

Planning Act 2008

**Application by Rosefield Energy Farm Limited for an order
granting development consent for the Rosefield Solar Farm**

(EN010158)

CLOSING STATEMENT

on behalf of the

Claydons Solar Action Group (CSAG)

Claydons Solar Action Group

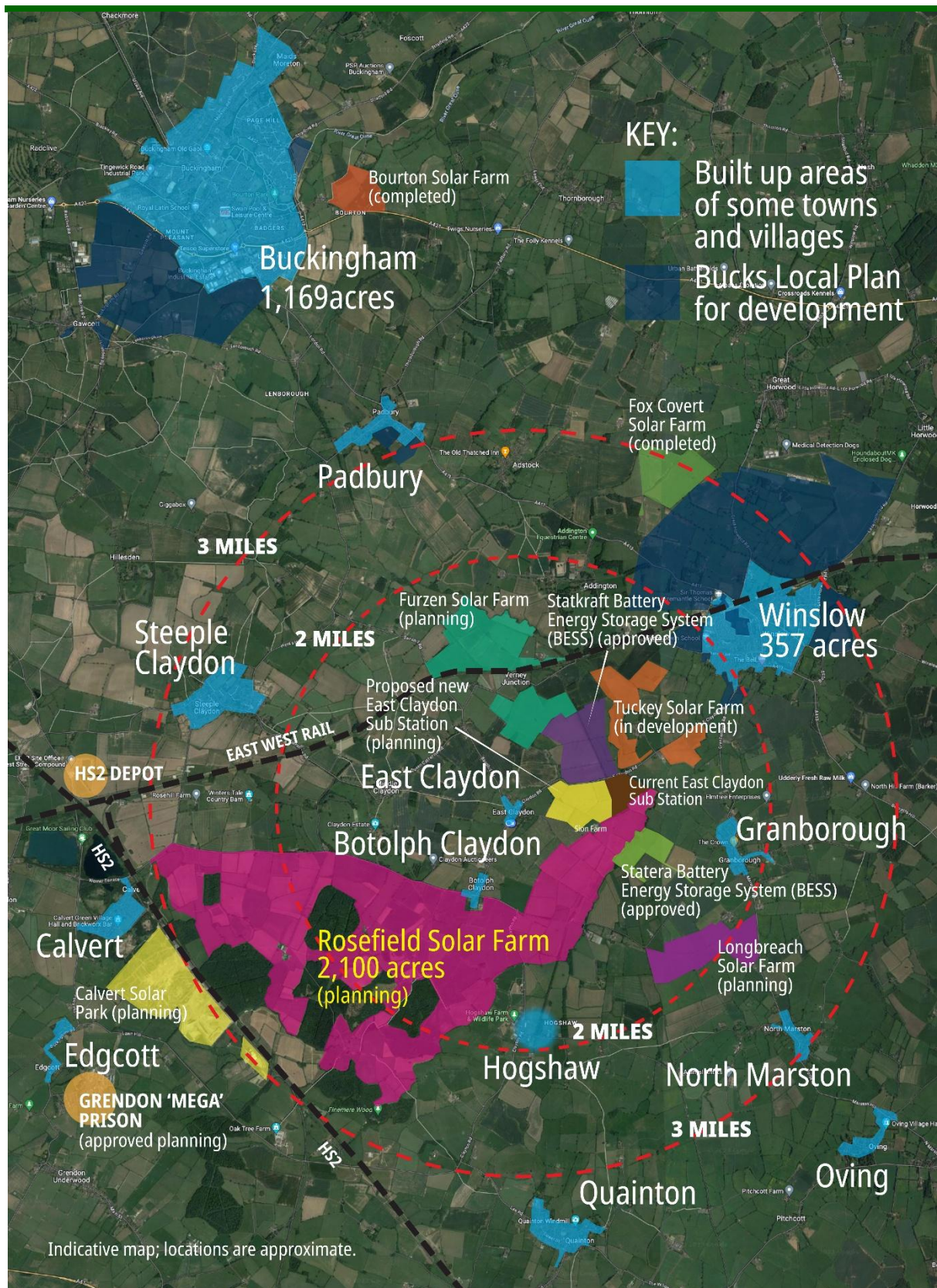


Fig 1) Map showing proposed and recently permitted development in Claydons area

CLAYDONS SOLAR ACTION GROUP

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INTRODUCTION

1. The Claydons Solar Action Group (CSAG) is an incorporated community organisation of residents from villages that would be affected by the Development Consent Order (DCO) proposals.
2. From the start of the Examination, CSAG has demonstrated that the proposed development would have a devastating impact on communities already embattled by large scale development proposed, underway and recently completed all around them.
3. The proposals would occupy an important oasis of open land remaining between these developed and developing areas (see Fig. 1 above), land highly valued for its biodiversity, heritage and recreational value, including public rights of way affording long distance views over the open countryside.
4. CSAG recognises that the Examination process provides opportunities for refinements to a proposal to mitigate and reduce impacts, but in this case the Applicant has made substantial amendments to the scheme in the closing moments of the Examination to address matters that should have been resolved prior to the submission of the Application.
5. Despite these changes, large areas of uncertainty remain, including around such central matters as the export capacity of the scheme, with the Applicant suggesting at deadline 5 that site capacity may be 500MW, not the 335MW capacity considered throughout the Examination. (REP5-089)
6. The Applicant finally acknowledged at deadline 5 that the intra-project cumulative impacts on the health and well-being of some residents would be minor to moderate

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adverse and potentially significant (REP5-065). CSAG considers this understates health and wellbeing impacts as explained in the response to Deadline 5 submissions.

7. These last-minute changes and the very large amount of information that has been left over to detailed design stage has left the local community less certain, rather than with any clearer idea, as to whether the worst impacts of the development may be reduced or mitigated. There is strong local feeling that the community has not been heard.
8. As CSAG has demonstrated throughout the Examination, the Applicant has understated almost every impact of the proposed development and demonstrated ignorance of the communities' genuine and justified concerns about the scale of the development and the wholesale change it would bring to the area.
