Flood Zone areas 45
Annex 2: Proposed Development's spatial overlap with Surface Water Flood Risk areas 46

1. Introduction

1.1. Purpose of this Report

1.1.1. This Sequential and Exception Tests assessment is appended to the Planning Statement and has been prepared on behalf of Rosefield Energyfarm Limited ('the Applicant') in relation to the Development Consent Order (DCO) Application for the construction, operation (including maintenance), and decommissioning of Rosefield Solar Farm (hereafter referred to as the 'Proposed Development').

1.1.2. The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) for the construction, operation (including maintenance), and decommissioning of solar photovoltaic ('PV') development and energy storage, together with associated infrastructure and an underground cable connection to the National Grid East Claydon Substation.

1.1.3. The Proposed Development would include a generating station with a total exporting capacity exceeding 50 megawatts ('MW').

1.1.4. This Appendix complements Section 9 of this **Planning Statement** and should be read in conjunction with **Appendix 1: Site Selection Report**.

1.1.5. The National Planning Practice Guidance (NPPG) was updated on 17 September 2025 in relation to the application of the Sequential Test for flood risk. Important changes relevant to the Order Limits include:

- Paragraph: 027a (Reference ID: 7-027a-20220825) has been updated to further emphasise that the Sequential Test should be applied proportionately, focusing on realistic alternatives in areas of lower flood risk that could meet the same development need. For infrastructure proposals of regional or national importance, the NPPG continues to recognise that this could be split across a number of alternative sites at lower risk of flooding, but has been updated to include clarification that this is only where those alternative sites would be capable of accommodating the development in a way which would still serve its intended market(s) as effectively.
- Paragraph: 027 (Reference ID: 7-027-20220825) has been updated in relation to the application of Paragraph 175 of the NPPF, which applies to the use of the Sequential Test for areas known to be at risk now or in the future from any form of flooding. The update confirms that in applying Paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk

mapping), without increasing flood risk elsewhere, then the Sequential Test need not be applied.

1.1.6. This endorses the approach already taken by the Applicant in applying the sequential test to the Order Limits as follows:

- The Sequential Test only needs to be applied in relation to those areas of fluvial flood risk (Flood Zones 2 and 3).
- A proportionate approach should be taken in applying the Sequential Test which should only focus on realistic alternatives that could meet the same development need and which would be capable of serving its intended markets as effectively. In this case, the intended market is the electricity consumer, with the route to market being through the National Grid East Claydon Substation. Alternatives which did not connect into this substation would not meet this same market need.

1.1.7. The Sequential Test carried out by the Applicant identified that there were no reasonably available sites at a lower risk of flooding, as all sites would need to include small areas of Flood Zones 2 and 3 in order to connect into the National Grid East Claydon Substation and therefore would not be sequentially preferable.

1.1.8. The remainder of this Appendix is structured as follows:

- **Section 2** establishes the Policy and Guidance which outlines how the Sequential and Exception Tests are to be applied;
- **Section 3** summarises a number of relevant considerations from recent solar NSIP recommendation reports and appealed Town and Country Planning applications, to help inform the decision-making process for this DCO Application;
- **Section 4** outlines the Site Selection Principles and explains the consideration of flood risk and its context within the Search Area;
- **Section 5** details the site level flood risk-related measures that are secured in the Proposed Development's design.
- **Section 6** summarises the Proposed Development's compliance with the Sequential Test;
- **Section 7** explains why elements of the Proposed Development can acceptably be located in Flood Zone areas through the passing of the Exception Test;
- **Section 8** concludes how both the Sequential and Exception Tests have been applied and passed.

2. Policy and Guidance

2.1.1. This Section provides an overview of the planning policy context for the Proposed Development in relation to flood risk and the application of the Sequential and Exception Tests.

2.1.2. The Overarching National Policy Statement for Energy (NPS EN-1) and National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) provides the primary flood risk planning policy context for deciding this DCO Application, although the majority of policy on flood risk specifically is in NPS EN-1. The National Planning Policy Framework (NPPF) also contains relevant policy through the cross-reference in NPS EN-1. The NPPG and the Vale of Aylesbury Local Plan (VALP) also contain relevant planning policy and guidance in relation to the application of the Sequential and Exception Tests.

Overarching National Policy Statement for Energy (NPS EN-1)

2.1.3. Section 5.8 of NPS EN-1 provides the planning policy in relation to flood risk.

2.1.4. Paragraph 5.8.1 recognises that flooding is a natural process which, as well as playing an important role in shaping the natural environment, can threaten life and cause substantial disruption and damage to property.

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

2.1.6. With the above in mind, Paragraph 5.8.6 recognises that the aim of planning policy with regard to development and flood risk is to ensure that flood risks from all flooding sources (i.e., pluvial and fluvial factoring climate change) is taken account of at all stages of the planning process in order to steer new development to areas with the lowest risk of flooding.

2.1.7. Paragraph 5.8.7 goes on to note that should new energy infrastructure be, exceptionally, *"necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere, and where possible, seeking to reduce flood risk overall*". *It should also be designed and constructed to remain operational in times of flood*."

2.1.8. Paragraph 5.8.9 explains that if, following the application of the Sequential Test (as outlined in the NPPG section below), it is not possible for a project to be located in areas of lower flood risk, the Exception Test (as also outlined in the NPPG) can be applied. The Exception Test provides an assessment framework which allows necessary development to go

ahead where suitable alternative sites at lower risk from flooding are not available to facilitate the development.

2.1.9. It is made clear, through Paragraph 5.8.10, that the application of the Exception Test is only appropriate where the Sequential Test alone cannot deliver an acceptable site.

2.1.10. Where the Exception Test is applied, Paragraph 5.8.11 confirms that two elements of the Exception Test must be satisfied in order for consent to be granted. These are:

- *"the project would provide wider sustainability benefits to the community that outweigh flood risk; and*
- *the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall."*

2.1.11. Further, Paragraph 5.8.12 makes clear that, as a result of development in flood zone areas, there should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the Site.

2.1.12. Under the Applicant Assessment section of NPS EN-1 Section 5.8, Paragraph 5.8.21 builds on Paragraph 5.8.6 and makes clear that the Sequential Test should first seek reasonably available sites at a low-risk of flooding before considering medium-risk areas and then, only where there are no available sites in low and medium-risk areas, consider high-risk areas.

2.1.13. Paragraph 5.8.23 states that all projects should apply the Sequential Test in locating development within the site.

2.1.14. It is also important to establish the parameters within which alternative sites can be considered 'reasonably available' in 'areas at lower risk' under the application of the Sequential Test. Paragraph 4.3.22 of NPS EN-1 outlines that, given the level and urgency of need for new energy infrastructure, the Secretary of State should be guided by two key principles when deciding what weight to apply to the consideration of alternatives. These are:

- That the consideration of alternatives, in compliance with policy, is carried out in a proportionate manner; and
- Only alternatives that can meet the objectives of the proposed development need to be considered.

2.1.15. Further, paragraph 4.3.23 of NPS EN-1 makes clear that, in considering alternative proposals, there needs to be a realistic prospect that the

alternative delivers the same capacity in the same timescale as that of the proposed development.

2.1.16. Paragraph 5.8.29 builds on Paragraph 5.8.23 by noting that, from the lens of flood risk mitigation, the sequential approach should be applied to the layout and design of the project with vulnerable aspects of a development being located in parts of a site at lower risk and residual risk of flooding.

2.1.17. Under Paragraph 5.8.36, a number of flood-related criteria must be met in order for the Secretary of State, in decision making, to grant consent. The important criteria for the Secretary of State to consider under this assessment are whether:

- *"the Sequential Test has been applied and satisfied as part of site selection"*;
- *"a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk"*; and
- *"in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere"*.

2.1.18. Paragraph 5.8.41 establishes that *"energy projects should not normally be consented within Flood Zone 3b".* However, Paragraph 5.8.41 makes exception to this in that where *"essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development would not result in a net loss of flood plain storage, and would not impede water flows"*.

2.1.19. Finally, at Paragraph 5.8.42, EN-1 provides that exceptionally, where an increase in flood risk cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that *"the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure"* as established through Part 3 of NPS EN-1.

National Policy Statement for Renewable Energy Infrastructure (NPS EN-3)

2.1.20. NPS EN-3 contains limited planning policy in relation to flood risk and generally points back to Section 5.8 of NPS EN-1.

2.1.21. Notwithstanding the above, Paragraph 2.10.60 recognises that applicants will consider several factors when considering the design and layout of sites which includes, among other considerations, flood risk.

2.1.22. It is also recognised, through Paragraph 2.10.84, that since Solar PV panels drain to existing ground, the impact of flooding impacts will not, in general, be significant.

National Policy Statement for Electricity Networks Infrastructure (NPS EN-5)

2.1.23. NPS EN-5, like NPS EN-3, contains limited planning policy in relation to flood risk and points back towards Section 4.10 of NPS EN-1.

2.1.24. However, Paragraph 2.3.2 is important to note as, in relation to electricity network infrastructure, applicants should set out the extent to which a proposed development is expected to be vulnerable to and, as appropriate, has been designed to be resilient to flooding; particularly for substations.

National Planning Policy Framework (NPPF)

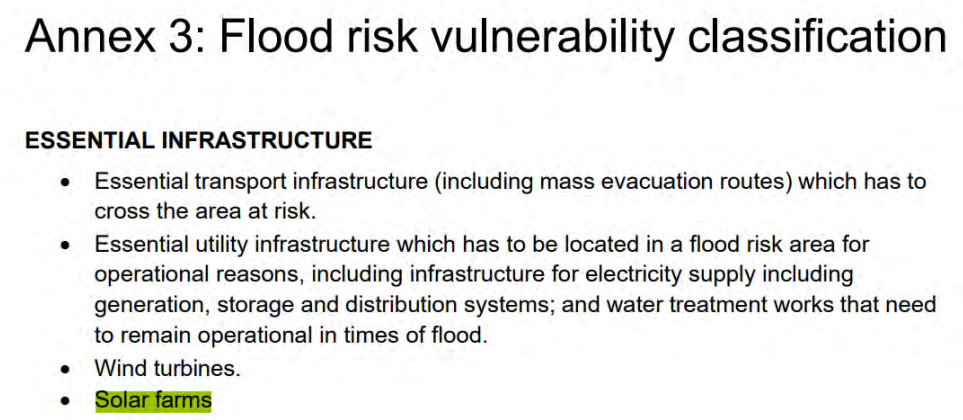
2.1.25. Similarly to Paragraph 5.8.7 of NPS EN-1, Paragraph 170 confirms that inappropriate development in areas at risk of flooding should be avoided. However, should development be necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere (i.e., demonstrate compliance with the Exception Test).

2.1.26. Paragraph 174 is reflective of Paragraph 5.8.6 of NPS EN-1 in that it outlines that the aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding from any source and that development is not to be permitted if there are reasonably available sites at lower risk of flooding.

2.1.27. Paragraph 177 shares the sentiment of Paragraph 5.8.9 of NPS EN-1 but importantly builds on it by noting that the need for the Exception Test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3 of the NPPF.

