



AtkinsRéalis



Rosefield Solar Farm (EN010158)

Buckinghamshire Council's Closing Summary Statement

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August 2026

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Introduction

1. By this Closing Summary Statement the Council does not attempt to repeat the detailed submissions that it has made throughout this Examination, beginning most pertinently with its Local Impact Report [REP1-112] and then the submissions at various deadlines thereafter. The Council hopes that its submissions have assisted the Examining Authority (**the ExA**) in considering the Scheme, and continue to assist the ExA as they write up their recommendation report to the Secretary of State for Energy Security and Net Zero (**the SoS**).
2. As the Council recognised at the start of this Examination, there is clearly a national need for renewable energy in England and Wales. Through the NPSs (most pertinently, NPS EN-1 and NPS EN-3) supportive policy is provided for such development, including through the policy support for solar and solar infrastructure as Critical National Priority (**CNP**) Infrastructure. Considerable weight must therefore be given to the delivery of clean energy and grid-supporting infrastructure. However, the NPS framework is explicit that this presumption only applies where applicants have demonstrated adherence to the mitigation hierarchy, compliance with detailed policy safeguards, and robust assessment of cumulative impacts.
3. The Council has maintained throughout the Examination that the relevant policy tests in NPS EN-1 and NPS EN-3 are not met here, and that the ExA should recommend to the SoS that development consent be withheld in this case. That is because either (1) the CNP Infrastructure presumption is not engaged at all (because of a failure properly to apply the mitigation hierarchy, see para 4.2.14 of NPS EN-1); (2) that there is some “unacceptable risk to, or unacceptable interference with, human health or public safety” (see para 4.2.15 of NPS EN-1); or, (3) that, in any event, this is an exceptional case where the planning balance (taking into account the CNP Infrastructure presumption) does not outweigh the harms of the Scheme (see para 4.2.15-4.2.16).
4. In its LIR the Council particularly highlighted in its summary the ecological effects of the Scheme, the amenity effects of the Scheme with a particular focus on LVIA impacts, and the cumulative effects of the Scheme (given the intensive use of the local area for nationally significant infrastructure including HS2, East West Rail, the National Grid East Claydon Substation (existing and proposed), and other infrastructure). Alongside the other considerations summarised below, the Council remain of the view that the relevant planning tests are not met.

5. That any matter is not dealt with in detail in this closing summary statement does not mean that the matter is not important or something that the ExA should not take into account. The Council draw attention to its LIR, along with the information that the Council has subsequently submitted. In respect of progress since the LIR, the Council draw particular attention to the final version of the SoCG between the Applicant and the Council which has been submitted at this deadline. This document is intended to be a helpful summary the Council's position, rather than a recitation of all of its submissions.

Site Selection

6. The Council's position on site selection remains broadly the same as that advanced in its LIR at section 4.2. As explained there, the Council is not satisfied that a proportionate approach to site selection was adopted here. The focus has been on the availability of a single willing landowner adjacent to the substation at East Claydon without considering the relevant planning constraints in this location and whether a less environmentally harmful version of the Scheme could be advanced at another location. It is difficult to understand why, in the context of a NSIP-scale scheme with a power generating capacity over 300MW, that some level of site selection process was not adopted. A failure to do so is not an assessment of alternatives conducted in a "proportionate manner" (NPS EN-1 para 4.3.22); the Council have consistently been of the view that this is disproportionately cursory. This approach to site selection is one of the factors that has led to the particularly harmful effects of this Scheme (as there is a failure properly to engage with avoidance by properly conducting that selection).
7. Save in respect of the discussion of the BESS location at particularly para 4.2.28 (which, at ISH3, the Council has accepted constraints prohibit moving to E10 and E11 at its size), the Council's position on site selection remains essentially as set out in the LIR. That position has been maintained in subsequent documents.

Ecology

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

welcomes having reached agreement on some ecological matters and refers to the Statement of Common Ground for further details on these.

9. This Scheme will significantly change the natural landscape within this important area for wildlife. The key concerns which remain for the Council are as follows:

Bechstein's Bats – Assessment of Impact

10. The Council remains concerned by the use of the term “potentially significant” within the Environmental Statement. The Council consider that use of the precautionary principle should result in reporting a “significant effect” on Bechstein’s bats. As the Council has repeatedly stressed, it is considered that the harms involved in respect of Bechstein’s bat does harm a protected species (and its core foraging area) and as a result does engage the policy indicating against development consent in NPS EN-1 para 5.4.54 and 5.4.55.

Bechstein’s Bats– Foraging and Commuting

11. The Council remains concerned regarding the high risk of significant harm to a genetically vulnerable and isolated Bechstein’s population within the Core Sustenance Zone of Finemere Wood.
12. The Council has reviewed the updated in the Works Plans [REP5-004] and outline Landscape and Ecological Management Plan (oLEMP) [REP5-075] provided at Deadline 5. The Council has also considered Natural England’s Response for Deadline 5 [REP5–106].
13. The Council remains of the view that to avoid significant impact on Bechstein’s bats resulting from loss of foraging, displacement or loss of landscape connectivity, that panels need to be removed from fields B6, B7, B8, B10, and D28 and D29.
14. The proposed removal of panels from B6 and B8 and partial removal of panels from B7 is a welcomed improvement and the Council note the overall area of grassland available to foraging bats within 1.5km of Shrubs Wood within a sheltered location will remain the same, once new habitats have established.
15. The Council remains concerned that by not removing panels entirely from B7 and not removing some panels from D28 and D29 there remains the potential for impacts to commuting routes and displacement of bats from these areas. Similarly, the Council remains concerned that there is no commitment to use cattle grazing to manage the retained grassland within B6, B7 and B8 as cattle grazed grassland was identified as an

important resource for Bechstein's bats. As is explained in the Council's response to the Rule 17 letter, the Council considers that the provisions of the oLEMP are insufficiently strong and has proposed wording changes to manage this issue.