9. The lack of community consultation is evinced by the Applicant's decision to carve productive fields at Knowhill Farm in half, citing landscape considerations, having failed to consult the Claridge family, which farms the land, to understand the inconvenience this would cause for agricultural land management.
10. Other late changes to the scheme include measures intended to reduce impacts on TCS Biosciences/Preston Farms and removal of panels from fields which Natural England had said from the start of the Examination (and undoubtedly before) should be left undeveloped to protect the highly vulnerable colonies of Bechstein's bats.
11. Biodiversity Net Gain proposals have been revised and land and buildings on Knowhill Farm have been removed from the Order Limits.
12. These changes serve to illustrate CSAG's case that the Applicant failed entirely to apply the Mitigation Hierarchy when determining the Order Limits and designing the scheme.

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Consideration of Alternatives

13. The Applicant's submissions to the Examination have confirmed that no alternative sites were considered when the Applicant decided on the Order Limits, meaning the Mitigation Hierarchy played no part in the site selection process. Site selection was limited to identification of a willing landowner close to the East Claydon substation.
14. The Applicant asserts that having reached agreement with the Claydon Estate, the Order Limits were selected via *"an iterative process that had regard to considerations such as environmental constraints, farmers and long-standing tenancies, residential amenity, engineering/technical considerations, agricultural land quality, etc"* (REP4-081 paragraph 3.10.3).
15. There is no evidence of this iterative process in the application documents and none emerged through the Examination.
16. The Applicant has not shown that any other part of the estate was assessed for its suitability for the proposed development and excluded based on any of the above considerations.
17. To the contrary, it is CSAG's view that the Order Limits constitute some of the least suitable land within the Claydon Estate landholding. The Estate offers opportunities to site development away from SSSIs, other sites important for biodiversity, outside the Bechstein's bats core sustenance zone, and on lower lying, less undulating land.
18. An alternative site within the Estate could have avoided the disruption to TCS/biosciences and other tenant farmers, including one who has already given up his multi-generational tenancy to make way for the development and the Claridge family,

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which must vacate land from which it has won awards reflecting its careful custodianship over generations. (Map at REP3-063 shows extent of Estate land).