2.1.28. Annex 3 of the NPPF, to the extent that it is relevant to the Proposed Development, has been reproduced below. Annex 3 confirms that ‘solar farms’ are classified as ‘essential infrastructure’. It is noted, that to qualify as *“essential infrastructure*” (which is then subject to the Exception Test in order to be acceptable in areas of flood risk), other types of energy infrastructure are required to justify the location for operational reasons, whereas for solar and wind turbines, there is not the same requirement, reflecting that they will have less impact in area of flood risk than the type of infrastructure covered by the second bullet point. Whilst not directly relevant given the NPS tests are the primary policy, this is consistent with Paragraph 2.10.84 of EN-3 in recognising that solar has less impact on flood risk than other energy infrastructure covered by the NPSs.

Figure 1.1: Annex 3 of the NPPF



Annex 3: Flood risk vulnerability classification

ESSENTIAL INFRASTRUCTURE

- Essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk.
- Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including infrastructure for electricity supply including generation, storage and distribution systems; and water treatment works that need to remain operational in times of flood.
- Wind turbines.
- Solar farms

National Planning Practice Guidance: Flood risk and coastal change (NPPG)

2.1.29. As outlined in Paragraph 5.8.9 of NPS EN-1, the NPPG's Flood risk and coastal change guidance section captures how the Sequential and Exception Tests are to be applied.

2.1.30. Paragraph 023 outlines the purpose of applying the sequential approach which is that, in summary, areas at little or no risk of flooding from any source should be developed in preference to areas at higher risk. This sequential approach is considered the most effective way of addressing flood risk as it places the least reliance on flood measures. Applicants are advised to apply the sequential approach to locating development to make sure resources are not wasted in promoting developments that fail to meet the Sequential Test (Reference ID: 7-023-20220825) (Note, the PPG references the "sequential approach" as reported in this paragraph, however it is clear that this is referencing the Sequential Test in terms of location of the development).

2.1.31. Paragraph 024 (Reference ID: 7-024-20220825) reaffirms the position taken in Paragraph 5.8.21 of NPS EN-1 and builds on it by considering the presence of existing flood risk management infrastructure. This paragraph is not considered further as it is not relevant to the context of the Proposed Development.

2.1.32. In applying the Sequential Test, 'reasonably available' sites is defined at Paragraph 028 as being *"those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development"* (Reference ID: 7-028-20220825).

2.1.33. Paragraph 028 (Reference ID: 7-028-20220825) also makes clear that *"lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available'".*

2.1.34. Paragraph 031 (Reference ID: 7-031-20220825) reaffirms the wording in Paragraph 5.8.11 of NPS EN-1 and adds that the *"Exception Test is not a tool to justify development in flood risk areas when the Sequential Test has already shown that there are reasonably available, lower risk sites, appropriate for the proposed development"*.

2.1.35. Paragraph 036 outlines examples of wider sustainability benefits to evidence one of the two elements that need to be satisfied for the Exception Test to be passed. Benefits include, but are not limited to, the reuse of brownfield land and an overall reduction in flood risk to the wider community (Reference ID: 7-036-20220825).

2.1.36. Finally, Paragraph 079 provides a table titled 'Flood risk vulnerability and flood zone 'incompatibility'. This table has been reproduced below as **Figure 1.2**. The table confirms that 'essential infrastructure' such as 'solar farms' (as noted in Annex 3 to the NPPF) are suitable in Flood Zone 1 and 2 areas but that development proposed in Flood Zones 3a and 3b need to pass and evidence compliance with the Exception Test (Reference ID: 7-079-20220825).

Figure 1.2: Flood risk vulnerability and flood zone 'incompatibility'

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	X	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	X	X	X	✓ *

Key:

✓ Exception test is not required

X Development should not be permitted

2.1.37. Paragraph 079 goes on to confirm '†' means that, in Flood Zone 3a areas, essential infrastructure should be designed and constructed to remain operational and safe in times of flood. Meanwhile, '*' means that, in Flood Zone 3b areas, essential infrastructure that has passed the Exception Test should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

Vale of Aylesbury Local Plan (VALP) 2013 – 2033

2.1.38. Policy I4 (Flooding) seeks to minimise the impacts of and from all forms of flooding. This Policy, through Policy I4's subsections 'b)' and 'c)' provides policy tests which are in alignment with the NPSs, the NPPF and the NPPG.

3. Relevant Considerations from Recent Solar Decisions

3.1.1. This Section provides a summary of relevant considerations from recently consented solar NSIPs and successfully appealed Town and Country Planning applications (for development proposed to be located in higher-risk Flood Zone areas).

3.1.2. Key paragraphs from the relevant reports have been captured below with regard to their application of the Sequential Test and, where relevant, the Exception Test.

3.2. Cleve Hill (EN010085): Examining Authority Recommendation Report to the Secretary of State and Decision Letter

3.2.1. Paragraph 8.6.19 of the Recommendation Report establishes that the *"Proposed Development Site lies in Flood Zone 3a, and comprises land assessed as having a 1 in 100 (>1%) annual probability of river flooding or a 1 in 200 (0.5%) annual probability of sea flooding".* The Paragraph goes on to confirm that the site benefits from existing flood defences which protect the site from tidal flooding up to the 1 in 1,000-year event.

3.2.2. Paragraph 8.6.21 confirms that the Examining Authority was informed by the applicant that the design of the proposed development takes account of the possibility of a breach or wave-overtopping existing defences. Therefore, the design of the proposed development provisioned additional flood protection bunds for the critical infrastructure (being the substation and BESS).

3.2.3. Paragraph 8.6.22 outlines that, elsewhere, the *"solar arrays, cabling, inverters and transformers"* were designed to be resilient to a 1 in 1,000-year wave overtopping event. Modelling confirmed a freeboard between the flood depths and lowest edge of solar PV panels. Meanwhile, transformers were to be placed on platforms that would rise and fall with flood waters.

3.2.4. Importantly and with regard to the construction of Cleve Hill, the Cleve Hill Flood Risk Assessment concluded (according to Paragraph 8.6.24 of the Recommendation Report) that there was *"a negligible risk of flooding from fluvial, pluvial or groundwater sources, and it found no significant impacts on any floodplain from the Proposed Development*".

3.2.5. Paragraph 8.6.48 of the ExA's report confirms that the ExA considered: "*the Applicant's sequential and exception tests to be robust in the context of the stringent site selection criteria that it set for a development of this scale and nature*."

3.2.6. Paragraph 4.142 of the Secretary of State's Decision Letter confirms that *"as far as flood risk is concerned, the ExA concludes that the Applicant's Flood Risk Assessment is appropriate and meets the requirements of National Policy Statement EN-1. The ExA also concludes that the Applicant has designed the proposed Development so as to protect the equipment most at risk of flooding*".

3.2.7. The above position therefore meant that Cleve Hill was considered to have successfully passed both the Sequential and Exception Tests. It should be noted however that there was a relatively light touch approach to the sequential test, with four alternative sites considered within 5km of the point of connection, with only a small area in the 5km study area falling within flood zone 1 and this was discounted as not being suitable on the basis of having unacceptable impacts on European protected sites and on viability grounds.

3.3. Heckington Fen Solar Park (EN010123) Examining Authority Recommendation Report to the Secretary of State

3.3.1. Paragraph 3.9.9 of the Recommendation Report establishes that *"the Environment Agency flood map indicates that the majority of the Energy Park Site lies within Flood Zone (FZ) 3a (high probability) for fluvial flooding, and it benefits from flood defences offering a 1 in 10 year standard of protection. The Cable Corridor Site and Bicker Fen substation are also within FZ3a".*

3.3.2. Paragraph 3.9.3 sets out the policy expectations in terms of flood risk in the context of EN1 *"The SoS should be satisfied that the application is supported by an appropriate Flood Risk Assessment (FRA), that the sequential test has been properly applied and that sustainable drainage systems are fully considered together with their operation and maintenance for the lifetime of the development. In flood risk areas the project should be designed and constructed to remain safe and operational during its lifetime without increasing flood risk elsewhere"*.

3.3.3. The site selection was primarily based on having secured a grid offer from National Grid for a 400 MW export capacity at Bicker Fen substation, and a search area of 15km from the Bicker Fen substation was used which was considered by the applicant to be the maximum distance a development of this scale could economically accommodate (Paragraph 3.2.56). Paragraph 3.2.51 states that the Applicant details *"the identification and assessment of 13 alternative sites as part of a comparative 'back check and review' process which in turn aligns with the Environment Agency's guidance on the sequential test in relation to flood risk. The Applicant concludes in this respect that there are no reasonably available alternative sites appropriate for the Proposed Development which are located in areas with a lower risk of flooding"*.

3.3.4. Paragraph 5.2.50 concludes that *"The ExA is content that an appropriate Flood Risk Assessment (FRA), meeting the requirements of 2011 and 2024 NPS EN-1, has been carried out. The information within the FRA together with the Applicant's assessment of alternatives set out in ES Chapter 3 is sufficient for the ExA to conclude that the sequential test and exceptions test have been met"*.

3.4. Cottam Solar Project (EN010133): Examining Authority Recommendation Report to the Secretary of State

3.4.1. Paragraph 3.11.11 of the Recommendation Report recognised that *"the majority of the Order Limits for the proposed array sites are located in Flood Zone 1 (low risk). Within Cottam 1, there are areas of Flood Zones 2 (medium risk) and 3 (high risk), and some of the higher risk areas are associated with the River Till. Flood Zone 3 also encroaches on the north and eastern boundary of Cottam 2. Both Cottam 3a and 3b are located in Flood Zone 1. There are areas of high surface water flooding across Cottam 1 and some within Cottam 2, although few such areas within Cottam 3a and 3b"*.

3.4.2. Resultingly, the applicant was required to demonstrate compliance with the Sequential and Exception Tests.

3.4.3. Paragraph 3.11.14 of the Recommendation Report confirmed that the Flood Risk Assessment, Sequential and Exception Test document submitted by the applicant considered "*reasonably available sites within 20km of the Cottam Power Station on the basis this was a viable connection distance"*.

3.4.4. With this established, the applicant considered nine sites; of which one was considered equal from a flood-risk perspective to the Cottam Solar Project proposal. However, the equal site was located in proximity to High Marnham Power Station and was ultimately discounted because it was seen as being better suited for an energy generation scheme into the High Marnham Power Station. The Applicant notes that a large amount of the land identified in this alternative site PDA 9 is the now One Earth Solar Farm. The Site was considered through the sequential test, but discounted on the basis that a project here would more suitably connect to High Marnham, which One Earth is proposing. Paragraph 3.11.14 concludes that the applicant therefore considered that the proposed development would be in the most suitable location within the area of search.

3.4.5. Paragraph 3.11.31 of the Recommendation Report makes clear that the Examining Authority was *"content that the sequential and any related exception tests"* had been passed and that the applicant had *"adequately considered alternative sites"* and none were reasonably available.

3.5. West Burton Solar Project (EN010132): Examining Authority Recommendation Report to the Secretary of State

3.5.1. Paragraph 3.12.12 of the Recommendation Report establishes that *"Flood Zone 1 (low risk) comprises the majority of the Order Limit land. Parts of each of WB1, WB2 and WB3 fall within Zones 2 (medium risk) and Flood Zone 3 (high risk)"*.