16. The Council remains concerned that the proposed buffers to existing ancient woodland, other woodland and hedgerows are not sufficient. The Council considers that buffers should be in accordance with VALP NE8:

- 50m to ancient woodland
- 25m to other woodland
- 10m to *each side* of all hedgerows

17. As measured from the edge of the existing feature and sufficient to protect the feature and enable favorable ongoing management. This is also pertinent to the points made below concerning connectivity.

Bechstein's Bats – Monitoring and Remedial Actions

18. The Council welcomes the updates to the outline bat monitoring strategy and notes that this is still being discussed with Natural England. The Council understand that the methodology for establishing a baseline and agreement with HS2 in relation to compositional analysis of different habitat types and areas and to identify flight lines are being discussed with Natural England.

19. The Council remains concerned that the bat monitoring strategy has not identified possible remedial actions for all objectives. In relation to the objective that the buffers are adequate, and connectivity has been maintained, there are no potential remedial actions identified. The Council considers that the primary remedial action in the case that a clear and consistent decline in bat activity along buffered habitats is identified is that the buffers need to be made larger. This should be explicitly stated within the monitoring strategy.

20. In relation to species rich grasslands not developing as indicated, the remedial action should include reseeded and amendments to the management, but also the provision of additional areas of species rich grassland where changes to the management regime continue to fail to achieve the outcomes.

Ecological Connectivity (Buffers)

21. The Council remain concerned that there will be fragmentation of ecological networks within this important landscape which has high ecological value. The existing landscape includes ancient woodlands connected via woodland belts and hedgerows.

22. The Scheme will result in gaps being created in hedgerows and infrastructure installed over a large area. Hedgerows that are retained are proposed to be protected via buffers so that they can continue to function as corridors for wildlife moving through the landscape.

23. The Council remains concerned that the proposed buffers are not of sufficient size to adequately protect the features and retain ecological connectivity. The Applicant has measured the buffer from the centreline of the feature, or the edge of the land-parcel rather than from the edge of the existing feature, reducing the functionality of the buffer. Where the existing feature is wide, the buffer is not offering any protection and in some instances the feature is harmed by the adjacent infrastructure. For example:

- Hedgerow east of B3 – A corridor of approximately 20m is proposed between the fencing lines. However, the canopy of the existing trees within the hedgerow extends to approximately 17m in width. Once allowance is made for the access required for maintenance vehicles on either side of the hedgerow, there is effectively no remaining undeveloped buffer. The retained habitat would therefore be subject to activity occurring immediately adjacent to the canopy edge.
- Ancient woodland buffer between Shrubs Wood and B11 – The Applicant proposes a nominal 30m buffer, notwithstanding local policy expectations for a 50m buffer to ancient woodland. When measured from the edge of the existing woodland canopy rather than the land parcel or mapped feature, the effective separation appears to reduce to approximately 18m. The Council considers this significantly limits the protective function of the buffer.
- Hedgerow north of Shrubs Wood – The retained hedgerow is itself more than 6m wide, yet no additional buffer appears to be provided beyond the extent of the vegetation. Although the hedgerow is shown as retained on the plans, it is unclear how it would be protected from the effects of adjacent works where no separation distance is provided. The Council is also concerned that the treatment of this feature is not clearly reflected within the vegetation removal plans.
- South of B16 – The trees within the retained hedgerow have a canopy spread of approximately 10m. The proposed fencing alignment appears to pass within the root protection area of those trees, leaving limited space between the retained vegetation and adjacent development infrastructure. The Council is concerned that this could compromise both the protection and long-term health of the retained trees.

- Hedgerow north of Sheephouse Wood – While the plans indicate a 15m buffer, the retained hedgerow itself is approximately 10-15m wide. When the width of the existing vegetation is taken into account, the effective separation between the hedge edge and adjoining development is reduced to approximately 10m, and potentially less in places. The Council therefore considers that the actual protection afforded by the proposed buffer is substantially less than the plans initially suggest.

Ground Nesting, Wintering and Farmland Birds

24. The Council welcomes the Applicant's updated ornithological evidence and accepts that, in principle, the proposed 95ha of enhanced grassland has the potential to support displaced populations of Skylark, Lapwing and Golden Plover. However, the Council remains concerned that the Applicant's mitigation strategy relies upon the same areas of enhanced grassland delivering ecological benefits for a range of species with differing and, in some cases, competing ecological requirements, including ground-nesting birds, over-wintering birds and bats.
25. Whilst the outline LEMP provides a framework for habitat management and monitoring, the Council considers that there remains insufficient certainty regarding how these competing requirements will be reconciled in practice. In particular, the document does not currently establish species-specific management objectives, meaningful monitoring thresholds, or clearly defined remedial measures that would be triggered should the anticipated ecological outcomes not be achieved.
26. The Council also remains concerned that the Applicant has understated the local significance of Lapwing and Golden Plover. Whilst the Applicant concludes that effects on these species are not significant, the Council considers that greater weight should be given to their continuing population decline and the importance of the affected habitats at a local level.
27. The Council's concern is not that enhanced grassland cannot deliver ecological benefits. Rather, it is that the success of the proposed compensation strategy remains uncertain and is dependent upon robust long-term management, monitoring, adaptive mitigation and enforceable intervention measures. Until those mechanisms are secured, the Council considers that uncertainty remains regarding the long-term effects of the Scheme on Skylark, Lapwing and Golden Plover. Further detail needs to be provided now in the oLEMP.

