

Planning Act 2008 – section 55

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

Solar Farm (EN010158)

Comment on responses to Examining Authority's second written questions (biodiversity)

on behalf of the

Claydons Solar Action Group (CSAG)

Claydons Solar Action Group

This report for the final deadline (Deadline 7) from the Claydons Solar Action Group (CSAG) responds to the Applicant's submissions at Deadline 6. It is made in three parts:

- 1) Response to Closing Statement and Applicant's response to Deadline 5 submissions
- 2) Response to Applicant's Deadline 6 submissions on biodiversity
- 3) Response to Applicant's Deadline 6 submissions on landscape and visual matters

CSAG's full case has been made throughout the Examination and is summarised in its Closing Statement (**REP6-085**). Where CSAG has not commented on any of the Applicant's Deadline 6 (or earlier) submissions, this should not be taken as agreement with those submissions.

One matter to which CSAG wishes to draw the ExA's attention is the last-minute change to the proposed access on the East Claydon Road, which had been said throughout the Examination to be a temporary access for some AILs only. Without any explanation or assessment, this is now intended as a permanent access throughout the operational (and presumably decommissioning) periods. See page 15 below.

In its Closing Statement (**REP6-072**), the Applicant invites the ExA and the Secretary of State to attach substantial weight to a handful of claimed benefits, many of which are not benefits at all, bearing in mind the Applicant's failure throughout the Examination to distinguish between mitigation and enhancement (see page 9). Substantial negative weight must be applied to the risks to a highly vulnerable colony of rare bats, to a business that plays an important role in protecting public health and to the health and wellbeing of a community already embattled by multiple

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major developments planned or underway in the local area. Had the mitigation hierarchy been applied from the outset, as required by the National Policy Statements for energy, the site would never have been selected for development.

As CSAG has demonstrated throughout the Examination, the failure to follow the mitigation hierarchy means the impacts of the scheme are not truly residual and the Applicant cannot claim the presumption in EN-1 paragraph 3.3.63. The planning balance is heavily against the scheme and, in CSAG's opinion, the Development Consent Order should be refused.

RESPONSE TO CLOSING STATEMENT AND DEADLINE 5 SUBMISSIONS

DOCUMENT REF/PAGE OR PARAGRAPH	APPLICANT'S SUBMISSION	CSAG RESPONSE
APPLICANT'S RESPONSE TO DEADLINE 5 SUBMISSIONS (REP6-070)		
Paragraph 3.10.	Response to CSAG's deadline 5 submission CSAG [REP5-109], in relation to the question as to whether BESS can be deemed associated development under the PA 2008. Applicant references. Appendix 1 of the Applicant's Response to the Examining Authority's First Written Questions	The Applicant has still failed to provide any evidence to demonstrate that the BESS is required to support the Solar PV element of the scheme or that it would be subordinate to it. The Applicant has confirmed that the scheme would proceed even if the BESS were not

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	[EN010158/APP/8.13] [REP2-087]. <i>“...this appendix explains how, in accordance with the guidance, the proposed BESS is subordinate to, and supports, the operation of the principal development (being the solar array). It also clearly sets out why the BESS is not solely included to provide additional revenue to cross-subsidise the cost of the principal development – namely because no cross-subsidisation is necessary for the solar array...</i> <i>The Applicant notes that the guidance does not require, as this representation appears to interpret, that the Applicant must demonstrate that the support provided by the associated development (i.e. the BESS) cannot be provided by any other means or infrastructure.”</i>	granted a grid connection, indicating that the solar PV is both viable and fully capable of operating without the BESS. It does not require the support of the BESS and the unnecessary harms and risks arising from the BESS could be avoided altogether. (See REP6-081 for evidence that the Applicant has understated the potential risks of the BESS). As to whether the Guidance requires the Applicant to demonstrate that the support of the BESS could be provided by other means or infrastructure, CSAG does not assert that it specifically does so. The Guidance is concise and high level. It is not intended to address every scenario. The question of the availability of alternative provision is for the ExA to consider when assessing whether the BESS is required to <i>“either support the construction or operation of</i>
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		<i>the principal development”</i> in accordance with Core Principle (i), or whether it is sought purely as a source of additional revenue (Core Principle (ii)). Mr Griffiths on behalf of the Applicant argued at ISH3 that there are advantages to locating the BESS within the Order Limits, but the Applicant has not demonstrated this to be the case nor explained why, if specific connection/provision is required, this could not be secured by agreement with the developers of the Statera or the Statkraft schemes. CSAG notes the closing statement from Statkraft, which refers to the Applicant’s <i>“lack of meaningful engagement with Statkraft on the interface between the two projects.”</i> (REP6-110)
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		To assist the ExA in assessing compliance with the Guidance on Associated Development, CSAG suggested the Applicant should set out the expected revenue streams from the BESS and the Solar PV (CSAG Response to ExA Questions at Deadline 2 (REP2-102)). CSAG also suggested the Applicant “<i>specify the total land take, mass and footprint of the BESS and its supporting infrastructure.</i>” The Applicant has declined to provide this information.
APPLICANT’S CLOSING STATEMENT (REP6-072)		
Paragraph 5.3.1 Site Selection	<i>As recognised within the Planning Statement [EN010158/APP/5.7.6], the Applicant set out with the objective to deliver a significant quantity of renewable energy, of NSIP scale, to the National Grid and contribute to the UK’s wider decarbonisation of energy supply. From the careful selection of a</i>	As CSAG has demonstrated throughout the Examination, the Applicant did not carry out a “careful site selection process”. To the contrary, the Applicant has confirmed that no other site was considered.