3.5.2. Paragraph 3.12.13 of the Recommendation Report goes on to summarise the Sequential and Exception Tests contained within the applicant's flood risk assessment. It concludes that, within a 15km radius from the point of connection, the proposed site performed better than the four alternative potential development areas based on flood zone status, site selection criteria and proximity to the point of connection.

3.5.3. When assessed against the 2011 NPS EN-1 and the applicable NPPF, the wider sustainability benefits to the community tied to the project were considered to outweigh the flood risk (Paragraph 3.12.15 of the Recommendation Report). Further, the Paragraph confirmed that the proposed development had also *"been subject to a detailed iterative design process which"* had *"resulted in embedded mitigation measures considered to result in a negligible flood risk"*.

3.5.4. Ultimately, Paragraph 3.12.51 of the Recommendation Report confirmed that the Examining Authority was *"satisfied that the sequential and related exception test requirements"* had been met. The Paragraph goes on to confirm that the applicant had *"adequately considered alternative sites, none of which could be considered as reasonably available"*.

3.6. Old Malton Solar Farm (North Yorkshire Council Application Ref. '23/00046/MFULE' and Appeal Ref. APP/Y2736/W/24/3342002)

3.6.1. Old Malton Solar Farm proposal would produce up to 30.4MW and includes a BESS with a capacity of 12.63MW.

3.6.2. The proposal was refused by North Yorkshire Council on 17 October 2023 and successfully appealed by the applicant with the decision issued on 25 February 2025. North Yorkshire Council's first ground of refusal was that there was insufficient evidence to demonstrate that there were no reasonably available sites appropriate for the development proposed in areas at a lower risk of flooding and as such the sequential test was not considered to be met.

3.6.3. A main issue noted in the appeal decision letter was the acceptability of the proposed development's location with regard, in part, to being located in medium- and high-risk flood areas. In providing the context, Paragraph 7.9 of the appeal decision letter confirms that the *"appeal land lies within Flood Zones 2 and 3"*.

3.6.4. Paragraph 15 of the appeal decision letter confirms that, in the context of selecting a site, *"easy and readily available grid connectivity is an important consideration which holds significant weight"* and that, with regard to flood risk, the appeal's evidence demonstrated that there were *"no reasonably preferable alternative sites in areas not prone to flood risk".*

3.6.5. Paragraph 8.8 of the appellant's case outlines that "*as a matter of general principle when considering alternative sites there is plenty of support for the appellant's view that grid connection should be the key locational consideration"* whilst Paragraph 8.14 of the appellant's case goes on to confirm that, overall, *"the 'grid first' approach is consistent with other Inspector's decisions and Government policy. It is realistic – proximity to the PoC enhances the likelihood of deliverability".*

3.6.6. Paragraph 8.15 explains how, according to the appellant, the *"Inspector in the case before him presently does not need to reach a concluded view"* as to what is an appropriate search area from a point of connection. The Paragraph goes on to note the applicant's search within 2.5km was considered robust.

3.6.7. Within the local context of the applicant's 'grid first' approach, Paragraph 8.16 notes that the question in focus in front of the Inspector was whether *'there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.' The answer is 'no'"*.

3.6.8. Moreover, Paragraph 8.17 of the appellant's case recognises that other parties proposed alternative sites to the one being appealed which were much smaller than the appeal site and cannot therefore *"host the proposal"* and that *"a smaller development would be a different project and would not achieve the same benefits*". Therefore, the appellant concluded that the alternative was *"not a genuine alternative"*. Paragraph 8.18 goes on to note the other constraints (such as agricultural land classification, areas of high landscape value and the built environment) that the applicant had been cognisant of in the site selection process.

3.6.9. Paragraph 8.19 notes that *"all alternative sites which could have an easy grid connection as they are not required to cross or have long sections of cable along the A64 are of equal or greater flood risk"*.

3.6.10. Through the Inspector's conclusions, the Inspector outlines that they are *"aware that there is no set requirement for the extent or content of an ASA in local or national policy".* The Inspector puts this down to *"the sheer number of variables potentially impacting on any given area initial conceptual feasibility scoping exercise onwards"*.

3.6.11. The Inspector also concludes that *"readily available connectivity secured by the appellant amounts to a key locational factor"* as *"it would minimise*

environmental disruption compared to other longer theoretical cable routes".

3.6.12. Through Paragraph 14.51, the Inspector found that *"the appeal evidence demonstrates that there are no reasonably preferable alternative sites in areas not prone to flood risk. The appellant's site selection justifications are appropriate for responding to known flood risks, as well as avoiding and minimising BMV agricultural land loss as far is as reasonably practicable"*.

3.7. Land at Ham Road, Faversham, Kent ME13 7TX (Swale District Council, Appeal Reference: APP/V2255/W/24/3350524)

3.7.1. The site is located close to the coast and therefore tidal flooding, rather than river flooding, is the most relevant consideration (Paragraph 12). The decision states that *"it is also necessary to consider future scenarios. In this regard, it is common ground between the main parties and the Environment Agency (EA) that the most appropriate measure to use is the 1 in 200 yrs plus 'higher central' climate change allowance undefended flood event"* and using this approach, *"it results in a design tidal flood event depth of 5.83m AOD. In such an event, there would be flooding to the area where some of the proposed built form would be located to the north west corner of main part of site and also to the south east corner, to the access road, and to parts of the proposed areas of open space".*

3.7.2. Paragraph 17 confirms that *"Paragraph 175 [of the NPPF] confirms that, where proposed built development is within areas at risk of flooding, the sequential test should be used. This is to establish whether or not there are reasonably available alternative sites"*. However as confirmed in Paragraph 20 *"A sequential test has not been undertaken by the appellant. This is a clear conflict with the Framework"*.

3.7.3. The Applicant proposed various mitigation measures which could be secured by conditions, and the decision confirms this at Paragraph 22 *"it has been demonstrated that the entire appeal site could be made safe from flooding by the land changing measures, and by raising the access road, amongst other flood resistance and resilience measures at the detailed design stage, such as small flood barriers, raised services etc. It has also been confirmed that the land changing measures have already been accounted for in the visual envelope as used as the baseline for the assessment of landscape character, as considered below. This could be controlled by condition(s)".*

3.7.4. As such, the appeal was allowed by the Inspector who concluded at Paragraph 25 that *"Overall, therefore, there is no real world harm from either the failure to undertake a sequential test for tidal flooding or the failure to properly undertake a sequential approach. This is because it has*

been satisfactorily demonstrated that mitigation measures can make the proposed development safe for its lifetime from tidal flooding. There are also reasons other than flooding that result, although likely only in part, in the land levels changing mitigation measures. There would also be no real world surface water flood risk to the finished and occupied development proposal". (our emphasis)

3.7.5. Paragraph 10 summarises this position and confirms that, even though there is a policy conflict and the sequential test has not been met, this would not ultimately be sufficient to dismiss the appeal, *"Although the proposal has failed to perform the required sequential tests, there would be no real world effects after mitigation is taken into account. A 'strong' reason for refusal based on flooding must, to my mind, go beyond mere technical conflicts, even if they are important. There must be substantive risks and harms that go beyond policy. I do not, therefore, view this as a strong reason for refusing the development proposed"*.

3.8. R (Mead and Redrow) v SoS LUHC [2024] EWHC 279 (Admin)

3.8.1. The High Court decision of *R (Mead and Redrow) v SoS LUHC [2024] EWHC 279 (Admin)* provides guidance in relation to the application of the sequential test (in the context of Town and Country Planning Act 1990 applications for residential units and other facilities, and the application of the policy under the NPPF and the NPPG).

3.8.2. With respect to the approach to the scope of the examination of alternative sites, being *"reasonably available sites appropriate for the proposed development in areas with lower risk of flooding"*, there is a need for *"realism and flexibility"* and is a question of appropriateness left open as a matter for the judgment of the decision maker. The reason for this is that developments will vary as to whether they have particular or intrinsic requirements as to the site, form and scale of development, access and catchment (Paragraphs 97 - 99).

3.8.3. The issue of "need" is not wholly irrelevant, and may be relevant in terms of the catchment for the sequential test. At Paragraph 103 the judgement states that a need case could be based on a range of factors, such as location, size of the site needed, scale of the development and so on, but the decision maker may also assess whether flexibility has been appropriately considered in undertaking the sequential test. The specific need may be relevant to the appropriate search area and whether other sites in lower flood zones have characteristics making them "appropriate" alternatives (Paragraph 104). In contrast (Paragraph 105) a more general need for a type of land use across the area was not considered relevant when deciding whether other sites are sequentially preferable and reasonably available alternatives. That general shortfall or need does not help a decision maker to determine whether a particular site, with

particular characteristics, qualifies as an "appropriate" alternative to the site selected by the applicant for the proposed development.

3.8.4. At Paragraphs 109 - 110, the Court found, in relation to the NPPG which states that reasonably available sites may include *"a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development"*, that *"whether such an arrangement is so capable depends on the judgments to be made by the decision-maker on such matters as the type and size of development, location, ownership issues, timing and flexibility. Taking into account his assessment of any case advanced by the developer on need and/or market demand, the decisionmaker may consider smaller sites (or disaggregation) if appropriate for accommodating the proposed development"*. Further, it was noted that the NPPG refers to a *"series of smaller sites"*, and that *"The word "series" connotes a relationship between sites appropriate for accommodating the type of development which the decision-maker judges should form the basis for the sequential assessment. This addresses the concern that a proposal should not automatically fail the sequential test because of the availability of multiple, disconnected sites across a local authority's area. The issue is whether they have a relationship which makes them suitable in combination to accommodate any need or demand to which the decision-maker decides to attach weight"*.

3.9. Summary

3.9.1. As demonstrated above, recently consented solar projects have seen the consistent granting of consent in Flood Zone 2 and 3 areas where applicants have correctly applied the Sequential Test and, where relevant, Exception Test.

3.9.2. The above cases also demonstrate that there are no established criteria for how an applicant should apply the sequential test and that the consideration of alternative sites largely falls to professional judgement. In addition, even in the case where no sequential test was provided, the Inspector found that there was no 'real world harm' from not demonstrating compliance on the basis that the applicant had demonstrated that the development had been designed so as not to increase flood risk elsewhere and that it was safe for its lifetime.

4. Site Selection Principles and Context

4.1. Introduction

4.1.1. This Section, in particular, should be read in conjunction with the **Site Selection Report at Appendix 1** to this **Planning Statement**. The key aspects of the Site Selection Process relating to flood risk as well as the wider context of flood risk in the Applicant's search are summarised through this Section.

4.2. Site Selection Considerations

4.2.1. In accordance with the 'Factors influencing site selection and design' section in NPS EN-3 (Paragraphs 2.10.18 – 2.10.48): irradiance and site topography; network connection; proximity of a site to dwellings; agriculture land classification and land type; accessibility; public rights of ways and security and lighting together with the other environmental and spatial considerations identified in Paragraph 2.10.60 of NPS EN-3, such as flood risk, were all key determinants in searching for an appropriate location for the Order Limits.