Overlap with HS2 mitigation

28. The Council remains concerned by this issue. Some parcels of land within the Order Limits are covered by The Secretary of State for Transport's HS2 Safeguarding Directions made under articles 18(4), 31(1) and 34(8) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. HS2's requirement for this land is for the purposes of mitigation. The habitat creation formed part of HS2's Ancient Woodland Compensation Strategy and appears to have formed part of their advanced planting scheme.
29. It is now understood that HS2 has agreed changes with the Claydon Estate to this mitigation. It is unclear under what formal process these changes to the agreed mitigation have been made and whether those changes are in fact secured. It remains concerning to the Council that the overlap in legal terms remains.
30. In any event, removal of HS2 mitigation planting to accommodate the Scheme to the west of Parcel 1 reduces the overall area of woodland, reduces the ancient woodland buffer to Decoypond Wood and reduces the width of the bat corridor in the area around Decoypond Wood. It also introduces a delay to the establishment of woodland which had been proposed to be bought forward in advance of impacts resulting from HS2. The loss of woodland has not been accounted for within the biodiversity net gain calculations for Rosefield which should be included because it results in the loss of established woodland albeit a young woodland.

Biodiversity Net Gain

31. As is set out in the Council's response to the Rule 17 letter, the Council is now satisfied generally with the Applicant's approach to the assessment of BNG. It is noted that the assessment will need to be kept up-to-date as the details of the Scheme are finalised. As is also set out in that letter, the concern remains that creation of some of the proposed habitats has difficulties.
32. In respect of the weight to be given to the BNG provided for by the Scheme, it should be noted that BNG is an approach to compensate for lost habitats. The mitigation hierarchy is to first avoid impacts, and only where not possible to mitigate and then, only where not possible to compensate. It is also a simplistic way to quantify habitat value, which works well for most development schemes but arguably not as well for solar schemes. Solar schemes create large areas of grassland habitat, which the BNG metric assigns a biodiversity value to. However, the biodiversity metric does not account for the impact of the panels on the ability of the grassland to be used by some species of wildlife, or of any displacement of existing wildlife resulting from the presence of infrastructure.

33. The Council acknowledges that habitat enhancement can produce significant biodiversity gains on ecologically degraded sites. However, the proposed development is not located on land of low ecological value. It is proposed within a sensitive ecological landscape supporting important habitats and species assemblages. The Council's concern is therefore not with the principle of habitat enhancement, but that the biodiversity metric does not fully account for the ecological value and functionality that may be lost or altered when solar infrastructure is introduced into an already ecologically rich environment.
34. The Council continues to recommend that limited weight be given to the level of net gain calculated by the biodiversity metric for this Scheme.

Arboriculture

35. As reflected in the final Statement of Common Ground, a number of arboricultural matters have narrowed or been agreed in principle. The Council has reviewed the Deadline 5 submissions and welcomes the reduction in Solar PV development in Fields B6–B8 and the introduction of location-specific 50m woodland buffers. However, the following matters remain unresolved.

Buffers and Retained Arboricultural Features

36. The Council acknowledges the Applicant's clarification of the arboricultural baseline and does not maintain a general objection on the basis that further survey work is required at this stage.
37. The Council welcomes the introduction of 50m buffers to the southern edge of Shrubs Wood in Field B10 and the northern edge of Sheephouse Wood in Field B7. However, these are limited, location-specific amendments. The Outline LEMP continues to provide only a 30m offset at the remaining ancient woodland interfaces, including Decoypond Wood. The Council's position that a 50m buffer should be provided in accordance with VALP Policy NE8 therefore remains unresolved.
38. Hedgerow offsets should be measured from the outer edge of the retained feature, rather than from its centreline or the edge of the relevant land parcel. Where hedgerows contain mature trees, the hedgerow offset must not be treated as sufficient in itself. The layout, fencing and construction controls must accommodate the full canopy spread and RPAs of retained trees, applying whichever provides the greater protection. This remains a particular concern east of Field B3, where the proposed fence-to-fence width provides little or no effective buffer beyond the existing tree

canopies, and south of Field B16, where proposed fencing extends within the RPAs of hedgerow trees.

39. The relevant CEMP, LEMP and AMS controls must apply wherever access tracks, cable routes, drainage infrastructure, fencing or other works are proposed within or close to retained hedgerows, hedgerow trees, woodland edges or associated RPAs. References to a general habitat buffer should not replace the wider feature-specific or arboricultural protection required at individual locations.

Outline CEMP, AMS and Tree Protection Fencing

40. The Council welcomes the additional arboricultural controls within the updated Outline CEMP, including arboricultural supervision, micro-siting, hand-digging, root retention, ground protection and restrictions on storage, plant and construction traffic within RPAs.
41. The Council accepts that the detailed AMS and TPP will follow detailed design. However, the relevant arboricultural controls must be submitted, approved and implemented before any works, including permitted preliminary works, capable of affecting retained trees, hedgerows, woodland edges, RPAs or rooting environments. This includes vegetation removal, temporary enclosure and site-security fencing, establishment of compounds or access routes, groundworks and highway works.
42. The Council welcomes the Applicant's clarification regarding the timing of the purple tree-protection fencing. However, the remaining issue relates to the yellow perimeter/site-security fencing where it is also relied upon as tree protection or as an exclusion barrier. In such locations, the fencing should form part of the approved TPP/AMS and should not be treated solely as ordinary site-security fencing.
43. Where perimeter/site-security fencing performs a tree-protection or exclusion function, its timing, specification and relationship with any separate tree-protection fencing should be clearly secured. Where permanent perimeter fencing cannot reasonably be installed at the outset, temporary BS 5837-compliant tree-protection fencing should be installed first to ensure there is no unprotected interval.
44. The Council welcomes the Applicant's clarification that the tree protection fencing alignment and fencing specification referenced within the Outline CEMP are contained within Annexes E and F of the Arboricultural Impact Assessment [REP2-045]. The Council notes the Applicant's intention to amend the drafting of the Outline CEMP to make this clear and considers this matter resolved.