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	<i>suitable site which benefited from favourable topography, irradiance, connection and proximity to the National Grid through to the detailed design measures, the Applicant has developed a proposal which is appropriate to its local context.</i>	The claim that the site benefits from “favourable topography” is contradicted by the fact that much of the site slopes northward, contrary to EN-3 guidance on site selection (EN-3 2024, paragraph 2.10.19), and highlighted by the Applicant’s careful avoidance of any reference to topography when making claims about the irradiance of the site. (See Planning Statement (APP-037) and CSAG WR (REP1-127)). Irradiation across the site will be lower than on a south-sloping site. The connection to the National Grid is confirmed for only the solar PV element of the scheme. The Applicant has refused to comply with the request from TCS/Preston Farms to disclose the option agreement with the Claydon Estate, which would show whether any other land was made available for the proposed development.
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		(AS-042) CSAG interprets this refusal as confirmation that no other land was considered.
Paragraph 5.2.2 Claimed Benefits of the Scheme	<i>“In addition to the generation of a significant quantity of low carbon energy (which will make a meaningful contribution to the UK’s legally binding Net Zero commitment and is a source of domestic energy security that limits UK consumers exposure to volatile energy prices), the Proposed Development will also deliver:”</i> - <u>PROWS</u> permanent enhancements to connectivity within via rationalising and enhancement of the network of PRowS; - 3 three permissive paths, 1 bridleway link; - <u>Tree/Hedge Planting</u> - <u>Mitigation/Enhancement</u> - 99.6ha mitigation , increased from 88.8ha with the	Almost every one of the items in this list is either overstated or has been disputed/discredited by CSAG’s evidence. Here the Applicant is claiming mitigation measures as benefits of the scheme. <u>PROWS</u> CSAG’s position remains, as it has been throughout the Examination, that the diversion/closure of footpaths is largely negative and that the provision of new permissive paths/bridleway are not compensation for the huge loss of amenity of the PRowS, a highly valued local resource. The overall impact on users of public rights of way is acknowledged by the Applicant to be major adverse and significant. The claimed “enhancements” are not enhancements at all, but partial mitigation.

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	removal of Solar PV development from Fields B6 and B8. - <u>Biodiversity Benefits</u> - <u>Biodiversity Net Gain</u> of 40% - <u>Job Creation</u> <i>An estimated net addition of 420 to 470 full time equivalent construction jobs and 18 FT/E jobs in operational period</i> - <u>Interpretation Boards</u> - <u>Skills Supply Chain Plan</u>	<u>Tree/hedge planting</u> While there will be some ecological benefits from new tree and hedge planting, the extent to which this will compensate for the loss of important/established trees and hedges is unclear, not least because planting details are left over to the detailed design stage. In <u>(REP5-109)</u> CSAG pointed out that habitat fragmentation will occur due to the time taken for replacement hedges to mature. Again, this is largely mitigation, not enhancement. At <u>(REP6-085)</u> CSAG pointed out <i>that “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.”</i>
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		<u>Biodiversity</u> <u>Mitigation/Enhancement</u>
		Throughout the Examination, CSAG has noted the Applicant's double-counting of mitigation measures as enhancement. Even at the close of the Examination, it is unclear whether any measures can be accurately defined as enhancement. The Applicant's reluctant, eleventh hour removal of panels from fields B6 and B8, serves to confirm CSAG's view that the Applicant failed to follow the mitigation hierarchy in identifying the site and defining the Order Limits. <u>Biodiversity benefits</u> Any benefits must be weighed against potential harms, including to protected species. See ecological evidence of Dominic Woodfield on behalf of CSAG throughout the Examination.