4.2.2. Flood risk was a key consideration, but it was not the only consideration and, therefore, the Applicant's assessment of all environmental and spatial considerations needed to be balanced and holistic. The other environmental and spatial considerations the Applicant had regard to include: designated international and national ecological and geological sites; Nationally Designated Landscapes; agricultural land classification (ALC) and land type and heritage. In balancing planning and environmental factors however, the Applicant considered relevant policy, noting for instance that the Sequential Test contains a policy requirement to consider alternatives, whereas other environmental considerations, for instance heritage and landscape and visual do not.

4.2.3. As noted in the **Site Selection Report**, the starting point for the Order Limits was the identification of capacity at National Grid East Claydon Substation. From this, a grid connection offer was made to the Applicant by National Grid for capacity at the National Grid East Claydon Substation in Buckinghamshire.

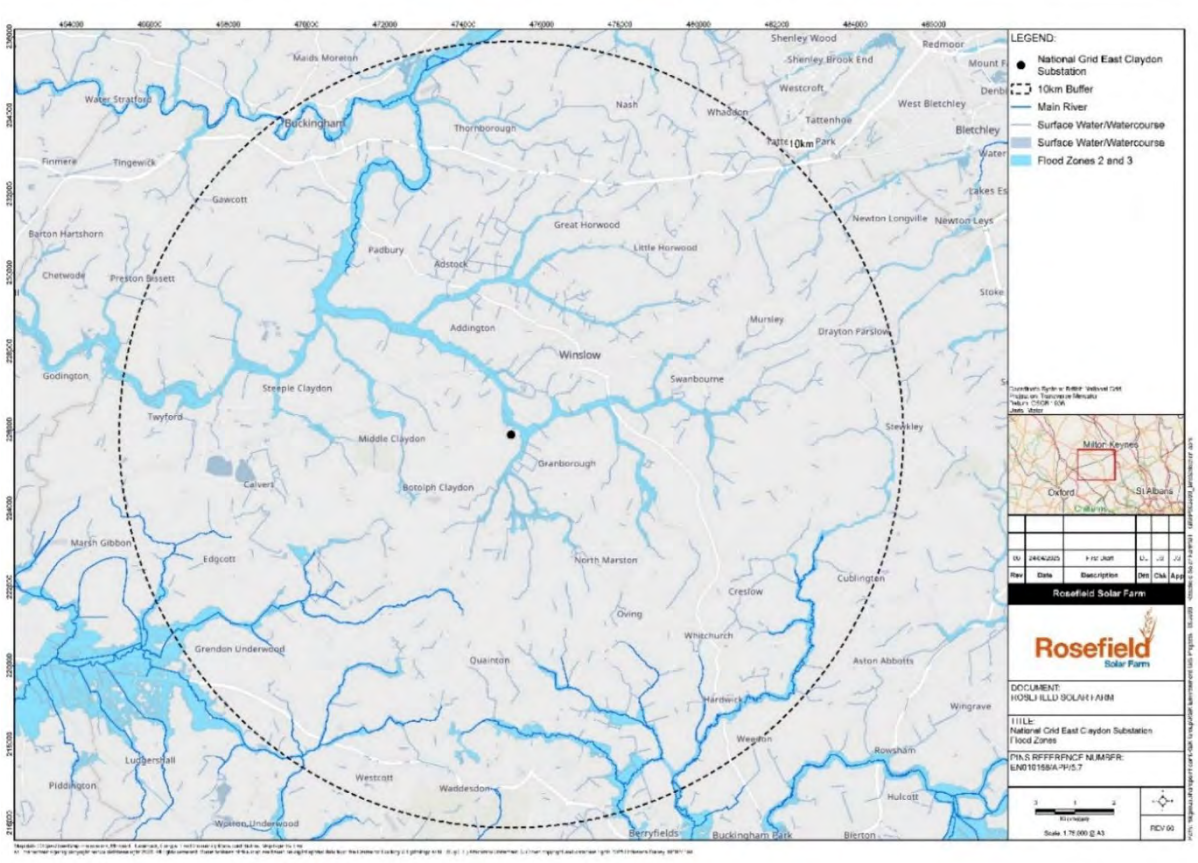
4.2.4. A 10km radius from the National Grid East Claydon Substation was then established as a viable search area (the 'Search Area'). The Search Area was limited to 10km due to the Applicant's experience of developing solar farms, the specific characteristics of the area, commercial viability considerations and market conditions at the time. Although 10km was set as the Search Area, shorter cable routes were preferred in order to minimise the risk of environmental impacts, disruption to multiple

landowners, challenges with crossings and process losses, and the cost and delay of a longer cable route.

4.3. Site Selection and Flood Risk Context

4.3.1. **Figure 1.3** outlines the flood risk context within the 10km Search Area. It confirms that both watercourses and Flood Zone 2 and 3 areas are distributed evenly across the entire Search Area and that there are no large and contiguous areas of solely Flood Zone 1 within which the Applicant could focus its search on. In addition, due to the location of the point of connection immediately adjacent to Flood Zones 2 and 3, it is inevitable that any scheme connecting into it would contain some elements in these flood zones.

Figure 1.3: Flood Zone context within 10km of National Grid East Claydon Substation

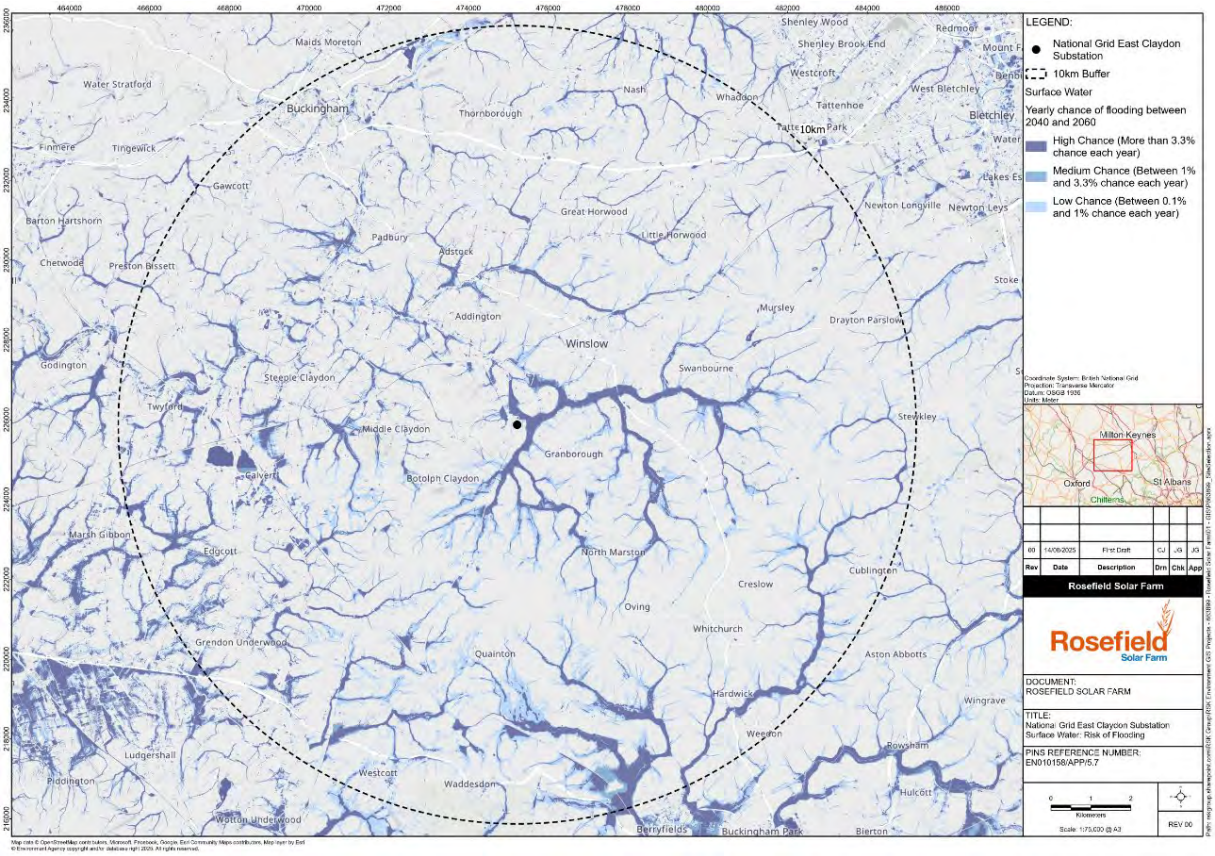


4.3.2. A review of the government's flood maps for planning confirmed that pluvial flood risk generally aligns with fluvial landforms and their associated risks. For this reason, the Flood Zone context evidenced in **Figure 1.3** was taken as the basis for consideration in the Site Selection Process. This approach was also taken as pluvial flood risk can be mitigated for and managed at the site-level.

4.3.3. Since selecting the site, the government's flood maps for planning have been updated to include surface water flood risk between 2040 to 2060, taking account of climate change. **Figure 1.4** outlines this data and provides the surface water flood risk context within the 10km Search Area. This shows, similarly to the fluvial flood map, that sources of surface water flooding are relatively evenly spread across the Search Area, although with greater concentrations to the west, south and south-west. The Order Limits avoids these greater concentrations of surface water flooding.

4.3.4. Therefore, in accordance with Paragraphs 5.8.6 and 5.8.36 of NPS EN-1, Paragraph 174 of the NPPF, Paragraph 023 of NPPG and Policy I4 of the VALP), the Applicant confirms that all sources of flooding were considered through the Site Selection Process.

Figure 1.4: Surface Water flood context within 10km of National Grid East Claydon Substation



4.3.5. The Applicant was focused on finding an appropriate amount of land to maximise both the connection capacity and the required mitigation and enhancement land, with a preference for land in close proximity to the National Grid East Claydon Substation.

4.3.6. As explained further in the **Site Selection Report**, the Applicant sought single, contiguous sites with as few landowners as possible.

4.3.7. With the above approach in mind, the Applicant remained cognisant of fluvial and pluvial flood risk considerations and the need to sequentially steer the development towards areas with the lowest risk of flooding, although this was balanced with other planning and environmental considerations.

4.3.8. The Applicant's approach eventually identified a single landowner, located directly adjacent to the National Grid East Claydon Substation land, who was agreeable in principle to leasing sufficient land for a solar development that optimised the grid connection.

4.4. Reasonably Available and Alternative Sites

4.4.1. Notwithstanding that the Applicant found a willing landowner on a site that met the site selection criteria, the Applicant also considered whether there would be any reasonable available sites at lower risk of flooding, due to parts of the selected site being located in Flood Zones 2 and 3. In applying the sequential test, the guidance in the NPPG was followed that to be 'reasonably available' the alternative site would also need to be suitable for the proposed development and with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development.

4.4.2. Given the characteristics of the Search Area as explained above, there were no sites which were at lower risk of flooding than the proposed development at a site selection stage, as all potentially alternative sites had small proportions of Flood Zones 2 and 3, largely as a result of the connection into National Grid East Claydon substation.