Outline LEMP

45. The Council welcomes the arboricultural amendments to the Outline LEMP, including clarification on early planting and extended hedgerow monitoring. However, early planting should be linked to the commencement of construction within the relevant phase or location, with any exceptions clearly identified and justified within the detailed LEMP.
46. The Council also considers that the Outline LEMP should clearly secure replacement planting for any protected tree removed, or subsequently lost following lopping or root cutting, pursuant to Article 41 of the draft DCO. This is important because Article 41 disappplies the statutory replacement duty under section 206(1). The process for agreeing replacement planting, including species, size, location, planting timescales, establishment and maintenance requirements, should be clearly defined.
47. Hedgerow management should distinguish between routine hedge cutting and the management of mature trees within hedgerows. Veteran and identified future veteran trees should be mapped, excluded from routine hedgerow cutting, and subject to tree-specific management prescriptions prepared by a suitably qualified arboriculturist.
48. A suitably qualified arboriculturist should also be involved in the five-year review of the detailed LEMP insofar as that review relates to retained trees, proposed planting, veteran or future veteran trees, woodland, or hedgerow trees. Monitoring of newly planted trees and hedgerows, including their height, density and condition, should continue at appropriate intervals throughout the operational period.
49. A suitably qualified arboriculturist should also be involved in the five-year review of the detailed LEMP insofar as that review relates to retained trees, proposed planting, veteran or future veteran trees, woodland, or hedgerow trees. Monitoring of newly planted trees and hedgerows, including their height, density and condition, should continue at appropriate intervals throughout the operational period.

Landscape and Visual Effects

50. The Council's concern is not simply whether parts of the Proposed Development would be visible. The issue is the extent to which a large area of predominantly rural countryside would be changed by the introduction of extensive solar infrastructure and associated development for a significant period of time.
51. The Site lies within a landscape characterised by open farmland, a strong network of hedgerows and mature trees, areas of ancient woodland and a pattern of small villages and hamlets situated on higher ground across the Vale. Although the surrounding area

is experiencing change associated with major infrastructure projects such as HS2 and East West Rail, large parts of the landscape continue to retain a distinctly rural character, with a strong sense of openness, separation between settlements and relative tranquillity. Those qualities contribute significantly to the character of the area and to how it is experienced by residents, visitors and users of the public rights of way network.

52. Against this backdrop, the Proposed Development would introduce a substantial amount of engineered infrastructure across a wide geographical area. The development comprises not only solar arrays but also battery storage compounds, substations, inverter stations, security fencing, CCTV columns, access tracks, transformers, acoustic barriers and other associated infrastructure. Whilst each element may be considered individually within the assessment, the Council's concern is with their combined effect on the landscape. Collectively, these elements would result in a landscape which is noticeably more developed, engineered and managed than the agricultural landscape present today.
53. This is particularly relevant in the context of the Claydon Bowl, the Hogshaw Claylands, the Twyford Vale and parts of the Aylesbury Vale Area of Attractive Landscape. The Council considers that the scale of the Proposed Development, spread across multiple parcels and extending over a considerable area, would result in a change that goes beyond localised visual effects. The development would become a defining influence on the character of these landscapes during the operational life of the scheme.
54. The Council remains concerned that the Applicant's assessment does not adequately recognise the importance of topography and the relationship between the Site and surrounding receptors. A number of settlements and public rights of way occupy elevated land from which extensive views are available across the surrounding countryside. As a consequence, the Proposed Development would frequently be experienced as part of a wider landscape panorama rather than as a series of isolated components. The Council considers that this significantly increases both the extent of the affected area and the significance of the resulting effects.
55. The Council also maintains that the visual effects on nearby communities have been understated. Settlements including Botolph Claydon, Steeple Claydon and Granborough would experience the presence of solar infrastructure and associated development within their wider landscape setting for many years. Whilst planting may soften some views over time, it cannot remove the development or restore the existing

character of the landscape. The Council therefore considers that the degree of visual change experienced by these communities is greater than acknowledged by the Applicant.

56. Particular concern remains regarding the proposed location of the Battery Energy Storage System. The BESS is one of the most substantial and overtly engineered elements of the Proposed Development and would be experienced alongside noise attenuation measures, security infrastructure and other built development. Unlike agricultural land, these features introduce a distinctly utilitarian character into the landscape. The Council remains of the view that alternative locations, particularly closer to the existing substation and associated infrastructure, should have been explored further in order to reduce effects on nearby receptors and the wider landscape.

57. The Council also places significant weight on the effects arising along public rights of way, particularly the Bernwood Jubilee Way. These routes are valued not simply because they provide access through the countryside, but because they enable people to experience the character of the landscape, enjoy long-distance views and benefit from relative tranquillity. The impact on those users is therefore not restricted to visual effects alone. The Council considers that the introduction of extensive solar infrastructure, battery storage facilities, security measures and associated development would materially alter the experience of these routes and diminish their recreational value.

58. The Council further considers that cumulative effects have been underestimated. The Proposed Development would not be experienced in isolation. It would be experienced alongside HS2, East West Rail, National Grid infrastructure, existing and consented battery storage facilities and other energy developments within the wider area. The Council's concern is that the Applicant's assessment does not sufficiently acknowledge the degree to which these developments, taken together, are reshaping the character of the wider landscape. The cumulative effect is greater than the sum of its individual parts and risks fundamentally altering perceptions of what is currently a predominantly rural landscape.

59. The Council also considers that too much reliance has been placed on mitigation planting. Whilst landscape mitigation is an important component of the scheme, it cannot fully mitigate development of this scale. In some locations, new planting would itself alter existing landscape character by enclosing views that currently contribute to

the area's open and rural qualities. The Council therefore does not accept that the proposed mitigation strategy is capable of reducing all significant effects to acceptable levels.