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		<u>BNG</u> See above and Mr Woodfield's other submissions, in particular (REP6-083). <u>Job Creation</u> As set out in CSAG's Written Representation (REP1-127) (Section on Impacts on Local Businesses), the Applicant's claims of the number of new jobs is based on an assumption of limited displacement. CSAG does not consider this credible, especially given the risks posed by the development to TCS/Preston Farms and Hogshaw Wildlife Park, both major local employers. <u>Interpretation Boards</u> These are, at best, mitigation for the harm to the setting of Claydon House and other listed buildings. It is telling that the Application considered the interpretation boards even worth mentioning in the Closing Statement. Doing so, has served to highlight the
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		poverty of the benefits claimed for the proposals. <u>Skills Supply Chain Plan</u> This measure is offered purely to comply with paragraph 5.13.12 of EN-1.
Para 5.2.3 Claimed Beneficial Effects (in isolation)	<i>The ES has also concluded a number of beneficial effects (in isolation).</i> –significant beneficial effect for <u>ground nesting birds</u> operational (including maintenance) phase - – For '<u>GHG emissions</u>', there is a significant beneficial effect across all phases of the Proposed Development. – For 'Landscape fabric (woodland, trees and hedgerows)', there is a moderate beneficial effect at Year 10 of the Proposed Development's operational (including maintenance) phase.	In recognising that these three items are the only effects that can be claimed as benefits, the Applicant acknowledges that all other benefits claimed are principally mitigation. In fact, even these few items do not constitute unadulterated benefits. Ground Nesting Birds – see CSAG submissions on this point in particular (REP6-082) "Response to Applicant's Position Paper on Ground Nesting Birds and Wintering Birds". CSAG's expert demonstrates there will be a negative effect on some important ground nesting species.

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		<u>GHG emissions</u> – CSAG agrees the proposals are likely to contribute to a reduction in UK GHG emissions over their lifetime, but it is highly likely that the construction and decommissioning phases would themselves result in significant GHG emissions. The ES summary refers to a whole Life Carbon Assessment of GHG emissions, the detail of which is not provided. However, the ES (APP-051) at paragraph 8.10.3, contradicts the claim of a “significant beneficial effect across all phases”, acknowledging “<i>When assessed against whole lifecycle emissions, the Proposed Development has a carbon payback period of approximately 11 years.</i>” This confirms that – on the Applicant’s own assessment – it will take more than a quarter of the development’s lifetime to pay down construction and embodied emissions.
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		<u>Landscape Fabric</u> – CSAG’s landscape expert [REDACTED] has repeatedly drawn attention to the Applicant’s double-counting of mitigation as enhancement. The conclusion of a moderate beneficial effect a) fails to fully factor in the adverse impacts arising from most of the landscape planting, which is intended to screen or otherwise mitigate adverse impacts and b) fails to factor in the ‘hard / manmade’ aspects of the Scheme’s ‘fabric’ that would be introduced. See, for example, CSAG Closing Statement (REP6-085) paragraphs 83-88.
Paragraph 5.2.4 Weight	The combined nature of these other benefits (beyond that of need) are considered to also attract substantial positive weight in favour of the Proposed Development.	The Applicant’s Closing Statement illustrates what few benefits can be claimed for the proposed scheme. As explained above, many of the benefits the Applicant claims are non-existent, overstated or in fact disbenefits. When applying the planning balance, substantial

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		negative weight should be attached to the multiple harms of the scheme; to biodiversity in an area described by Natural England as an “extremely ecologically sensitive landscape” (NE closing statement (REP6-088)), to the landscape, public and private views, local and wider recreational and social amenity, local businesses, on highways and to the high levels of adverse cumulative impacts with other major development in the area.
OTHER SUBMISSIONS		
(REP6-023) - <u>5.18.2 Statement of Common Ground - Anglian Water (Clean)</u>	The requirement for potable water is stated as 24 m ³ per day during the construction period (despite Anglian Water’s earlier request that it be limited to 20 m ³ /day as disclosed in the Record of Engagement).	24 m ³ (44,000 litres) per day is equivalent to the average consumption of around 293 people. The population of Botolph Claydon and East Claydon is around 375 so construction water demand is equivalent to some 78% of the total demand from the two villages.