4.4.3. Notwithstanding this, from the Applicant's discussions with other landowners within the Search Area, there were no other willing landowners who wished to put forward their land for solar development. The Applicant also notes that there are a number of sites within the vicinity of the National Grid East Claydon Substation which were not available on the basis that the landowners were pursuing alternative proposals on their land. Whilst having a willing landowner was not the sole reason for discounting other areas of land within the Search Area, including land within a solar NSIP where there is a completely unwilling landowner has a number of issues which increases risk of delivering the project (and indeed any project) by the date of the grid connection agreement, thus delaying the delivery of critical national infrastructure (note that the Applicant did not have to own the land, or even have heads of terms agreed to consider it reasonably available, only that the landowner in principle wanted to put their land forward):

- issues with site access for early survey work, environmental assessments requiring site-access and site visits – this would require the Applicant to use powers to access the site without the owner's permission which adds to time and cost;
- risk of significant objection at consultation stages, with land being included and proposed for development without landowner agreement – despite the compulsory acquisition powers available it is still important to build consensus where possible which is very difficult in a local community if large areas of the proposed site do not have agreement from landowners, who often also live locally; and
- the Applicant would need to show that it had taken the necessary steps to acquire the land voluntarily first, which would also add to time and cost compared to a willing landowner.

4.4.4. On the basis that there were no reasonably available alternative sites identified solely within Flood Zone 1, or Flood Zones 1 and 2, then the Sequential Test is passed.

4.4.5. The Applicant then took a sequential approach to the location of development within the Site which is explained below.

4.5. Context of Flood Risk at the Site-Level

4.5.1. The fluvial and pluvial flood context across the Site is reflected in **ES Volume 3, Figure 16.2: Environment Agency Flood Zones**, **Figure 16.3: Environment Agency Risk of Surface Water Flooding [EN010158/APP/6.3]** which have been reproduced below as **Figure 1.5** and **Figure 1.6** respectively below.

Figure 1.5: Environment Agency (EA) Flood Zones across the Site

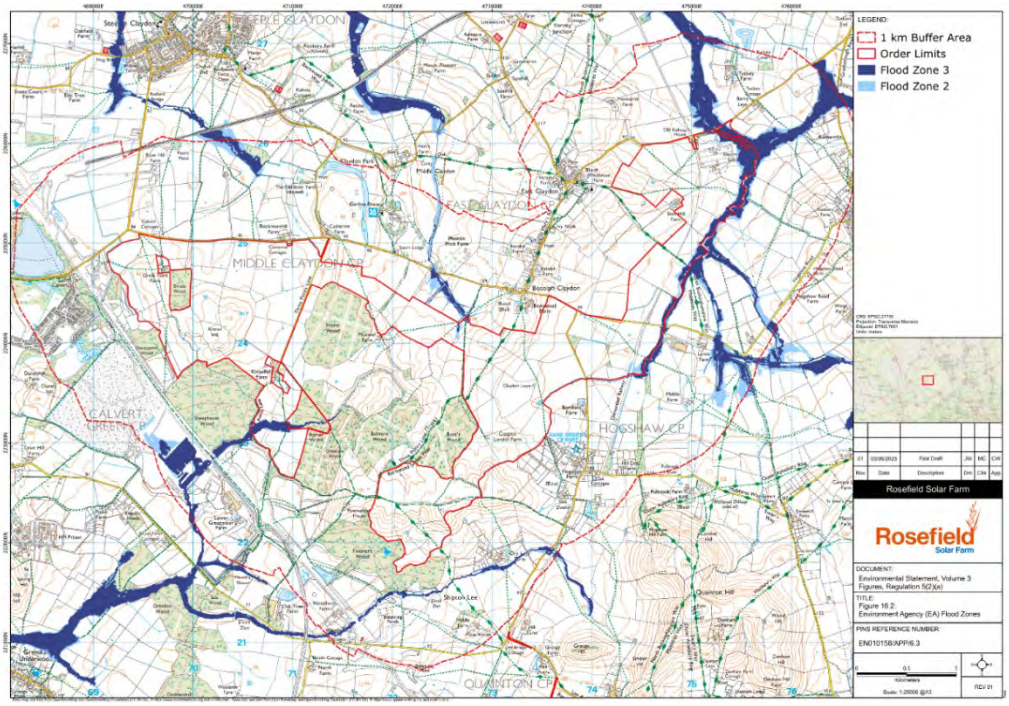
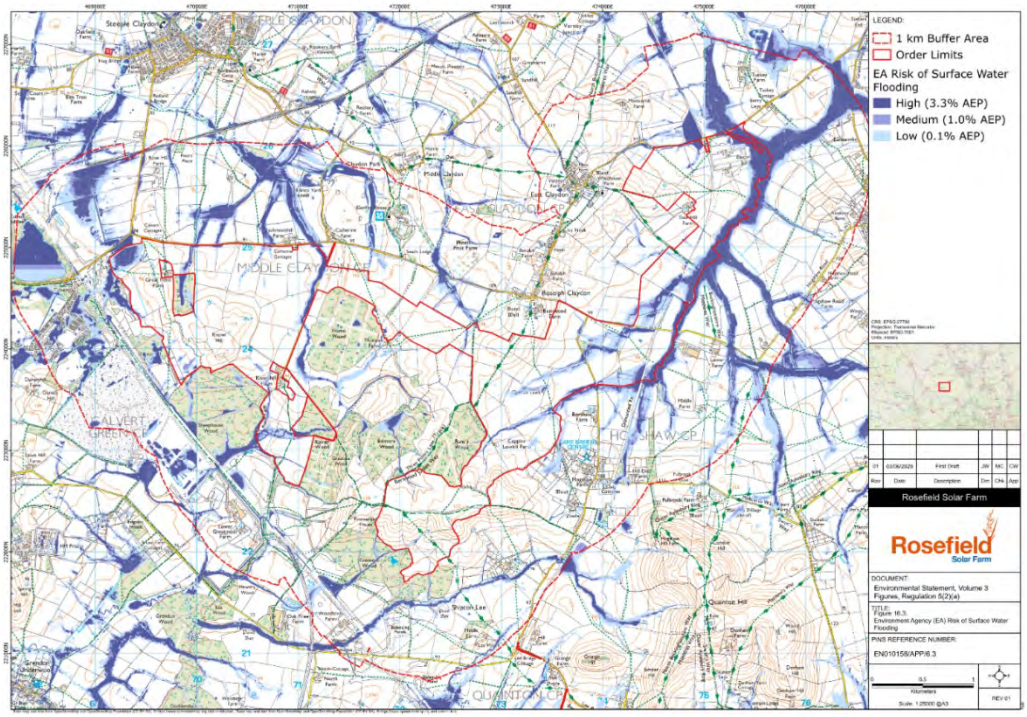


Figure 1.6: Environment Agency Risk of Surface Water Flooding across the Site



4.6. Assessment

4.6.1. The Applicant took a sequential approach to locating development within the Site to ensure both compliance with the Sequential Test and the Exception Test, in terms of being able to ensure that the Proposed Development did not increase flood risk elsewhere and remain safe and operational for its lifetime.

4.6.2. As evidenced in **Figure 1.5** and **Figure 1.6** above, the National Grid East Claydon Substation is adjacent to and surrounded by Flood Zones 2 and 3 to the north, east and south.

4.6.3. Furthermore, Botolph Claydon, which is in proximity to the west of the National Grid East Claydon Substation, gave rise to other non-flood risk factors which have influenced site selection; such as the proximity of the Proposed Development to dwellings (NPS EN-3 Paragraph 2.10.27).

4.6.4. In applying the Sequential Test to locating development within the Site, the Applicant considered whether areas within or immediately adjacent to the Order Limits would be suitable for solar, having regard to planning and environmental considerations, the need to apply the mitigation hierarchy (alongside other policy requirements in the Energy NPSs) and, where applicable, wider sustainable development objectives.

4.6.5. Table 1 (below) shows that there is no land that is both available and suitable for solar panels within the Order Limits (in addition to what is already utilised) or immediately adjacent to it, which is at lower risk of flooding. The Sequential Test requires land to be both available and suitable, and so therefore the Sequential Test is passed. There was no other land which was available to the Applicant to locate solar panels and associated infrastructure on.

4.6.6. Table 1 summarises the main reason(s) for discounting Solar PV development from areas of Flood Zone 1 based on the constraints of individual field parcels. It should be noted that the final design of the Proposed Development is based upon a broader understanding of the opportunities and constraints and includes consideration of potential cumulative impacts, stakeholder engagement, and consultation feedback, which are not necessarily captured by the table below. For example, where Solar PV development has been discounted to prevent overbearing impacts on certain communities or Public Rights of Way. This accords with the criteria for good design set out in NPS EN-1 and includes the use of project-level design principles (Project Principles) to guide decision making as described in the **Design Approach Document [EN010158/APP/5.8]**.

4.6.7. The Order Limits are generally located in areas at a low-risk of flooding. Therefore, the Applicant has been able to largely develop the Proposed

Development to steer away from medium- and high-risk flood areas. However, the Applicant has considered other planning and environmental constraints (including ecological, heritage, landscape and residential amenity considerations) in determining whether areas within the Site were suitable for solar. These are set out in **Table 1** below.

Table 1: Reasons for discounting Solar PV development

Field Number	Within the Order Limits?	Reason(s) for discounting for Solar PV development
Parcel 1		
B4	Yes	Sections of this Field were identified as being unsuitable for development or having high environmental impact risk (if developed) due to visibility from Calvert Cottages and proximity to Listed Buildings at Pond Farm. Areas of this Field were excluded from Solar PV development but kept in the Order Limits as areas of ecological mitigation and enhancement. Woodland belts included to the south of Calvert Cottages along the boundaries of Field B4 to help screen views from the residential properties at Calvert Cottages.
B5	Yes	This Field is no longer proposed for Solar PV development to reduce effects on visual amenity for residents of Calvert Cottages. Woodland belts included to the south of Calvert Cottages along the boundaries of Field B5 to help screen views from the residential properties at Calvert Cottages.
B6	Yes	Parts of this Field are no longer proposed for Solar PV development to provide larger setbacks from residential properties and Listed Buildings at Ponds Farm, to provide offsets from Shrubs Wood and include ecological mitigation and enhancement areas and to increase buffers to PRoW.
B7	Yes	The offsets between Solar PV development and the hedgerow corridors between Sheephouse Wood, Shrubs Wood and Decoypond Wood within the boundaries of Field B7 have increased from 10m to 15m either side of the hedgerows following discussions with Natural England. This will provide an enhanced biodiversity corridor to connect these woodland blocks.