60. Finally, whilst the Applicant places reliance on the eventual decommissioning of the scheme, the Council considers that limited weight should be attached to this point. The Proposed Development would remain in place for decades. For local communities, visitors and users of the rights of way network, the resulting effects would be experienced over a substantial period of time and would become part of the lived landscape of the area.
61. For those reasons, the Council maintains that the landscape and visual effects of the Proposed Development have been understated. The scale of change, the effect on landscape character, the impacts on settlements and recreational receptors, the presence of substantial BESS infrastructure and the cumulative influence of other major projects combine to give rise to significant adverse effects which, in the Council's view, have not been adequately mitigated.

Cultural Heritage and the Built Environment

62. The Applicant and the Council agree that all harm to built heritage assets (consisting of buildings and area designations and a building and area being assessed for designation) is less than substantial (see Ref 4-5 in the final SoCG at [REP5-022]). There is also agreement on which heritage assets are included in the assessment, and the level of harm to a number of heritage assets and on the mechanism to securing interpretation boards as part-mitigation (Ref 4-9). However, substantial matters of disagreement remain, and the Council is concerned about the effects of the Scheme on cultural heritage and the historic built environment.
63. The Council disagrees with the Applicant on the level of harm to a number of heritage assets (see below). The Council considers that the Applicant's initial assessment omitted key elements of significance and the contribution of setting to significance (some relating to misidentification of the date and architecture of some buildings and mostly relating to missing elements of setting that contribute to significance of heritage assets) resulting in the under-reporting of adverse effects and harm. The Council has also argued that the Applicant has under-identified the contribution of elements of setting that are not expressed as direct views of and from the asset (such as legibility, including spatial and visual disjuncting between former elements of the Claydon House parkland and estate). As the Examination progressed the Applicant was made aware of and added many of these omitted elements of significance and elements of setting that

contribute to significance, but the Council consider that the Applicant did not sufficiently alter their initial conclusions on the level of harm to reflect the impacts on these additional elements of significance.

64. The Council has presented evidence that the Scheme would add cumulatively to the harm from previous solar and transport infrastructure projects which would effectively surround or substantially encroach upon a number of heritage assets' setting, delivering an overall quantum of change that would damage the significance of the wider settings of the heritage assets, changing their largely original agricultural settings to include major infrastructure on approaches to most heritage assets.
65. For the eastern heritage assets, (Botolph House (grade II* listed), Botolph Claydon Conservation Area, East Claydon Village, St Mary's Church (grade II* listed) and Bernwood Farmhouse) the Council has identified that the Scheme would intrusively appear in largely unchanged original long views from the south, south east and west which are currently agricultural in character. The new development would harm these views, the character of the assets' settings and the significance of the heritage assets. This is also the case with Claydon House and Park, where key views from Knowl Hill and high ground would include a large solar PV array on one side of the view.
66. The Council has argued that wider parkland of Claydon House and its relationship with its three listed western satellite farms would be harmed, with the relationship with Pond farm completely severed, and mitigation planting would further disrupt existing characters and relationships between assets, harming the setting and significance of Claydon House and Park.
67. The Council therefore disagrees with the Applicant on the level of harm that the Scheme would cause to the following heritage assets (as set out in the Statement of Common Ground [REP05-022], Table 4, Ref 4-4a, 4-6a, 4-6c and 4-6e):
- Claydon House (grade I listed), where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6a), for the reasons stated in paragraph 66 above and due to the impacts on the road and footpath approaches to the House and to views from the higher ground to the south.
 - Claydon Park (grade II registered park and garden), where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6a), for the same reasons as with Claydon House and the encroachment on the former parkland the south of Calvert Road, which formed an integral part of the parkland historically.

- All Saint's Church (grade I listed), where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6c). The church's role as a landmark in views from Knowl Hill would be harmed as would the presence of the above ground solar farm features on the approaches.
- Botolph Claydon Conservation Area, where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6c). Here a major contributory part of its setting (the long and intermediate views and approaches from the east, south east) would be harmed by the Parcel 2 and 3 features.
- East Claydon Village (undergoing the process of being considered for conservation area designation), where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6c), for similar reasons to Botolph Claydon.
- Botolph House (grade II* listed), where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6c). Here, the only original surviving element of its setting, legible in the gap to the north of the pond opposite, which makes a major contribution to its significance as it makes sense of its architecture, would be severely diminished.
- St Mary's Church (grade II* listed), where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6c). The arguments that are were presented for East Claydon and Botolph Claydon and Botolph House are especially relevant considering that the church was probably located on the edge of the escarpment and tower was built to project its presence across the valley to its east, south east and south and its presence survives in an agricultural setting, mostly devoid of modern infrastructure, except for the substation to its north east.
- Rosehill Farmhouse and outbuildings (two grade II listings), where the Council identifies harm in the middle of the scale of less than substantial harm (Ref 4-6c). The contribution of setting has and is being eroded by HS2 and by East West Rail, which have and are harming the north and western setting and approaches. The solar farm and its mitigatory screening would harm the southern approaches to the farm and be legible south of Calvert Road, severing the setting relationship with Pond Farm and intruding on the route to Claydon House, mostly surrounding the farm with infrastructure and significantly lessening the contribution of its setting to its significance.
- Pond Farmhouse (grade II listed), where the Council conservatively identifies harm at the upper end of the scale of less than substantial harm (Ref 4-6e). The farmhouse would effectively be screened from its farmland, from the former parkland of Claydon House and would be surrounded by development. There would be more screening to Calvert Road, effectively isolating the listed building from the main contributory elements of its setting.