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		Despite this, Point 8 (pdf page 12) concludes, "<i>An assessment of water resources has not been undertaken as water resources has been scoped out of the Environmental Statement, as detailed within ES Volume 4, Appendix 5.1: EIA Scoping Report [EN010158/APP/6.4] and agreed by PINS within ES Volume 4, Appendix 5.2: EIA Scoping Opinion [EN010158/APP/6.4] due to impacts to foul, potable and private water supplies being considered negligible.</i>" CSAG notes that the Scoping Opinion pre-dated this year's hot, dry summer (and the current hosepipe ban in the area). CSAG considers this volume of consumption over a three-year period to be potentially significant, especially when water demand for other ongoing/proposed development is taken into account.
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(REP6-034) - 6.1.5 Environmental Statement Volume 1 Chapter 3 - Proposed Development Description (Revision 5) Environmental Statement Volume 4 Appendix 15.1 Transport Assessment (Revision 3) (REP6-051)	<i>3.1.1 This chapter has been updated at Deadline 6 to describe the alterations to operational traffic access.</i> <i>3.12.1 The sixth access is off East Claydon Road, providing access to Parcel 3 during the construction phase for a small number of AIL deliveries (being loads which are in excess of The Road Vehicles (Construction & Use) Regulations 1986) [Ref. 3-2], and during the operation (including maintenance) phase for AIL, Car and Light Goods Vehicles (LGV) only, subject to the approval of Buckinghamshire Council.</i> Environmental Statement Volume 4 Appendix 15.1 Transport Assessment (Revision 3) (REP6-051) now states as follows:	From the outset, the Applicant has maintained that the principal access points for construction, operation and decommissioning would be via Claydon Road and Granborough Road, the exception being for AILs which would approach the Site from East Claydon Road across Fields SA55 & SA56 (APP-063); Fig. 3.9a). This latter access point is coincident with that for all Statera (East Claydon BESS) construction traffic but with the exception of AILs, which would follow an alternative route through Granborough. The site entrance proposed for the Statera 'East Claydon BESS' project (Appeal Ref. APP/J0405/W/25/3360815) was to be on a temporary basis. The Inspector's decision to allow the appeal included confirmation that the principal construction route would follow East Claydon Road. Para. 65 (Transport Issues) of the
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	Para.4.2.5. <i>“Access to Parcel 3 during the operational (including maintenance) phase for cars and Light Goods Vehicles (LGV) can be from East Claydon Road, subject to the approval of Buckinghamshire Council.”</i> Para. 4.2.6. <i>“The operational access from the north however will only be for car and LGV access, given the real and practical road safety issues associated with HGV traffic through Winslow. HGV access during the operational phase will still be from the south via Granborough Road. The Applicant is unable to alter this.”</i> Para. 4.2.7. <i>“The southern access will be used for all construction access (excluding AIL access) and will be retained to permit occasional HGV access, cable maintenance visits and emergency access. Advance notice would be given of access requirements and</i>	decision letter states, <i>“Chapter 8 of the appellant’s ES is concerned with Transport and Access. The construction period is likely to take place over an 18 month period. Access to the site, for construction vehicles, is intended to mostly take place from East Claydon Road and into the site via a temporary [our emphasis] access drive (the haul route)”</i>. The decision letter went on to say at Para 66, <i>“It would require the construction of a temporary bridge over the brook alongside the main site to facilitate access. It is recognised that the haul route may occasionally flood necessitating the provision of an alternative access, via Hogshaw Road, although the appellant states that is not anticipated to be required.”</i> In the present case, the Applicant has maintained that access from East Claydon Road
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	<i>biosecurity measures would be implemented along the southern route when it is in use.”</i>	would be limited to AILs and so, effectively, this would be a temporary measure during the construction period. However, at the eleventh hour, the Applicant has stated that, during the operational phase, the access points for cars and LGVs would include that from East Claydon Road. The changes in the Deadline 6 ES update raise a number of important issues. The Applicant proposes creating their own site access from East Claydon Road, seeking a 50 metre flexibility option in its location (Draft DCO – see below) and requiring 51.5m of hedgerow to be removed. It is not clear how this relates to the temporary entrance to be used by Statera or whether Statera would plan to use the entrance
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		on a permanent basis (contrary to the terms of the planning permission). What would be planned in terms of materials used for the access track and how would the Claydon Brook be traversed given that the Statera plans were for temporary structures? It should be noted that no baseline surveys have been undertaken by either party. It bears reiteration that Fields SA55 & SA56 are subject to severe flooding at times and it is not clear how this will be managed. Para. 2.17.3 of REP1-078 (ES land and groundwater chapter - construction phase) states, <i>“The Abnormal Indivisible Loads (AIL) access located in the north of Parcel 3 would not be used during flood events.”</i> Para. 2.4.5 of REP1-080 (EIA Scoping Opinion) states, <i>“During the operational (including maintenance) phase, the Abnormal Indivisible</i>
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		<i>Loads (AIL) access located in the north of Parcel 3, would only be used should unforeseen events occur which result in the Rosefield Substation requiring replacement. The AIL access would not be used during flood events."</i> Do these provisions apply to other vehicles? What is to prevent non-AIL vehicles using this access point during all phases of the project, and what are the implications of the proposed changes to the Transport Assessment and cumulative impacts with other infrastructure projects? Corresponding changes proposed for the Draft DCO are as follows: <i>Limits of deviation (Part 6: 50).</i> <i>(1) Subject to paragraph (2), in constructing the permanent means of access at AS-A1 between</i>
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		<i>points AC-A1 and AC-A2 shown shaded orange on sheet 6 of the streets, rights of way and access plans as comprised in the authorised development, the undertaker may deviate laterally from the situation shown between points AC-A1 and AC-A2 by up to 50 metres to the east.</i> <i>(2) In constructing the permanent means of access referred to in paragraph (1) of this article, the removal of part of approximately 51.5m of hedgerow within the area identified by orange shading on Appendix 3D of the vegetation removal parameters, reference R53, will align with the permanent means of access at AS A1 as deviated.</i> <i>(b) Work No. 2B – an abnormal indivisible load corridor required to facilitate abnormal</i>
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		<i>indivisible load movements together with internal access track—</i> <i>(i) in connection with Work No. 2A; and</i> <i>(ii) crossings over watercourses via bridges.</i> This represents significant changes both to the project design and to traffic management but, as presented, it is no more than a skeleton devoid of any flesh. It is yet another example of last-minute changes to a scheme that is ill-thought through, the detail of which the Applicant wishes to defer to a later stage, outside the EIA process and any public scrutiny.
(REP6-068) Interrelationships with other NSIPs and Major Development Schemes	In Fig. 2 The Applicant has estimated potential construction periods for the various projects.	The Applicant has relied on indicative information about likely construction periods from planning applications or, where these are not available, “worst-case assumptions.”