19. The Applicant has failed to demonstrate that there were any equivalent constraints on the remainder of the Estate land or that there was no other more suitable land available.
20. As Fig. 2. below shows, the land within the Order Limits is subject to greater environmental constraints than any other area within the Applicant's chosen 10km site search radius.
21. CSAG recognizes that EN-1 paragraph 4.3.24 says 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."*
22. However, paragraph 4.3.25 continues *"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"*.
23. This paragraph indicates that the Secretary of State expects an Applicant to have identified and considered alternatives before determining the Order Limits of a DCO proposal.
24. Given the Applicant's failure to identify a single other site, or even any variation of the proposed Order Limits, CSAG sought explanation at least as to why land within the remainder of the Claydon Estates holding was excluded from consideration. The Applicant did not provide any such explanation.

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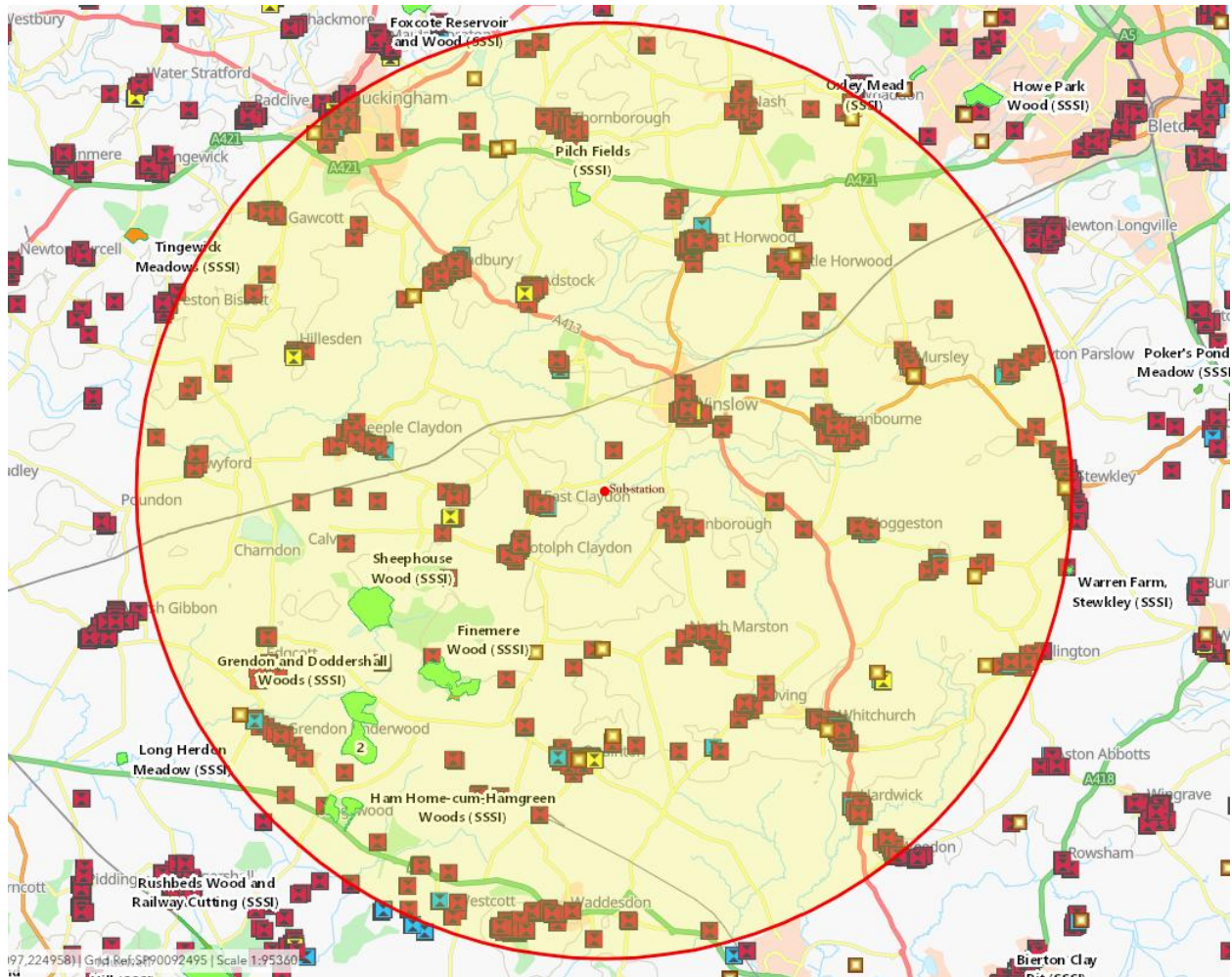