B8	Yes	The offsets between Solar PV development and the hedgerow corridors between Sheephouse Wood, Shrubs Wood and Decoypond Wood within the boundaries of Field B8 have increased from 10m to 15m either side of the hedgerows following discussions with Natural England. This will provide an enhanced biodiversity corridor to connect these woodland blocks.
B9 (partial)	Yes	The offsets between Solar PV development and the hedgerow corridors between Sheephouse Wood, Shrubs Wood and Decoypond Wood within the boundaries of Field B9 have increased from 10m to 15m either side of the hedgerows following discussions with Natural England. The eastern half of Field B9 forms the backdrop to Knowl Hill and is elevated above the surrounding area. Potential for Solar PV development was removed from this part of the field to reduce potential significant impacts on the settings and significance, and views from Claydon Park Grade II Registered Park and Garden and Conservation Area and Claydon House Grade I listed building. Following further Site visits, modelling and engagement with National Trust and Historic England, the north east corner of Solar PV development within Field B9, which sits adjacent to Knowl Hill, is no longer proposed for Solar PV development. This will result in reduced views of the development from Claydon House and therefore reduce the level of effect to Claydon Park Grade II Registered Park and Garden and Conservation Area and Claydon House Grade I listed building.
B10	Yes	The offsets between Solar PV development and the hedgerow corridors between Sheephouse Wood, Shrubs Wood and Decoypond Wood within the boundaries of Fields B10 have increased from 10m to 15m either side of the hedgerows following discussions with Natural England. This will provide an enhanced biodiversity corridor to connect these woodland blocks.
B11	Yes	South east corner of Field B11 is no longer proposed for Solar PV development following Site visits, modelling and engagement with National Trust and Historic England. This will result in reduced views of the Proposed Development from Claydon House and reduce the level of effect to Claydon Park Grade II Registered Park and Garden and Conservation area and Claydon House Grade I listed building.

		The offsets between Solar PV development and the hedgerow corridors between Sheephouse Wood, Shrubs Wood and Decoypond Wood within the boundaries of Fields B11 have increased from 10m to 15m either side of the hedgerows following discussions with Natural England.
B13	Yes	Parts of this Field are no longer proposed for Solar PV development to provide larger setbacks from residential properties and the Listed Buildings at Pond Farm.
B17	Yes	This Field comprises Knowl Hill and is elevated above the surrounding area. Potential for Solar PV development was removed from this field to reduce potential significant impacts on the settings and significance, and views from Claydon Park Grade II Registered Park and Garden and Conservation Area and Claydon House Grade I listed building.
B22	Yes	The eastern part of Field B22 is no longer proposed for Solar PV development to provide an increased offset from the properties at Catherine Cottages to the north east.
B23 (North)	Yes	The northern edge and north western corner of Field B23 (North) are no longer proposed for Solar PV development to provide an increased offset from the properties at Catherine Cottages to the north west.
Parcel 1a		
C1	Yes	This Field is no longer proposed for Solar PV development to allow for additional areas of ecological mitigation and enhancements between Sheephouse Wood and Romer Wood.
C2	Yes	This Field is no longer proposed for Solar PV development to allow for additional areas of ecological mitigation and enhancements between Sheephouse Wood and Romer Wood.
C3	Yes	This Field is no longer proposed for Solar PV development to allow for additional areas of ecological mitigation and enhancements between Sheephouse Wood and Romer Wood.
Parcel 2		
D1	No	This Field is no longer proposed for Solar PV development and no longer forms part of the Order Limits to increase the distance between the Proposed Development and the setting

		of Botolph Claydon and the Botolph Claydon Conservation Area.
D2	No	Potential for Solar PV development was removed from the fields directly south of Botolph Claydon, including Field D2, due to the proximity to residential properties and the setting of Botolph Claydon and the Botolph Claydon Conservation Area. This Fields was removed from the Order Limits.
D3 (north)	No	This Field is no longer proposed for Solar PV development and no longer forms part of the Order Limits to increase the distance between the Proposed Development and the setting of Botolph Claydon and the Botolph Claydon Conservation Area.
D4	Yes	Parts of this Fields located to the east of the Bernwood Jubilee Way is no longer proposed for Solar PV development to reduce the impact on the landscape character and to retain views towards Quainton Hill and its landscape context from the Bernwood Jubilee Way.
D5	No	Potential for Solar PV development was removed from this Field (located directly south of Botolph Claydon) due to the proximity to residential properties and the setting of Botolph Claydon and the Botolph Claydon Conservation Area. This Fields was removed from the Order Limits.
D11	Yes	Part of this Field (located to the east of the Bernwood Jubilee Way) is no longer proposed for Solar PV development to reduce the impact on the landscape character and to retain views towards Quainton Hill and its landscape context from the Bernwood Jubilee Way.
D14	Yes	Part of this Field (located to the east of the Bernwood Jubilee Way) are no longer proposed for Solar PV development to reduce the impact on the landscape character and to retain views towards Quainton Hill and its landscape context from the Bernwood Jubilee Way.
D15	Yes	Part of this Field (located to the east of the Bernwood Jubilee Way) are no longer proposed for Solar PV development to reduce the impact on the landscape character and to retain views towards Quainton Hill and its landscape context from the Bernwood Jubilee Way.
D27	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape

		(AAL) (local landscape designation) and within the wider landscape.
D28	Yes	The offset between the Solar PV development and the hedgerow corridor between Runts Wood and Finemere Wood along the northern boundaries of Field D28, has increased from 20m to 30m following feedback from statutory consultees. This will provide an enhanced biodiversity corridor to connect these woodlands, in particular for bats.
D29	Yes	The offset between the Solar PV development and the hedgerow corridor between Runts Wood and Finemere Wood along the western boundaries of Field D29, has increased from 20m to 30m following feedback from statutory consultees. This will provide an enhanced biodiversity corridor to connect these woodlands, in particular for bats.
D30	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape (AAL) (local landscape designation) and within the wider landscape.
D32	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape (AAL) (local landscape designation) and within the wider landscape.
D33	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape (AAL) (local landscape designation) and within the wider landscape.
D34	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape (AAL) (local landscape designation) and within the wider landscape.
D35	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape (AAL) (local landscape designation) and within the wider landscape.

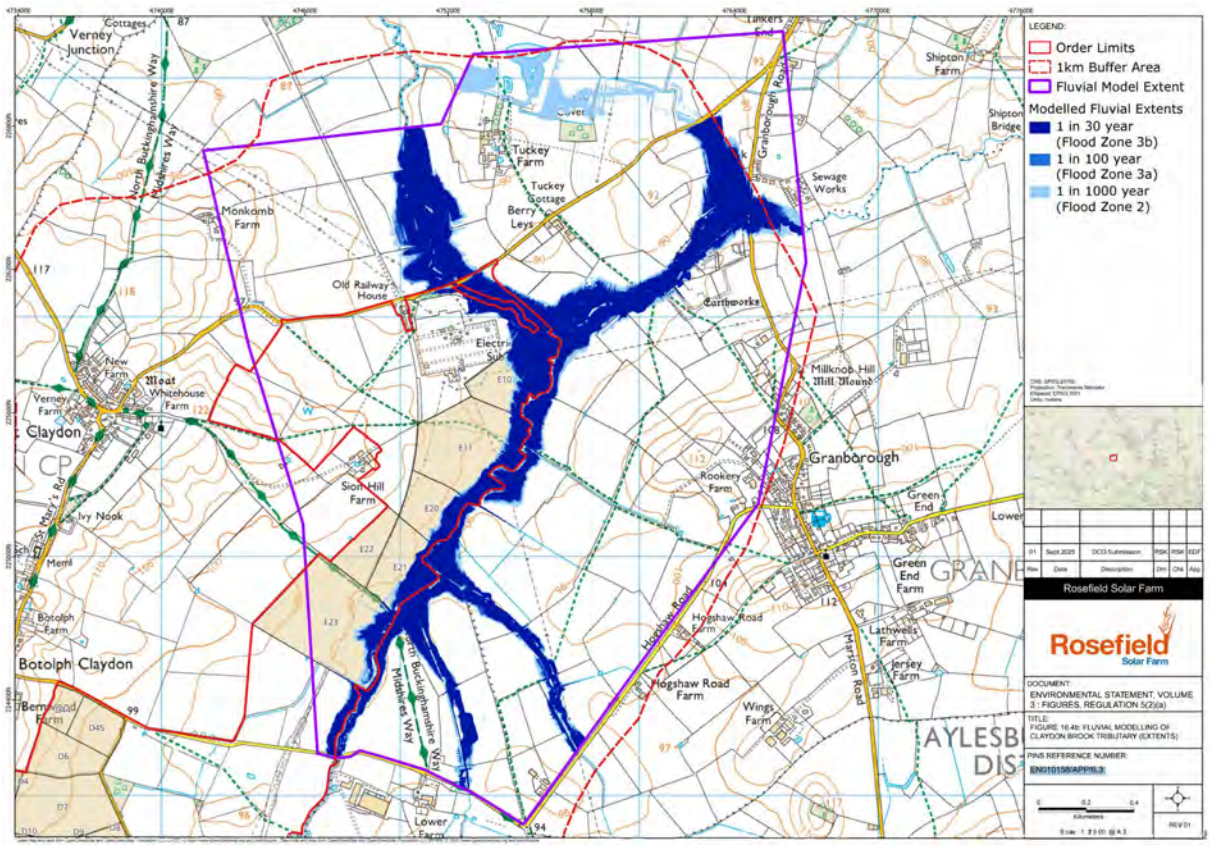
D36	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape (AAL) (local landscape designation) and within the wider landscape.
D37	Yes	This Field is no longer proposed for Solar PV development due to the topography, ecological considerations and to reduce visibility within the Area of Attractive Landscape (AAL) (local landscape designation) and within the wider landscape.
Parcel 3		
E10 (partial)	Yes	Under the final location of overhead lines (subject to any repositioning related to the National Grid East Claydon Substation) a standard buffer of 15m will be applied with this land being used for ecological enhancement.
E11 (partial)	Yes	Under the final location of overhead lines (subject to any repositioning related to the National Grid East Claydon Substation) a standard buffer of 15m will be applied with this land being used for ecological enhancement.
E20 (partial)	Yes	Under the final location of overhead lines (subject to any repositioning related to the National Grid East Claydon Substation) a standard buffer of 15m will be applied with this land being used for ecological enhancement.
E21 (partial)	Yes	Under the final location of overhead lines (subject to any repositioning related to the National Grid East Claydon Substation) a standard buffer of 15m will be applied with this land being used for ecological enhancement.
E22 (partial)	Yes	Under the final location of overhead lines (subject to any repositioning related to the National Grid East Claydon Substation) a standard buffer of 15m will be applied with this land being used for ecological enhancement.
E23 (partial)	Yes	Under the final location of overhead lines (subject to any repositioning related to the National Grid East Claydon Substation) a standard buffer of 15m will be applied with this land being used for ecological enhancement. An offset from the Midshires/North Buckinghamshire Way is no longer proposed for Solar PV development to reduce the impact on users of this route.

4.6.8. Section 4.7 of **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]** provides further details regarding how the design and layout of the Proposed Development has been developed as part of an iterative process (which has been informed by the ongoing environmental assessment process) and how the process has taken into consideration the design principles and controls, feedback and engagement with stakeholders and consultees.