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		Figure 2 (REP6-068) shows the construction phases of the Statera and Stakraft projects with a gap of 6 months between them. Given that the actual connection dates for either scheme are not known and that they are dependent on the new East Claydon National Grid substation, a reasonable worst-case scenario would assume a significant overlap in the construction period of these schemes. Construction may also coincide with the redevelopment of the substation, which is not included in the table and, of course, with the Rosefield scheme itself. The Applicant has potentially significantly understated the cumulative impacts of construction of the series of large developments planned in the immediate vicinity of the Order Limits.
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Rosefield Solar Farm – CSAG Response to Applicant’s Closing Statement

Signposting table for ExA to assist in understanding a) where each of the Applicant’s closing statements on biodiversity (including its responses to Deadline 5 submissions) have already been countered/rebutted in CSAG submissions and b) how the final position engages with the relevant versions of NPS EN-1 and NPS EN-3.

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
Adherence to NPS EN-1 (Bechstein’s bats – paras 5.4.43 / 5.4.55)	2.2.1, 2.2.16– 2.2.17	• REP5-109 CSAG responses to Applicant’s replies to ExQ2 (esp. CSAG comments on Applicant’s Q2.5.8-Q2.5.10 answers) (pdf pages 159 et seq); • REP6-084 CSAG note on 11th hour design changes and implications for bat displacement; • CSAG closing statement (REP6-085) paras 15-17, 27-28, 52-58.	CSAG’s response to ExQ2 (Q2.5.8) in REP5-109 provides a direct rebuttal to the Applicant’s interpretation of NPS EN-1 paras 5.4.55/5.4.43 and its definition of ‘harm’ as limited to something impinging on long-term conservation status. CSAG maintain that this is an incomplete and non-precautionary reading of NPS EN-1. ‘Significant harm’ to biodiversity generally (per EN-1 5.4.42 and 5.4.43) and ‘harm’ to Bechstein’s specifically is not confined to a long-term diminution of conservation status, but includes significant short-term population change/habitat disruption, which is accepted at least as a possible outcome by the Applicant (inevitably, given the extent of land-use change, hedgerow removal and displacement effects, even after the 11 th hour changes). This impact directly engages NPS-EN1 paras 5.4.42, 5.4.43 and, especially by reference to 5.4.55, merits refusal. CSAG’s note REP6-084 further articulates the point and CSAG’s closing submission REP6-085 sets this in the context of wider concern that the Applicant’s approach to the mitigation hierarchy (EN-1 5.4.42) has been non-compliant and non-precautionary throughout, illustrated by the late-in-	NPS EN-1 (2023) 5.4.42 – As a general principle ... 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. Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. NPS EN-1 (2023) 5.4.43 – If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the SoS will give significant weight to any residual harm. NPS EN-1 (2023) 5.4.55 – The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
			the-day changes evidently made to try and appease the statutory authority rather than as a pre-emptive and precautionary response to the available facts and evidence. CSAG notes that the Applicant's response in REP6-070 (row 3.6) accepts the possibility of at least short-term harm (though it prefers to call this " <i>a short-term adjustment to the population during construction and planting establishment</i> ") but contends that this does not engage with NPS EN-1 as it asserts such harm would not be 'significant'. Even were that to be correct, this disregards the wording of EN-1 para 5.4.55 ¹ .	should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance ... which they consider may result from a proposed development. CSAG's position is that the Applicant's acceptance of a risk of " <i>short-term adjustment to the [Bechstein's] population during construction and planting establishment</i> " constitutes harm (engaging para 5.4.55) and in the context of this species' rarity and the local population's inherent fragility, also 'significant harm' (engaging paras 5.4.42-5.4.43)
Bechstein's bats – conclusion of "potentially significant effect" (instead of "significant effect")	2.2.2, 2.2.18–2.2.19	• REP5-109 CSAG responses to Applicant's replies to ExQ2 (CSAG comments on Applicant's answer to Q2.5.7 et seq); • REP6-084 CSAG note on 11th hour design changes and implications for bat displacement; • CSAG closing statement (REP6-085) paras 52-58.	As above. CSAG's response to the Applicant's answer to ExA question Q2.5.7 (in REP5-109) provides an example of the masking of likely significant effects on Bechstein's in the Applicant's assessments by exposing the Applicant's attempt to confound 'grassland' (in the general sense) with 'grazed grassland' (which is of inherently high foraging importance for bats) in contemplating the adequacy of its compensation. It also notes the continuing reluctance of the Applicant to properly commit to the latter by articulating how it would be delivered. The peer-reviewed literature summarised	As above. The dispute over 'potentially significant' vs 'significant' effect is key to the policy compliance question. CSAG maintain that the balance of evidence is toward a very high risk of significant harm in the short-term, even if the proposed mitigation and compensation were to be deliverable and effective in the longer term (which CSAG also disputes – see below). CSAG contends that the likely significant short-term harm alone fails at last the EN-1 para 5.4.43 threshold and therefore merits refusal of the Order.