- For Blackmoorhill Farmhouse (grade II listed) and the Fernery (grade II listed) at Claydon House the Council agrees with the Applicant's identification of harm as being at the lower end of less than substantial harm, but disagrees with the degree of harm within that band (for Blackmoorhill Farmhouse the Council identifies slight adverse effect, while the Applicant identifies neutral effect, see Ref 4-6d; and for the Fernery the Council identifies a slight adverse effect, while the Applicant identifies neutral harm, see Ref 4-6g). Blackmoorhill Farmhouse's southern approaches would be impacted by the solar farm and its associative relationships with Pond Farmhouse severed, although much of its contributory setting relates to its proximity of Claydon House and areas to the north, not affected by the Scheme. The Fernery is mostly hidden from the development and from the areas beyond Claydon Park, but its historic role on the approach into the park would be affected by the solar farm.
- The Council identifies less than substantial harm at the lower end of the scale (with a slight adverse effect) to the Arch and wall (grade II listed) at the south end of the stables at Claydon House, due to the role that the approaches to Claydon House play in these buildings' significance.

68. The Applicant has argued that the Council is an outlier and that the National Trust and Historic England agree with them on the level of harm to Claydon House, implying that the Council's understanding of setting of nature of Claydon House is flawed.

69. The Council's assessment has been based on research and site visits. At least one other party in the Examination has stated that they agree with the Council's assessment. The Council Heritage Specialist, [REDACTED] is a specialist in heritage setting. He delivered the setting session in the twice per year Royal Town Planning Institute (RTPI)'s national Masterclass on Heritage in the Planning Process (later renamed to emphasise regeneration) between 2013 and 2018 and has since presented a setting session at the joint RTPI/IHBC SW region seminar in 2024, and developed a new methodology for recording setting for HS2. Also, as mentioned in evidence during the Examination, the grade II listed buildings in the setting of Claydon House are outside Historic England's remit (which deals with higher grades only, except for certain bridges). The National Trust's focus has been on views out of the Park and House, rather than wider and non-visual elements of setting.

Population and Human Health

70. As reflected in the final SoCG, there has been a significant reduction in the areas of disagreement relating to Population, Health and Wellbeing during the course of the Examination. The Applicant has provided substantial additional information at Deadline 5, including Appendix 14.2 (Effects on Individual Agricultural and Non-

Agricultural Business Receptors) [REP5-044], a revised Health and Wellbeing Summary Statement [REP5-066] and an updated Non-Technical Summary [REP5-049], which address a number of the concerns previously raised by the Council.

Population

71. The Council's initial concerns in relation to Population focused on the lack of transparency of the assessment, particularly the grouping of businesses into clustered receptors and the lack of evidence demonstrating how individual business impacts, mitigation measures and professional judgement had informed the residual significance conclusions. The Council sought additional information to demonstrate how impacts on individual agricultural and non-agricultural businesses had been assessed and how mitigation and compensation measures had informed the final assessment outcomes. The Council raised the same concerns about the transparency of the tourism related assessment, also citing connected concerns with the validity of inputting topic assessments (landscape and visual and cultural heritage) and noting that this permeated into the Population assessment for tourism aspects.
72. In response, the Applicant has produced Appendix 14.2 [REP5-044], which provides individual assessments of affected agricultural and non-agricultural businesses. The appendix sets out receptor-specific impacts, business sensitivity, mitigation and compensation measures, business viability considerations and residual effects. The Council acknowledges that this additional information has significantly improved the transparency of the assessment for these types of receptors and now provides a much clearer evidence trail demonstrating how conclusions have been reached for individual businesses. The Council therefore acknowledges that the principal concern relating to the absence of transparent receptor-level assessment has been addressed for agricultural and non-agricultural businesses considered in the Population assessment through the provision of the additional appendix.
73. In commenting as such, the Council notes the continued dispute between the Applicant and Preston Farms Ltd / TCS Biosciences concerning the effects of the Scheme on those businesses and their role in the national diagnostics supply chain. That is not a matter that the Council has assessed (albeit the Council notes the evidence that has been provided), but the Council has recognised that in principle effects on those businesses could engage an exception based on human health and public safety in NPS EN-1 para 4.2.15. That is a key matter that the ExA will need to consider and a recommendation on which be made to the SoS.
74. As previously raised, the tourism assessment is based on sensitivity judgements that draw from cultural heritage, PROW and landscape and visual assessments. As discussed at ISH1, the Council has reservations regarding the sensitivity and value assigned within

those contributing topics; with this uncertainty then permeating into the population assessment for this receptor type. The tourism assessment has not been included within Appendix 14.2 [REP5-044], resulting in a lack of transparency regarding the assessment and professional judgement underpinning the conclusions reached for tourism effects.

Human Health and Wellbeing

75. In relation to Human Health and Wellbeing, the Council previously raised concerns regarding the lack of detail and transparency relating to the assessment of health determinants, mental health and wellbeing, vulnerable populations, cumulative and in-combination effects, stress and anxiety impacts, recreational and PRoW-related effects, construction effects, and the extent to which findings from across the Environmental Statement had been brought together into a coherent health-focused assessment. The Council also sought greater transparency regarding the professional judgement underpinning significance conclusions.
76. The revised Health and Wellbeing Summary Statement submitted at Deadline 5 [REP5-066] contains expanded discussion of determinants of health, health pathways, vulnerable populations, mental wellbeing, stress and anxiety, cumulative effects and in-combination effects. It also introduces a dedicated health baseline, provides a clearer explanation of how environmental effects may influence health outcomes, and brings together information from across the Environmental Statement into a more coherent health narrative. The Council acknowledges that these revisions address a substantial proportion of the concerns previously raised. The Council therefore accepts that the revised assessment now provides a more comprehensive consideration of health determinants, health pathways, vulnerable populations, mental wellbeing, stress and anxiety, cumulative health effects and differential susceptibility than was available previously. The additional material also improves transparency by providing a clearer explanation of how findings from other environmental topics have informed the health assessment and how mitigation measures contribute towards the assessment conclusions.
77. However, notwithstanding these improvements, the Council maintains that the assessment does not fully provide the place-based community-level understanding sought through the Council's previous submissions and Technical Note. Whilst the revised assessment identifies locations and receptors experiencing multiple effects and discusses those effects through a health and wellbeing lens, the Council considers that the assessment continues to lack a clear explanation of how combined environmental changes may be experienced by specific communities, how multiple effects may interact for those communities, and how mitigation responds to the overall combined experience of effects for affected communities rather than addressing individual

impacts separately. The Council also considers that further explanation would assist in demonstrating how differential effects on vulnerable and sensitive groups have informed the overall conclusions reached and how professional judgement has been applied in drawing together multiple effects at a community level when reaching significance conclusions.