4.6.9. As can be seen from **ES Volume 3, Figure 16.4: Fluvial Modelling of Claydon Brook Tributary [EN010158/APP/6.3]**, the areas of Flood Zone 2 and 3 included within the Order Limits are all located on the edges of fields which lead towards the National Grid East Claydon Substation. Whilst in theory, the edges of these fields could be excluded from the Proposed Development, this would reduce the MW capacity and would fail to make the best use of land to deliver renewable energy for which there is a critical national priority.

4.6.10. The Applicant has also applied the Sequential Test in the location of more sensitive electrical components, specifically the substation, BESS and collector compounds. This is set out in **Section 5**.

Figure 1.7: Figure 16.4: Fluvial Modelling of Claydon Brook Tributary (not to scale)



5. Site-level Principles and Design

5.1.1. Having established the Site's flood context via **Section 4** of this Appendix, this Section outlines the Site-level application of the Sequential Test in locating the development, in accordance with Paragraph 5.8.23 of NPS EN-1.

5.1.2. This Section, in particular, should be read in conjunction with the **Design Approach Document [EN010158/APP/5.8]** and **Design Commitments [EN010158/APP/5.9]**.

5.2. Principles

5.2.1. The key flood risk-related issues that have influenced the design of the Proposed Development are provided for in **ES Volume 2, Chapter 16: Water [EN010158/APP/6.2]**. In summary, the Chapter details that:

- The Rosefield Substation, BESS and Collector Compounds should be located outside of Flood Zone 2 and 3 areas; and
- The Rosefield Substation, BESS and Collector Compounds should be located outside areas of high and medium-risk of surface water flooding.

5.2.2. With the above in mind, the **Design Approach Document [EN010158/APP/5.8]** contains Strategic and Project Principles which have and will continue to inform the Site-level design. Strategic Principles are strategic level design principles, informed by guidance, which have been used to guide the early stages of design and establish Project Principles. Project Principles are project level design principles used to guide design-related decision making and deliver good design.

5.2.3. Strategic Principle 1 outlined in the **Design Approach Document [EN010158/APP/5.8]** seeks to build resilience in a changing climate. Under this Strategic Principle is Project Principle 1.1 (Design for resilience and adaptation to future climate change) which confirms that one of the major risks posed to new developments regarding climate change is flood risk. The Applicant has opted to site potentially vulnerable infrastructure (such as the Rosefield Substation and BESS) in locations within Parcels 2 and 3 where flood risk is considered to be 'very low', with the parameters for these components designed to ensure development is excluded from Flood Zones 2 and 3 areas as well as areas of medium- and high- risk of surface water flooding, whilst also factoring the impacts of current and future climate change.

5.2.4. Strategic Principle 8 outlined in the **Design Approach Document [EN010158/APP/5.8]** also seeks to manage water, improve quality and reduce pollution.

5.2.5. Under Strategic Principle 8 are two Project Principles.

5.2.6. Project Principle 8.1 outlines that the Proposed Development will seek to *"improve water quality, through taking land out of intensive agricultural use to prevent fertilisers and herbicides leaching into watercourses and improving habitats along the margins of watercourses to provide semi-natural buffers, and flood resilience through slowing the flow of water within the site and along Claydon Brook, where possible, through use of measures such as attenuation basins where appropriate"*.

5.2.7. Project Principle 8.2 secures that *"apart from Solar PV modules, no built structures (central inverters, substation and BESS) will be located within Flood Zones 2 or 3, or within areas of high or medium risk of surface water flooding. Solar PV modules will be above the maximum flood height level"*.

5.3. Design

5.3.1. The **Design Approach Document [EN010158/APP/5.8]** confirms that, through design, the potential extent of the Satellite Collector Compound within Field B23 was reduced to, in part, avoid areas at medium- and high-risk of surface water flooding.

5.3.2. The **Design Approach Document [EN010158/APP/5.8]** also confirms that the siting zone of the BESS within Field D8 and Field D9 has been refined to avoid the revised surface water flooding extents issued by the Environment Agency in January 2025. This involved discounting the area of medium- and high-risk surface water flooding adjacent to the south east of the fields from the proposed location of the BESS.

5.3.3. With regard for the Main Collector Compound in Parcel 3, the extent of this compound has also been revised through design to ensure the compound does not encroach into areas of medium or high pluvial and/or fluvial flood risk.

5.3.4. At the Site-level, apart from Solar PV development, the Applicant has developed the design of the sensitive electrical components of the Proposed Development to ensure that the Rosefield Substation, BESS, ITS, Independent Outdoor Equipment (transformer, switchgear and central inverters) and Collector Compounds will be located in Flood Zone 1.

5.3.5. The **Design Commitments [EN010158/APP/5.9]** secures under Design Commitment E1 that the *"Rosefield Substation, BESS, ITS, Independent Outdoor Equipment (transformer, switchgear and central inverters) and Collector Compounds will be located outside of Flood Zone 2 and 3"*. Spatially, this has been secured via each element's respective Work Number, as written in to the **Draft DCO [EN010158/APP/3.1]** and the **Works Plans [EN010158/APP/2.3]**.

5.4. Summary

5.4.1. With the above in mind, the Applicant confirms that only Solar PV modules and string inverters can be located within Flood Zone 2 and 3 areas. The acceptability and resilience of Solar PV modules in medium and high-risk flood areas is explained further under **Section 7** of this Appendix.

5.4.2. The Applicant considers that the Proposed Development's most vulnerable uses have been sequentially located, at a site-level (in accordance with Paragraphs 5.8.2, 5.8.29 and 5.8.36 of NPS EN-1 and Paragraph 2.3.2 of NPS EN-3), to areas of lowest flood risk and residual risk of flooding.

6. Applicant Summary of the Sequential Test

6.1.1. This Section summarises **Sections 4** and **5** of this Appendix which have considered the site selection principles and context and Site-level principles and design which have been applied to sequentially steer the Proposed Development towards areas with the lowest risk of flooding.

6.1.2. The Applicant applied the Sequential Test as part of its site selection exercise and did not identify any reasonably available sites within the Search Area that were at lower risk of flooding and suitable for the Proposed Development. This is primarily due to the location of the Point of Connection adjacent to the catchment of the Claydon Brook, meaning that all sites connecting into the National Grid East Claydon Substation would include small areas of Flood Zones 2 and 3. The first limb of the Sequential Test is therefore passed (in that there are no reasonably available, lower risk sites, appropriate for the proposed development) and so from a policy perspective it is not necessary to then consider whether, accounting for wider sustainable development objectives, application of the relevant policies would provide a clear reason for refusing development in any alternative locations identified.

6.1.3. As noted through **Section 5** of this Appendix, the Applicant has also applied the Sequential Approach at the Site-level.

6.1.4. Through the establishment of principles and iterative design, the Applicant is confident that the Strategic and Project Principles secured within the **Design Approach Document [EN010158/APP/5.8]** and the parameters secured within the **Design Commitments [EN010158/APP/5.9]**, **Draft DCO [EN010158/APP/3.1]** and the **Works Plans [EN010158/APP/2.3]** evidence that the Sequential Test has also been applied at the Site-level and is therefore passed.

6.1.5. It should be noted that the Applicant did not rule out locating small areas of solar in Flood Zone 2 and 3 areas at the edge of field margins since if these areas were not proposed for solar, they would have been too small to have been productively farmed and so the Proposed Development would not be making the best use of land for renewable energy. This approach is consistent with the urgent need identified through NPS EN-1 and NPS EN-3 and with Paragraph 124 of the NPPF (in terms of making the most effective use of land).

6.1.6. Therefore, the Proposed Development is proposing Solar PV modules in Flood Zone 2 and 3 areas which would be raised providing a sufficient freeboard above any potential flood waters; both fluvial and pluvial. In recognition that solar farms are classed as ‘essential infrastructure’, NPS EN-1, Paragraph 177 of the NPPF and Paragraph 079 of the NPPG requires the Exception Test to be applied and evidenced where

development is proposed in Flood Zones 3a and 3b. The approach taken by the Environment Agency on other solar NSIPs is that Solar PV modules can operate safely within Flood Zone areas where appropriate mitigation measures are employed and the Applicant is continuing to discuss and agree the approach for the Application Site and will be documenting this through the Statement of Common Ground.

7. Exception Test Assessment

7.1. Introduction

7.1.1. Having established that the Sequential Test has been passed, this Section details how, in accordance with Paragraphs 5.8.9 and 5.8.10 of NPS EN-1, the Exception Test is also passed on the basis that operational elements of the Proposed Development can acceptably be located in Flood Zone areas.

7.1.2. In order to successfully pass the Exception Test, the Proposed Development is required to (under Paragraph 5.8.11 of NPS EN-1) satisfy two criteria which are:

1) the project would provide wider sustainability benefits to the community that outweigh flood risk; and

2) the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall

7.1.3. This assessment of the Proposed Development's passing of the Exception Test is split in two below where the second criteria above has been addressed first.

7.2. Making the Proposed Development safe for its lifetime without increasing flood risk elsewhere

7.2.1. **ES Volume 3, Figure 3.1: Height Parameters [EN010158/APP/6.3]** illustrates the height parameters for the Solar PV modules across the Site, taking account of flood risk areas. The **Works Plans [EN010158/APP/2.3]** and **Draft DCO [EN010158/APP/3.1]** together with the **Design Commitments [EN010158/APP/5.9]** secure the maximum and minimum heights of Solar PV modules.

7.2.2. Only Solar PV modules would be located in Flood Zone 2 and 3 areas. There may also be string inverters mounted under Solar PV modules within Flood Zone 3 areas; however, these will be raised above the estimated flood depths.

7.2.3. In terms of ensuring that the Solar PV modules and string inverters will remain safe across the operational (including maintenance) phase of the Proposed Development, the **Design Commitments [EN010158/APP/5.9]** confirm that, in flood risk areas, the lowest part of the Solar PV modules and string inverters would be raised above the flood level up to 1.8m above ground level.

7.2.4. Due to the relatively small cross sectional area of the mounting structures fixed in the ground (to which the Solar PV modules and string inverters would be mounted to), it is deemed through **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** that there would be a negligible displacement of flood water and storage within functional flood plains (Flood Zone 3b). Therefore, the locating of Solar PV modules and string inverters in Flood Zone 2 and 3 areas would not materially increase flood risk elsewhere.

7.2.5. With regard for surface water risk, **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** outlines that:

- More vulnerable equipment will be placed in areas of reduced (low) surface water flood risk (secured by Design Commitment E1 in **Design Commitments [EN010158/APP/5.9]**);
- The greatest depth of surface water flooding throughout the Site during the 1 in 100 year event is 300mm. It is confirmed that all Solar PV modules would have a 500mm freeboard above this (secured by Work No. 1 of the **Draft DCO [EN010158/APP/3.1]** and Table 2 of the **Design Commitments [EN010158/APP/5.9]**); and
- The modelled 1.0% + 25% climate change flood depths have been mapped and show flood depths predominately within 150mm and 500mm. It is confirmed that all Solar PV modules would have a 300mm freeboard above this (secured by Work No. 1 of the **Draft DCO [EN010158/APP/3.1]** and Table 2 in **Design Commitments [EN010158/APP/5.9]**).