¹ CSAG notes the Applicant states in [REP6-070](#) (row 3.6, p.11) that "*such an impact [significant harm] on Bechstein's bats has not been discernible as a result of the much larger HS2 construction operations adjacent*". The ExA will recall that at no point in the Examination has this been evidenced, with the high water mark of the Applicant's support for that contention being Ms Reason's references in ISH1 and ISH3 to a 'proxy' species (Natterer's bat) 'doing fine' despite the HS2 disruption, but without actually providing any evidential back-up for that assertion.

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
			in REP6-084 provides a clear and weighty evidential basis that the residual effect of bat displacement and loss of foraging area is understated and likely 'significant', not merely 'potentially significant'. It also evidences how the impact of any displacement effect on the designed-in corridors and buffers is magnified by the applicant's obdurate adherence to an illogical means of measuring buffers and stand offs, which undermines their likely worth and efficacy.	
Bechstein's bat – removal of Solar PV from Fields B6, B8, part of B7 but not B10, B11, D28 and D29	2.2.3–2.2.5, 2.2.20–2.2.22	• REP5-109 CSAG responses to Applicant's replies to ExQ2 (CSAG comment on Applicant's Q2.5.10-Q2.5.13 answers); • REP6-084 CSAG note on 11th hour design changes and implications for bat displacement; • CSAG closing statement (REP6-085) paras 52-58.	CSAG's note on these 11 th hour design changes (REP6-084) provides the peer-reviewed evidential basis for CSAG's position that the Applicant's Deadline 5 design changes (removal of PV from B6/B8 and part of B7, localised woodland buffer increases to 50m) do not go far enough, given the weight of recent literature on bat displacement from solar arrays. CSAG remains of the view that the Applicant's continuing intention to place PV in D28/D29 (and the retained parts of B7) represents an ongoing risk of significant impact, particularly in conjunction with the likely reduced or compromised efficacy of the hedgerow buffers due to the Applicant's illogical approach to buffer measurement (see CSAG responses to Applicant's replies to Q2.5.10-Q2.5.13 in REP5-109).	As above. The key policy test is whether the PV deletions from B6, B8, part of B7 and the increased stand-offs from certain woodlands are sufficient to avoid harm, having regard to the clear thrust of scientific evidence of displacement effects, the rarity and vulnerability of the local Bechstein's population and the Applicant's illogical approach to designing buffers and stand-offs (compromising their likely efficacy). CSAG notes that Natural England at 1.7 in Table 2 of REP6-019 (SOCG) stated "Natural England have requested confirmation that the width of the buffer will be measured from the edge of the feature being protected and not hedgerow centreline," but the Applicant has refused to accede to this request. At REP6-088 (NE's Closing summary), NE states "Although it may be simpler in terms of digitally mapping