78. The Council considers that this limits its ability to understand, scrutinise and communicate, in a simple and transparent manner, how the combination of impacts arising from the Scheme may affect the communities that the Council represents. Whilst individual effects are assessed, the Council remains unable to readily understand how those effects combine to influence the overall experience of communities over time and how the proposed mitigation responds to that combined experience in specific locations, for named communities. Consequently, the Council retains a reservation as to whether the evidence currently presented provides a sufficiently clear and compelling basis for the Applicant's conclusion that no significant residual health and wellbeing effects would arise at a community level.

Highways and Transport

79. The Applicant has assessed the construction impacts of the Scheme through a Transport Assessment and subsequent updates and technical notes. The Council as Highway Authority has considered these, with the primary focus of the assessment on the network's capacity and the ability to secure safe and suitable access to the site. The construction routes assessed have been found to be both acceptable in terms of capacity and safety with the mitigation proposed and secured.
80. The applicant has agreed through the construction traffic management plan (CTMP) and Travel Plan (TP) to measures to limit and control both construction traffic and staff travel in a way that is binding through the DCO process. The Highway Authority is satisfied that this affords suitable control over the use of the highway and the impacts on the travelling public.
81. Where works are required to the Highway, the proposed works have been reviewed and are accepted in principle, and it has been agreed that a suitable mechanism for technical review of works shall be in place to allow oversight of works to the public highway.
82. However, as highlighted in the Council's comments on the Rule 17 letter, the Council has not considered and assessed the specific sensitivities and effects on Preston Farms Ltd and TCS Biosciences. That is a matter which should be understood when considering the Council as Highways Authority's agreement on the Traffic Assessment and proposed routes.

Noise and Vibration

83. On issues of noise and vibration, the final SoCG makes clear that there is a large extent of agreement between the Applicant and the Council. Indeed, the principal issue remaining between them is the assessment approach considering the particular tranquillity of some of the areas around the Scheme.
84. While the Applicant has adopted an approach which applies BS4142, and one which keeps below the SOAEL and LOAEL that the Applicant sent, the concern remains that the assessment conducted fails properly to reflect the level of tranquillity in some areas surrounding the Scheme. The British Standard is clear that both absolute and relative sound levels should be taken into account, and one not exclusively preferred over the other. The effect of the Scheme is that 5-10 dB plus uplifts are experienced in areas with particularly tranquil backgrounds. It is considered that the approach adopted by the Applicant fails to reflect this.
85. The Applicant maintains that there will be no change in the quality of life as a result of the Scheme. The Council disagrees and remains concerned that this conclusion can only be reached by setting a LOAEL and SOAEL at much higher levels than the background noise level. Indeed, to take the example of Hogshaw Farm, this receptor will experience an uplift of over 10 dB at night compared to the current position. That this does not breach the LOAEL emphasises that it is the figures identified for LOAEL do not reflect the significance of noise increases that will occur.
86. In respect of PRoWs, the Council is concerned about the effect of such noise on PRoWs (and welcomes that the Applicant considered this should be assessed. As is noted in the Council's other submissions at this Deadline, the WHO Guidance which was referred to by the Applicant identifies in the context of parkland and conservation areas a directive to "preserve" the existing quiet outdoor areas and to avoid the disruption of tranquillity. On highly valued routes such as the Bernwood Jubilee Way the Council has significant concerns about the noise and how there will be a change in how people use and enjoy the local area.
87. Aside from the above concern, the Council recognises that the Applicant has committed to a range of embedded mitigation and management measures through the design process and secured requirements, including acoustic controls for the BESS, provision of acoustic mitigation where necessary, operational noise monitoring and a formal complaints investigation procedure with provision for adaptive mitigation should operational issues arise. These are welcome.

Soils and Agricultural Land

88. As is reflected in the final SoCG, essentially two matters remain in dispute on the issue of soil and agricultural land. These are:

- Soil classification (Ref. 8-4)
- Assessment methodology (Ref. 8-6)

Assessment of Effects on Grade 2 Agricultural Land

89. The principal area of disagreement remains the Applicant's assessment of impacts on Grade 2 agricultural land. The Council considers that the Applicant has not applied a consistent interpretation of the IEMA/ISEP guidance across the different grades of BMV land. The Applicant accepts that land occupied by solar infrastructure will be unavailable for conventional agricultural production during the operational life of the Scheme, but has nevertheless assigned a negligible magnitude of impact to Grade 2 land while assigning greater levels of impact to other BMV grades.

90. The Council remains concerned that the Applicant confuses the assessment of soil resource and structure with the assessment of agricultural land capability and availability. The Applicant argues that there will be no loss or reduction in soil on areas of ALC Grade 2 land. The key issue is not whether the soil remains physically present, but whether the land remains available for agricultural production. The temporary loss of access to agricultural production on Grade 2 land for the duration of the development should, in the Council's view, be assessed as a minor impact in accordance with standard industry guidance.

91. As a result, the Council does not agree with the Applicant's conclusion that effects on Grade 2 land are negligible and remains concerned that the significance of impacts to BMV land has been understated.