7.2.6. As recognised through Paragraph 2.10.84 of NPS EN-3, **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** confirms that, as a result of the Proposed Development, no overland flow paths will be disrupted meaning that there will be no increase in surface water flood risk elsewhere.

7.2.7. The **Outline Drainage Strategy [EN010158/APP/7.11]** has been provided with the DCO Application and serves to outline a drainage strategy to both accommodate surface water generated on Site and ensure that there is no overall increase in surface water flood risk beyond the Site.

7.2.8. In accordance with the **Outline Drainage Strategy [EN010158/APP/7.11]**, surface water will be attenuated on-site and discharged directly to an appropriate location and an agreed rate with the Lead Local Flood Authority/Internal Drainage Board. The **Outline Drainage Strategy [EN010158/APP/7.11]** forms the framework for a detailed drainage strategy to be approved by the local planning authority prior to construction.

7.2.9. Sustainable Drainage Systems will be utilised to control surface water flows and would be designed to store the volume of water associated with a 1 in 100 year rainfall event (including an allowance for climate change). In accordance with the Exception Test, this will provide a betterment over the existing scenario and will therefore reduce flood risk overall.

7.3. The Proposed Development's provision of wider sustainability benefits to the community

7.3.1. As identified in the **Statement of Need [EN010158/APP/5.6]** and consolidated within Section 3 of the **Planning Statement**, the Proposed Development would provide wider sustainability benefits to the community that outweigh flood risk. These benefits can be summarised as follows:

- The Proposed Development will, if consented, provide an essential contribution (in accordance with Paragraph 2.2.1 of NPS EN-1) to meeting the governmental objectives of delivering sustainable development to enable decarbonisation. By doing so, the Proposed Development will help to address the climate change emergency that *"affects the well-being of the environment, society and the economy, for both current and future generations"* (Paragraph 2.6.2 of NPS EN-1), by ensuring our energy supply is secure, low carbon and low-cost;
- **ES Volume 2, Chapter 8: Climate Change [EN010158/APP/6.2]** summarises that the Proposed Development, across its predicted lifecycle and taking into account greenhouse gas savings, results in a net total of 3 million tCO_2e saved over the lifespan of the Proposed Development (when compared to Combined Cycle Gas Turbine-generated electricity). This effect is reported as being a significant beneficial effect (in EIA terms) for a type of type of infrastructure that is defined as being of an urgent need and of CNP by the Government;
- Proposed permanent enhancements to connectivity within the local area through the rationalising and enhancement of the network of Public Rights of Way (PRoWs) (as explained in full in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**);
- The creation of three permissive paths as explained in full in **ES Volume 1, Chapter 3: Proposed Development Description [EN010158/APP/6.1]**;
- The provision of biodiversity benefits including: new habitat; the sowing of grassland open fields; scrub and margins with wildflower; the planting of hedgerows and tree belts; the establishment of ecological ponds and wider vegetated cover for foraging and dispersal, to maintain bat flight lines across the landscape, and the provision of winter seed sources for birds (as explained and secured in **Outline Landscape and Ecological Management Plan (Outline LEMP) [EN010158/APP/7.6]**);

- The provision of an **Outline Employment, Skills and Supply Chain Plan [EN010158/APP/7.14]** which, for example, set out a set of core objectives in order to promote access to employment, workforce development and business prosperity; and
- A significant commitment to deliver a minimum net gain of 40% for habitats area units, 17% for hedgerow units, and 10% for watercourse units as secured via Requirement 7 of the **Draft DCO [EN010158/APP/3.1]**.

7.4. Exception Test Summary and Other Considerations

7.4.1. Further to the acceptability case made above, energy infrastructure within flood risk areas should be, exceptionally, necessary. Paragraph 5.8.41 of NPS EN-1 makes this clear and confirms that *"energy projects should not normally be consented within Flood Zone 3b"* and that this presumption *"may also apply where land is subject to other sources of flooding (for example surface water)"*. The Paragraph goes on to make an exception which is that *"where essential energy infrastructure has to be located in such areas, for operational reasons"*, energy projects *"should only be consented if the development will not result in a net loss of floodplain storage, and will not impede water flows"*.

7.4.2. Through the design of the Proposed Development, the Applicant has sought to maximise the export potential (and, by virtue, the extent of installed Solar PV modules within the Order Limits) of the Proposed Development against its grid connection offer whilst being designed in such a way that takes account of all site-level environmental and spatial considerations.

7.4.3. In needing to retain installed capacity such as to not result in a significant operational constraint or reduction in function, the Applicant has demonstrated that the placement of Solar PV modules in Flood Zone areas is exceptionally necessary in order to maximise the grid connection offer, especially on the basis that Solar PV modules can be made operationally safe in Flood Zone areas.

7.4.4. Further, and in compliance with Paragraph 5.8.41 of NPS EN-1, **ES Volume 4, Appendix 16.1: Flood Risk Assessment [EN010158/APP/6.4]** confirms that there would be a negligible displacement of flood water and storage within functional flood plains (Flood Zone 3b). With regard for the impedance of water flows, the **Outline Drainage Strategy [EN010158/APP/7.11]** secures that Sustainable Drainage Systems will be utilised to control surface water flows and would be designed to store the volume of water associated with a 1 in 100 year rainfall event (including an allowance for climate change).

7.4.5. To the extent that operational elements of the Proposed Development can be acceptably located within medium- and high-risk Flood Zones and Surface Water areas, **Annex 1** and **2** to this Appendix spatially demonstrate the extent to which there is overlap between the operational elements and Flood Zone and Surface Water risk areas.

8. Conclusion

8.1.1. This Section concludes how both the Sequential and Exception Tests have been applied and passed in accordance with planning policy.

8.1.2. With regard for the Sequential Test, the Applicant confirms that a two-stage sequential approach to selecting the site and designing the selected site has been undertaken. This process concluded that firstly, there are no suitable and available sites with lower flood risk within a 10km Search Area of the point of connection, and secondly, of the operational elements of the Proposed Development, only Solar PV modules and string inverters are proposed to be located in Flood Zone 2 and 3 areas.

8.1.3. For the below reasons, it has not been possible to locate all operational elements of the Proposed Development at the site level within Flood Zone 1 areas as:

1. The immediate flood context surrounding the point of connection into the National Grid East Claydon Substation is heavily constrained; and

2. Other environmental considerations (most notably ecological, heritage, landscape and residential amenity considerations) have informed the evolution of the Proposed Development which meant that areas potentially available to the Applicant at lower flood risk were not suitable for solar PV panels.

8.1.4. Further explanation of the Proposed Development's design evolution at the site level is explained in full in **ES Volume 1, Chapter 4: Reasonable Alternatives Considered [EN010158/APP/6.1]**.

8.1.5. It is therefore concluded that the Sequential Test is passed.

8.1.6. In compliance with Paragraphs 5.8.7 and 5.8.41 of NPS EN-1, Paragraph 170 of the NPPF and Paragraph 079 of the NPPG, the Applicant has demonstrated, through the application of the Exception Test in **Section 7** of this Appendix, how the Proposed Development would remain operational and safe in times of flooding and that the project would provide wider sustainability benefits to the community that outweigh flood risk.

8.1.7. Finally, the Applicant concludes that both Sequential and Exception Tests have been passed and that, under Paragraph 5.8.36 of NPS EN-1, the Secretary of State should be satisfied that the flood-related planning policy criteria has been met.

Annex 1: Proposed Development's spatial overlap with Flood Zone areas

LEGEND: WORKS PLANS

- Order Limits
- Areas outside the Order Limits
- Work No. 1 Ground-mounted Solar PV Generating Station (Up to 3.5m)
- Work No. 1 Ground-mounted Solar PV Generating Station (Up to 4.5m. Accounting for Flood Areas)
- Work No. 2A Rosefield Substation Compound
- Work No. 2B Abnormal Indivisible Load Corridor
- Work No. 3A Satellite Collector Compounds
- Work No. 3B Satellite Collector Compound Transformer
- Work No. 4 Battery Energy Storage System (BESS)
- Work No. 5 Main Collector Compound
- Work No. 6 Grid Connection Cabling Corridor
- Work No. 7 Interconnecting Cabling Corridor (s)
- Work No. 8A Primary Temporary Construction and Decommissioning Compounds
- Work No. 8B Secondary Temporary Construction and Decommissioning Compounds
- Work No. 9 Highway Works
- Work No. 10A Green and Blue Infrastructure
- Work No. 10B Internal access to mitigation areas only

LEGEND: FLOOD ZONES

- Flood Zone 2
- Flood Zone 3B - 30Yr Fluvial Extent
- Flood Zone 3A - 100 Yr Fluvial Extent

REVISION	DATE	DESCRIPTION	DRAWN	CHECKED	APPROVED
01	SEP 2025	DCO SUBMISSION	LDA	LDA	EDF

Rosefield Solar Farm

DOCUMENT:

PLANNING STATEMENT
APPENDIX 5: SEQUENTIAL AND EXCEPTION TEST

REGULATION 5(2)(q)

DRAWING TITLE:

ANNEX 1
PROPOSED DEVELOPMENT'S SPATIAL OVERLAP WITH FLOOD ZONE AREAS

PIN REFERENCE NUMBER:	REVISION:
EN010158/APP/5.7	01

DATE:	DRAWN:	SCALE:
SEPTEMBER 2025	LDA	1:15,000 at A1

SCALE BAR: 0 — 1km

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Annex 2: Proposed Development's spatial overlap with Surface Water Flood Risk areas

LEGEND: WORKS PLANS

- Order Limits
- Areas outside the Order Limits
- Work No. 1 Ground-mounted Solar PV Generating Station (Up to 3.5m)
- Work No. 1 Ground-mounted Solar PV Generating Station (Up to 4.5m. Accounting for Flood Areas)
- Work No. 2A Rosefield Substation Compound
- Work No. 2B Abnormal Indivisible Load Corridor
- Work No. 3A Satellite Collector Compounds
- Work No. 3B Satellite Collector Compound Transformer
- Work No. 4 Battery Energy Storage System (BESS)
- Work No. 5 Main Collector Compound
- Work No. 6 Grid Connection Cabling Corridor
- Work No. 7 Interconnecting Cabling Corridor (s)
- Work No. 8A Primary Temporary Construction and Decommissioning Compounds
- Work No. 8B Secondary Temporary Construction and Decommissioning Compounds
- Work No. 9 Highway Works
- Work No. 10A Green and Blue Infrastructure
- Work No. 10B Internal access to mitigation areas only

LEGEND: SURFACE WATER

- EA 3.3% SW Risk
- EA 1.0% SW Risk
- EA 0.1% SW Risk

REVISION	DATE	DESCRIPTION	DRAWN	CHECKED	APPROVED
01	SEP 2025	DCO SUBMISSION	LDA	LDA	EDF

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DOCUMENT:

PLANNING STATEMENT
APPENDIX 5: SEQUENTIAL AND EXCEPTION TEST

REGULATION 5(2)(q)

DRAWING TITLE:

ANNEX 2
PROPOSED DEVELOPMENT'S SPATIAL OVERLAP WITH SURFACE WATER FLOOD RISK

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SCALE BAR:

0 1km

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