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
			The Applicant's reference to NPS EN-1 para 5.4.47 (at para 2.2.22 of its closing statement (REP6-072) is misconceived. The 'very significant benefit' (of removals) test enshrined in this para of EN-1 is explicitly related to landscape and visual impacts. It has no application to a situation where likely significant impacts on a rare protected species are concerned. The relevant tests are in paras 5.4.42–5.4.43 (mitigation hierarchy / weight to be attributed to residual significant harm) and 5.4.55 (refusal where harm to a protected species and relevant associated habitat would result).	and measuring such swathes to take a central measurement, there is no ecological rationale for this methodology, and indeed in ecological terms it may do the very opposite of what it is intended to do." CSAG completely agrees and is aligned with statutory authority on this point.
Bat Monitoring Strategy – extent of remedial actions left to be specified in future	2.2.6, 2.2.23–2.2.26	• REP6-084 CSAG note on 11th hour design changes and implications for bat displacement; • REP5-109 CSAG responses to Applicant's replies to ExQ2 (CSAG comment on Applicant's Q2.5.11–Q2.5.13 answers); • CSAG oral submissions at ISH1 REP3-065 and ISH3 REP5-109	As referenced in oral submissions and REP5-109, the issue of ongoing concern is the tension between the Applicant's reliance on the monitoring to pick up a statistically significant change in bat activity, which can then trigger a review of the efficacy of the buffers, and its refusal (noted in oral submissions at ISH1, but somewhat more ambiguously at ISH3) to countenance panel removal as one of the remedial options that might be necessary. This means that a significant effect picked up via monitoring would only trigger habitat-management tweaks that are inherently limited in scope. This could 'bake in' unforeseen negative impacts. At the ecology meeting held outside the Examination, the Applicant took an action to provide further detail on the monitoring/remedial framework. This was never delivered. The Applicant's position at ISH3, as stated	NPS EN-1 paras 4.2.11–4.2.12 state that applicants must apply and demonstrate the mitigation hierarchy, and set out how mitigation/compensation measures will be monitored and reported, "to ensure success and that action is taken" (4.2.12). CSAG contends that the Applicant's ambiguous and vacillating position fails this test. NPS EN-3 2.10.130 – applicants are advised to develop an ecological monitoring programme for particular ecological receptors 'such as bats and wintering birds', with results informing changes needed to land management, 'including, if appropriate, any livestock grazing regime'. This para is relevant

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
			by its legal representative, altered slightly in that it attempted to suggest that panel removal was not entirely 'ruled out'. That is a hedging of bets that undermines assessment and suggests the Applicant itself realises that both its original and 11 th hour design concessions have been inadequate to properly protect the vulnerable local populations of rare bats.	to the Applicant's continuing non-committal position on livestock grazing.
GCN Licensing – Applicant declining to commit to a single licensing route (District Level Licence vs Natural England licence)	2.2.7, 2.2.27–2.2.29	CSAG have left this matter to NE (primarily) as the licensing authority and to Bucks Council, though CSAG offers the observations in the next two columns.	CSAG notes that this matter is recorded as a residual point of disagreement in the Applicant's respective SoCGs with Natural England and Buckinghamshire Council. CSAG agree with NE and Buckinghamshire Council that clarification of licensing approach is expected for NPS compliance and notes that NE have refused to issue a Letter of No Impediment (LONI) to that end.	NPS EN-1 para 5.4.45 sets out the expectation that an applicant should demonstrate a legally deliverable licensing route before consent is granted. The Applicant's refusal to commit to one route, combined with NE's refusal to issue a LONI, is relevant here.
Grazing – adequacy of commitments secured in the outline LEMP	2.2.8, 2.2.30–2.2.31	REP5-109 CSAG responses to Applicant's replies to ExQ2 (CSAG comment on Applicant's Q2.5.11, Q2.5.13, Q2.5.14 answers); - CSAG closing statement (REP6-085) paras 52-58.	CSAG's response to the Applicant's answer to Q2.5.14 directly flags the contradiction between the Applicant's written answer (grazing as 'preferred method') and its claims that initial conversations with potential graziers have been had, with Ms Stirling's oral answer at ISH3 to CSAG's Mr Woodfield, which suggested no substantive feasibility investigation into grazing (particularly cattle grazing) had been undertaken (see REP5-109). CSAG's final position is that it is unclear how much of the EIA conclusions on mitigation/compensation efficacy are predicated on grazing being delivered,	NPS EN-1 4.2.11–4.2.12 – applicants must demonstrate that "all residual impacts are those that cannot be avoided, reduced or mitigated", with monitoring/reporting to ensure any mitigation and compensation succeeds and remedial action is taken where not. CSAG contend that the Applicant's position of reliance upon grazing to deliver positive EIA conclusions but then merely to cite it as a 'preferred option' without any firm commitment to its delivery, does not fulfil

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
			in a situation where the Applicant is palpably reluctant to make any binding commitment to its delivery. CSAG notes that the Applicant's latest submissions continue to rely upon grazing to improve its impact assessment outcomes, without actually committing to its delivery. For example, REP6-070, responding to CSAG's Deadline 5 submissions, includes the statement at Row 3.4 (pdf page 12) that the scheme will deliver "<i>no net loss of grazed habitat within 1.5km of Shrubs Wood</i>" and that this supports a no significant adverse effect conclusion. However, in the subsequent rows, the Applicant merely reiterates its non-committal position on grazing delivery and has done nothing to provide the ExA with greater reassurance as to its practical deliverability, despite being challenged on the matter throughout the Examination. The Applicant's position has remained 'it is too early' to provide such reassurance (see oral submissions at ISH3), but this does not, in CSAG's view, meet the policy or EIA requirements.	these relevant policy tests, nor the requirements of a robust EIA.
Hedgerow buffers measured from centreline as against outer edge of hedgerow/feature	2.2.9, 2.2.32–2.2.34	- CSAG (Mr Woodfield's) oral submissions at ISH1 REP3-065 and ISH3 REP5-109; REP3-062 (Deadline 3 – CSAG responses to Applicant's comments on CSAG WR) (rows	REP3-065 records Mr Woodfield's original oral submissions on the Applicant's illogical approach to measuring buffers (and the related issue of BNG 'double counting'). REP5-109 records the Applicant's 'it's been done elsewhere' justification, and CSAG's rebuttal of that - citing Botley West as a precedent where measurement was taken from the feature,	NPS EN-1 5.4.42 – reinforces the general mitigation hierarchy principle that development should aim to avoid significant harm and that reasonable alternatives should be considered. CSAG's case is that measuring from the centreline (rather than the feature/canopy edge) systematically understates the effective buffer actually