Fig. 1. Extract From DEFRA's Magic Map showing 10 km radius of East Claydon Sub-Station, showing protected sites, ancient woodland, listed buildings and scheduled monuments.

Application of the Mitigation Hierarchy

25. The Applicant has argued that the mitigation hierarchy was applied through “micro-siting” of the development (REP4-081). Such “micro-siting” constitutes mitigation at best, rather than avoidance or reduction. It does not reflect the requirements of the Mitigation Hierarchy that sensitive areas are avoided wherever possible.

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26. The Applicant has also repeatedly sought to double-count mitigation as enhancement. For example, field B17 is proposed to be left undeveloped to reduce adverse impacts on the setting of Claydon House and is then also claimed as mitigation for the impacts on the Bechstein's bat population, although Natural England points out that the field is too exposed to serve this purpose.
27. Had the mitigation hierarchy been correctly applied from the outset, the Applicant would have avoided or reduced development within the core sustenance zone of the Bechstein's bats and the cobbled-together mitigation would not have been necessary.
28. The fact that the Applicant relented at a very late stage in the Examination to Natural England's objections and agreed to remove panels from fields B6 and B8 and reduce the developed area of B7 is clear evidence that the avoidance stage was omitted. The Applicant had been in prolonged discussions with Natural England prior to submission of the application and would have been well aware of the Statutory Nature Conservation Body's objections.
29. Similarly, the fields owned or occupied by TCS Biosciences/Preston Farms could have been excluded from the Order Limits, when these firms raised their concerns during pre-application discussions. Rather than avoiding this land, it appears from the original ecology surveys conducted by the Applicant that the land was in fact included in the Order Limits after those initial discussions, having originally been excluded presumably, because of the impact the proposals would have on TCS/Preston Farms.
30. The National Policy Statements for energy are unequivocal as to the requirement to follow the Mitigation Hierarchy when preparing a Development Consent Order Application. Relevant policies include (our emphasis):

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Paragraph 4.2.11 of EN-1 (Jan. 24):

*“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.**”*

Paragraph 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.”*

Paragraph 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.**”*

EN-3 paragraph 2.1.8:

*“**Early application of the mitigation hierarchy is strongly encouraged, as is engagement with key stakeholders including SNCBs, both before and at the formal pre-application stage.**”*

Regulation 14 (1) (d) of **The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017** requires the Applicant to provide:

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“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;”

31. Other NPS policy disregarded by the Applicant includes EN3’s advice that topography plays an important role in irradiance. The Order Limits include relatively steep, sloping ground, generally higher than the surrounding area. This is demonstrated by Fig. 3.3 in the Applicant’s Design Approach Document (**APP-038**).

32. Little of the land proposed for solar arrays accords with the EN-3 recommendation for an *“exposed site of good elevation and favourable south-facing aspect”*.

33. The undulating topography creates further problems by making it difficult to screen infrastructure from higher viewpoints.

Network Connection/Capacity

34. Throughout the Examination, the proposals have been considered on the basis of a 335MW export capacity, the Applicant having advised that it had asked NESO to reduce the connection agreement from 500MW.

35. However, at Deadline 5, the Applicant suggested that site capacity may be 500MW if NESO does not agree to the requested capacity reduction. (The Applicant has not provided the reduction request and it is not shown on NESO’s public records).