Soil Sensitivity and Resilience to Structural Damage

92. The Council continues to disagree with the Applicant's classification of the site soils as having medium resilience to structural damage. The soils present across the site comprise predominantly clay and heavy clay loam soils, with weakly developed structure and Wetness Class IV characteristics. In accordance with standard industry guidance from the Institute of Quarrying, in the Council's opinion, these soils should be regarded as having low resilience to structural damage and therefore require a particularly precautionary approach to handling and management.

93. While the Applicant relies primarily on the Field Capacity Days methodology to justify a medium resilience classification, the Council considers that this approach does not adequately reflect the actual behavioural characteristics of the soils when disturbed.
94. Although Buckinghamshire Council accepts that the Outline SMP contains appropriate soil handling measures and therefore does not object to its use as a framework document, concern remains that the underlying classification may lead future contractors and site managers to underestimate the care required during stripping, storage, movement and reinstatement of soils. In practical terms, the Council's concern is that the stated classification risks creating a perception that the soils are more resilient than they are in reality.

Socio-economic Impact

95. Particular concerns have been raised by Preston Farms and TCS Biosciences, both of which have identified risks arising from the Proposed Development. However, the Council's concern is not confined to those businesses alone. They illustrate a broader point regarding the potential consequences for established employers and economic activity within the area. The Council does not consider that sufficient evidence has been provided to assess the extent of those impacts or the resilience of affected businesses should adverse effects arise. This is particularly important where businesses contribute to sectors of wider strategic significance, including scientific research, healthcare and associated supply chains.
96. The Council also considers that the assessment adopts a largely project-centric approach, focusing on the benefits generated by the Proposed Development itself, rather than fully examining whether adverse effects on established businesses could diminish or offset those benefits. Consequently, the Council remains concerned that the socio-economic effects of the Proposed Development may have been understated and that the evidence before the Examination does not provide sufficient certainty regarding the likely effects on existing employers and business activity.

Cumulative Effects

97. The Council has consistently emphasised throughout the Examination, the area surrounding the Proposed Development is subject to an exceptional concentration of major infrastructure projects. These include HS2, East West Rail, East Claydon Substation and its proposed extension, consented battery energy storage schemes, committed strategic growth and other energy developments. The Council considers this combination of projects to be highly unusual in both scale and geographical concentration. Unlike many solar NSIP proposals, the Scheme would not be experienced in isolation but as part of an evolving and increasingly industrialised infrastructure corridor.

98. The Council remains concerned that the Applicant's cumulative effects assessment does not fully recognise the extent to which these projects interact spatially, temporally and functionally. The cumulative effects are not limited to the aggregation of individual impacts. Rather, they arise from the layering of multiple large-scale developments across the same rural landscape over an extended period, resulting in fundamental changes to landscape character, sense of place, tranquillity, ecological networks and the experience of local communities.
99. The Council considers that insufficient weight has been given to the cumulative burden experienced by residents, businesses and recreational users who have already been subject to prolonged periods of disruption associated with major infrastructure delivery. The area has experienced, and continues to experience, substantial change arising from nationally significant transport and energy infrastructure. The addition of the Proposed Development would contribute to a pattern of ongoing development pressure which extends beyond the assessment of individual effects and creates a cumulative experience of change that is unprecedented within the locality.
100. The Council is particularly concerned that the cumulative interaction between the Proposed Development and other major infrastructure projects has the potential to amplify effects on landscape character, visual amenity, cultural heritage, ecological connectivity, recreation, local businesses and community wellbeing. Whilst these matters are considered separately within the Applicant's assessment, the Council considers that the combined effect on communities and the environment is likely to be greater than has been identified.
101. Given the scale of infrastructure development already affecting the area, the Council considers that the cumulative effects of the Proposed Development should attract significant weight in the planning balance. This case is unusual when compared with many consented solar NSIPs because of the sheer concentration of existing, committed and proposed infrastructure development affecting the same communities and landscapes. Accordingly, the Council considers that the cumulative effects of the Scheme have been understated and should weigh materially against the grant of development consent.

Agreed matters

102. As is set out in the final SoCG, a number of areas in which the Council originally raised concerns have since been resolved. As a result, submissions are not set out on those issues here. They concerned: (1) land and groundwater; (2) flood risk and drainage; (3) air quality; (4) minerals and waste; (5) climate change; (6) minerals and waste; and, (7) public rights of way (from a connectivity and form perspective; the amenity aspects of PROWs are dealt with in the LVIA section).

103. In agreeing these matters the Council re-emphasises that, if development consent is granted, proper and expeditious discharge of the requirements and provision of detail for detailed plans will be critical. It is on various matters secured in the plans and the requirements that have permitted the Council to consider a number of these issues to be closed.

Conclusion

104. The Council remains of the view that, notwithstanding the policy in favour of renewable energy generation in NPS EN-1, the harms of this Scheme are particularly acute. It is considered that:

- a. In respect of para 4.2.14 of NPS EN-1, there has been a clear failure properly to apply the mitigation hierarchy and (particularly) avoid the more harmful effects of the Scheme.
- b. In respect of para 4.2.15 of NPS EN-1, there is a clear argument that the effects on Preston Farms Ltd and TCS Biosciences may constitute an “unacceptable risk to, or unacceptable interference with, human health or public safety”. A conclusion must be reached on this, and given the harms must properly have in mind the precautionary principle.
- c. In respect of paras 4.2.15-4.2.16, overall the balance does not favour the grant of development consent. That is particularly so considering the ecological harm of the Scheme (and the specific policy protections for Bechstein’s bat), the landscape effects, and the cumulative effects overall in this exceptional area of large infrastructure. Taken with those other considerations above, it is considered that the policy weight in favour of the Scheme is outweighed.

105. Thus, for the above reasons the Council respectfully requests that the ExA recommend to the SoS that development consent be withheld, and to the SoS that she withhold development consent.