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36. The Applicant confirmed that the solar PV element of the proposed scheme has a Gate 2 position for connection to the East Claydon East substation – expected between 2031 and 2035, although likely to be at least at the latter end of this range, because the redevelopment of the substation is delayed and there is as yet no planning application.
37. The Applicant does not have a connection agreement for the Battery Energy Storage System (BESS) component, which has been given a Gate 1 position.
38. The government and Ofgem have raised concern about the excess of BESS in the grid connection pipeline, which threatens to unbalance the energy system. This includes schemes which have been awarded Gate 2 grid status. (REP2-102) It is thus clear that, rather than seeking more consents for BESS, the government hopes that not all schemes that have consent will take up their connection agreements.
39. Despite this, and despite confirming that the proposals would be viable without the BESS (REP2-087), the Applicant is continuing to seek consent for the BESS. The Applicant confirmed that the granting of consent would enable it to reapply for a Gate 2 position for the BESS. (For example, in REP3-051)
40. If consent is not granted, the Applicant is unlikely to secure a Gate 2 position for the BESS, precisely because the National Grid needs to reduce the amount of BESS waiting for connection.
41. Consent for the BESS could add to the pressures on the National Grid, especially because two other large BESS schemes have already been given permission to connect to the East Claydon substation.

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42. The Applicant argues that the BESS should be consented as associated development to the solar scheme and, at Deadline 5, cited other DCOs that accepted BESS as associated development to solar.
43. As CSAG has illustrated in its response to the Deadline 5 submissions, the Rosefield proposal differs significantly from the other DCOs cited, firstly in having failed to secure a connection agreement for the BESS and secondly due to the availability of large amounts of permitted battery storage immediately adjacent to the Order Limits.
44. There are also several permitted solar schemes in the area around the East Claydon substation. Evidence from NESO shows that the Order Limits are in an area that is oversupplied for solar, meaning the proposals are not needed to meet the government's clean energy targets. See CSAG Written Representation (REP1-127)
45. The Application documents assert that the scheme will not include any overplanting. CSAG has shown (REP4-103) that the proposals are likely to entail significant overplanting by the time the scheme is implemented, given the progressive improvements in capacity of solar panels. The Applicant does not dispute this (REP5-089) and the evidence submitted at deadline 5 shows that the potential for overplanting would be even greater than CSAG had estimated. (See CSAG response to Deadline 5 submissions).
46. CSAG acknowledges that the NPS permit overplanting. However, EN-3 requires that overplanting is evidenced and justified. The Applicant has only grudgingly conceded that overplanting is likely, but has declined to provide sufficient information to enable the ExA to assess what level of overplanting is proposed and whether it is reasonable or justified.

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Whether Impacts are Residual

47. CSAG's starting position in the Examination was that the Applicant's failure to follow the Mitigation Hierarchy means that the impacts of the proposals cannot be said to be residual.
48. Adverse impacts could only be residual had the Applicant demonstrated before considering mitigation that they could not have been avoided, or failing that reduced.
49. The Applicant instead alighted on its chosen site without consideration of any alternative, assuming that the policy presumption in favour of renewable energy development would allow the ExA to disregard multiple threats arising from the scheme, including to a rare and endangered species of bat and to the operation of an important NHS supplier.
50. Consequently, in light of paragraph 5.4.43 of EN-1, the policy presumption does not extend to this proposal. The paragraph says:
- "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."*
51. For this reason alone, the ExA should recommend refusal of the DCO.

BIODIVERSITY

Bechstein's bats, the mitigation hierarchy and scheme design

52. CSAG is concerned that the Applicant's approach to the design of the solar scheme, and to avoidance and the mitigation hierarchy generally as part of that approach, has been non-precautionary. This has led to the necessity of it having to make late design changes to satisfy Natural England's concerns, but these still leave significant residual uncertainty as to the type, level and significance of impacts on the nationally important local population of Bechstein's bat and on other bat species generally.
53. The scientific knowledge around the impacts of solar farms on bats is incomplete and still developing, but the clear thrust of the comparable European and UK studies to date is that the introduction of solar farms into a landscape of known value for bat foraging (such as core sustenance zones) is likely to result in a reduction in available foraging area.
54. Critical aspects such as the distance from solar arrays that a displacement effect is manifested remain an unknown. The impact is likely to be compounded by loss of or changes to grazing – particularly cattle grazing, and the Applicant's clear reluctance to fully commit to delivering grazing as part of its mitigation and compensation proposals is significant.
55. Overall, CSAG submit that the Applicant's approach to scheme design appears to have been to seek to max out on generation capacity, and only then start deleting or moving panels away from sensitive areas based on the strength of pushback from the statutory authority.

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56. It has similarly taken an illogical approach to measuring the crucial buffers from key habitats and key bat commuting and foraging routes; an approach based not on common sense, evidence, or science, but on convenience and the bald statement 'it's been done like that elsewhere'.
57. CSAG submits that these are not the hallmarks of an appropriate, responsible or policy compliant approach. In this case, they have resulted in 11th hour design amendments that do not go far enough, and a scheme design that still poses an unacceptable risk of significant harm to a nationally important population of one of Britain's rarest bat species.
58. CSAG is concerned that if the Bernwood SSSI had been duly designated, in line with the duty to notify, then much better protection would have been afforded to the important local bat populations, the Applicant's approach would have been bound to have been different and more policy compliant and the scheme design would be more sensitive and materially different to what is before us today.

The Applicant's EIA

59. CSAG remains very concerned about the adequacy of certain aspects of the Applicant's EIA.
60. In particular, the approach taken to the assessment of displacement impacts on certain declining farmland birds, including lapwing, golden plover and skylark, has been an exercise in obfuscation.

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61. Because of their ecological requirements, these species are wholly displaced (in the case of lapwing and golden plover) or prevented from breeding (in the case of skylark) from fields with solar arrays.
62. It is striking how the applicant's EIA has sought to play these effects down – diluting them by aggregating such negative impacts together with potential 'winners' from the change of land-use (e.g. certain hedgerow and field edge birds), such that it can claim an overall neutral or positive outcome for 'birds' as a generic and collective receptor.
63. Latterly the Applicant has sought to suggest that compensation in the form of grassland designed and positioned primarily as compensation for loss of bat foraging, will equally serve to compensate for all losses of skylark breeding territories and the winter use of fields by lapwing and golden plover.
64. The grassland compensation proposed as part of the scheme may be able to perform multiple functions, but it cannot perform miracles, nor disregard base factors that render these fields sub-optimal or wholly unsuitable for open country bird species, such as proximity to woodland.
65. The Applicant fails to appreciate the significance of its statistic that while, according to its own data, there are some skylark territories in these fields already, they occur at very low density and in any event lower density than the fields from which displacement will occur.
66. The Applicant seeks to read that not as a sign that these fields are inherently less suitable and have constrained carrying capacity, but as scope for packing more skylarks into these fields to compensate for the territories lost to solar arrays.

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67. The Applicant's compensation is thus wholly inadequate for lapwing and golden plover, and quantitatively insufficient for skylark. The consequence is that net negative impacts on these species, at up to the county level of importance, will arise, and it is a concerning failure of the Applicant's EIA that it does not deal with this openly, and head on.

Biodiversity Net Gain

68. The Applicant has confidently made, as a potential DCO requirement, a commitment to the achievement of a minimum of 40% net gain in area-based habitat units.

69. Scrutiny of its BNG assessment calls the ability of the scheme to achieve that threshold of net gain into serious question. Even without the benefit of full site access, CSAG, along with Buckinghamshire Council, has repeatedly flagged baseline habitat mapping and classification errors, and omissions and methodological irregularities.

70. The Applicant has accepted only some of these, each incremental correction of which has seen the Applicant's net gain figure drop. In response, the Applicant has fought a rearguard action to protect that figure.

71. It now says Lowland Meadow habitat can be created, departing from its own stated precautions around not setting future grassland quality objectives too high in due recognition of the site's long history of arable cultivation and the negative influence of factors such as high soil fertility.

72. This about face conveniently raises the BNG score back upwards, backfilling much of the deficit caused by the (incomplete) correction of its own errors. Perhaps this is no

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more than an honest raising of ambition, and not ‘gaming the Metric’, but in any event the Applicant’s vacillating position and obduracy around this issue are matters to be noted when considering the veracity of its other claims, and the reliability of the EIA conclusions generally.

LANDSCAPE AND VISUAL

73. CSAG’s current position on landscape matters remains as set out in Section 6 of *CSAG Landscape Notes for Deadline 5* (July 2026), which is Appendix 2 of [REP5-109] *CSAG Note of submissions at issue specific hearing 3 (ISH3) and comments on the Applicant’s responses to Second Written Questions* (Appendix 2 is on page 135 of the PDF).

74. The above notes summarise the main matters on which there was agreement at that time, and those which remain in dispute. Many of these matters are also captured in the current SoCG between CSAG and the Applicant.

75. The most important of the **agreed** matters is, in Ms Tinkler’s opinion, that the Scheme would result in **significant adverse** direct and indirect effects, including cumulative effects, on landscape character, public and private visual amenity, and recreational amenity for the duration of the operation.

76. Below is a summary of the most relevant matters previously raised during the Examination which have not yet been resolved to CSAG’s satisfaction:

LVIA method and approach

77. In Ms Tinkler’s opinion, the LVIA occasionally departs from and / or misinterprets the relevant guidance, and adopts an ‘alternative’ approach.

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78. Ideally, the LVIA should have been revised, to correct the errors / flawed assumptions which have led to underestimations of levels of adverse landscape and visual effects. This is important because in some cases the higher level of effect would be categorised as ‘significant’, but has not been reported as such.
79. Examples of departures and misinterpretations include excluding ‘hard’ / man-made elements from the assessment of effects on / arising from landscape ‘fabric’ (see below), and the use of
- a) three-point scales, which results in some landscape receptors being categorised as Low sensitivity which is evidently not the case, and
 - b) four-point scales where Moderate is not in the middle, which has implications for judgement about levels of effects and the significance threshold (see (see paras. 5.3 – 5.10 in Section 3 of CSAG’s *Landscape Notes for Deadline 5* (Appendix 2 of [REP5-109])).
80. This is important because whilst there is **agreement** that overall, effects would be significant adverse, the higher levels of effect result in *more* effects being categorised as significant than currently reported / assumed.

East Claydon settlement in LVIA

81. At ISH3, Ms Tinkler mentioned that the settlement of East Claydon was not included as a receptor in the LVIA, which is surprising given the numerous high sensitivity landscape and visual receptors in and around the settlement, including the Grade II* Church of St Mary (see Section 3 of CSAG’s *Landscape Notes for Deadline 5* (Appendix 2 of [REP5-109])).
82. The Applicant does not appear to have addressed this concern in its Deadline 5 submissions.

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Landscape ‘fabric’: definition and double counting

83. The Applicant’s LVIA departs from GLVIA3 by not including the ‘hard’ / man-made Scheme elements in its definition and assessment of landscape ‘fabric’, only ‘soft’ / natural elements such as trees and hedges.
84. In theory, the question is whether the beneficial effects which the LVIA predicts would arise from the proposed ‘soft’ / natural ‘fabric’ would outweigh the Adverse effects arising from the proposed ‘hard’ / man-made ‘fabric’.
85. In Ms Tinkler’s opinion, they would not. That is because not only would the hard Scheme elements result in high levels of Adverse effects, but – as the Applicant acknowledges – the soft elements would also result in certain adverse effects (mainly due to the disruption of field patterns, and loss of openness / view). The effect of the proposed ‘fabric’ would not be beneficial and ‘significant’, as predicted in the LVIA, but adverse and ‘significant’.
86. In reality, however, the proposed ‘soft’ / natural ‘fabric’ **cannot** be a beneficial effect because – as the Applicant confirms – it is exclusively required for landscape mitigation, not landscape / visual enhancement, and therefore cannot be double-counted as landscape / visual enhancement (see GLVIA3 para. 3.39).
87. Although the Applicant has confirmed **agreement** that landscape / visual mitigation cannot be double counted as landscape and visual enhancement, as yet there is no satisfactory explanation of how the proposed ‘soft’ / natural ‘fabric’ landscape ‘fabric’, all of which is required for mitigation, can then be said to deliver a “Moderate Beneficial (significant)” effect without double-counting occurring.

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88. At best, the effect would be Neutral, but the most likely reasonable worst-case scenario is high levels of adverse landscape / visual effects arising from the proposed mitigating measures.

Photomontages / visualisations

89. The Applicant does not consider that it is necessary to provide photomontages / visualisations of views from PROWs crossing sites. In CSAG's opinion, Type 3 or 4 visualisations would have helped to clarify the nature and levels of effects of this proposal.

MATTERS LEFT OVER TO DETAILED DESIGN STAGE

90. Throughout the Examination, CSAG raised concerns about the volume and scope of information the Applicant has sought to leave over to the detailed design stage and outside the Examination and EIA procedures.

91. Without the ability to scrutinise or comment on mitigation measures, residents fear that impacts will not be mitigated or reduced in the way the Applicant has claimed they would.

92. In fact, the Applicant has declined to provide any realistic assessment of many impacts on the grounds that infrastructure has yet to be selected and the scheme design may alter, albeit within some very broad parameters.

93. Where mitigation is proposed within the various environmental management plans, it is hedged about with phrases such as "where possible" and "where feasible", which give the Applicant leeway to modify or omit mitigation proposals it finds inconvenient.

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94. The following is a non-exhaustive list of matters that have been left over to the detailed design stage:

- Construction noise. CEMP will exercise controls over noisy activity such as piling, but it will be for the Applicant/Operator to decide what is a noisy activity, what constitutes a sensitive receptor and the acceptable distance from the noisy activity.
- Mitigation measures for noisy activity and their efficacy will be decided at DDD. The Applicant advises *“Noise reduction from these measures should be expected to be in the range of 10-15 dB”* but this is not a commitment.
- The Applicant has provided no information about the type and design of acoustic barriers, preventing assessment either of their efficacy or of potential visual impacts.
- The Outline CTMP now says *“Adequate parking spaces will be provided for the maximum number of personnel at each Primary Construction Compound applying a ratio of 1.5 workers per vehicle. Car parking will also be provided at the Secondary Construction Compounds with up to 10 parking spaces.”*

This is inconsistent with the Applicant’s traffic management proposals to transport workers to site by minibus.

- CSAG asked why quieter drilling methods, such as rotary bored piling, could not be used across the site. The Applicant at REP5-089 set out the different piling methods but made no commitment to use the quieter methods.
- Width / footprint of cable corridors has not been confirmed.
- Grazing. The Applicant has declined to commit to livestock grazing, despite Natural England’s position that cattle grazing in particular is critical for Bechstein’s bats.
- The Applicant has still not provided any firm commitment in relation to location of construction compound in B fields
- Lighting plans.
- Management of areas at risk of flooding on access roads.

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- Hidden archaeological assets, especially those in Parcel 3 and NG development area within the Order Limits.
- Transport arrangements dependent on prevailing conditions with other infrastructure and Winslow house building.
- The use of forever chemicals in materials and infrastructure
- Watering

CSAG remains concerned that the Applicant has not provided sufficient information about how newly-established planting would be watered, and that the current 'standard' prescriptions for watering may be insufficient given that long periods of intense heat and drought are likely to occur more regularly in future.

How often would plants be monitored, especially when dry weather is forecast / occur.

Would mains and / or existing agricultural water supplies be used? Where are the supplies? Is there sufficient capacity? Are bowsers proposed to supplement?

CONCLUSION

95. For all the reasons set out in this Closing Statement and in submissions to the Examination, CSAG has demonstrated that the proposed Rosefield DCO is not compliant with the National Policy Statements for energy, with local planning policy or with the Secretary of State's biodiversity duties.

96. The development would give rise to multiple and significant harms, many of them potentially irreversible, which the Applicant assumed would be outweighed by the policy presumption in favour of renewable energy development.

97. In the light of the Applicant's blithe disregard for the Mitigation Hierarchy, the wider policy conflicts and all of the harm the development would cause, that presumption should not be applied to this proposal.

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98. CSAG asks the ExA to recommend refusal of the application and the Secretary of State to uphold that recommendation.

AUGUST 2026