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
		2.1.22/2.1.26/2.1.30) (pp 27 et seq) • REP5-109 CSAG responses to Applicant's replies to ExQ2 (CSAG comment on Applicant's reply to Q2.5.10). • CSAG closing statement (REP6-085) paras 52-58	not the centreline, in a comparable Annex II bat context.	delivered, and therefore the amount and/or efficacy of any avoidance/mitigation effect. This is a contrived and ecologically nonsensical approach. There can be no argument that an approach that measures buffers from the feature to be buffered (rather than some arbitrary position within it), will result in a more effective mitigation response and would be a 'reasonable' alternative. The Applicant has singularly failed to provide any robust justification for its approach other than convenience and the fact that it may not have been specifically challenged as an approach in certain other DCOs. That is not an approach that meets the requirements of EN-1 para 5.4.42. CSAG notes that Natural England at 1.7 in Table 2 of REP6-019 (SOCG) stated "Natural England have requested confirmation that the width of the buffer will be measured from the edge of the feature being protected and not hedgerow centreline," but the Applicant has refused to accede to this request. At REP6-088 (NE's Closing summary), NE states "Although it may be simpler in terms of digitally mapping and measuring such swathes to take a central measurement, there is no ecological rationale for this methodology, and indeed in ecological terms it may do the very opposite of what it is

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
				intended to do.” CSAG completely agrees and is aligned with statutory authority on this point.
Hedgerow Removal and Fragmentation – up to 2,060m of hedgerow removal	2.2.10, 2.2.35–2.2.36	• REP5-109 CSAG responses to Applicant’s replies to ExQ2 (CSAG comment on Applicant’s reply to Q2.5.20).	CSAG’s responses to the Applicant’s Q2.5.20 response rebuts the Applicant’s position that reinstatement/new planting avoids fragmentation, on the basis that the time taken for replacement hedges to mature means fragmentation will occur regardless, even if it is not permanent. CSAG notes that this position is consistent with that of NE and Buckinghamshire Council.	NPS EN-1 para 5.4.2 – sets a general policy aim of establishing ‘coherent ecological networks’. The policy is engaged by the Applicant’s own acknowledgement (in its ExQ2 answer) that some fragmentation will occur, even if it regards this as temporary. See rows above for CSAG position on the dispute over the significance of such fragmentation.
Ancient Woodland Buffers – 30m vs 50m	2.2.11, 2.2.37–2.2.39	• CSAG (Mr Woodfield’s) oral submissions at ISH3 REP5-109; • REP6-084 CSAG note on 11th hour design changes and implications for bat displacement.	REP5-109 sets out Mr Woodfield’s oral case for CSAG at ISH3 for a 50m standoff (consistent with Woodland Trust advice and the direction of travel in emerging standing advice), and – importantly – the related point that the Applicant measures its 30m buffer from the land-parcel boundary rather than the true edge of the woodland canopy, meaning the effective buffer may be as little as 10–15m in places. CSAG notes that the applicant has increased woodland buffer sizes to 50m locally, but not across the scheme more widely, therefore the point remains as set out in the CSAG note on 11th hour design changes (REP6-084).	NPS EN-1 (5.4.14–5.4.15) defines irreplaceable habitats as habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace, with ancient woodland a clear and universally accepted example. NPS EN-1 para 5.4.32 – applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland during both construction and operational phases. Para 5.4.53 – the Secretary of State should not grant consent for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland, ‘unless there are

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
				wholly exceptional reasons and a suitable compensation strategy exists.’ CSAG’s case is that due to the Applicant’s illogical approach to buffer measurement, in some instances the true buffer distance may only be 10–15m in places (not even 30m). This engages the para 5.4.53 refusal test as there is insufficient confidence that deterioration of ancient woodland due to proximity of solar installations (e.g. via construction, dust, glint, glare and heat deflection impacts) has been adequately avoided or mitigated.
Efficacy of Ground-Nesting Bird Mitigation – whether LEMP measures serve bats and ground-nesting/wintering birds simultaneously without competition for resources.	2.2.12, 2.2.40– 2.2.42	• REP6-082 CSAG expanded response to Position Paper on ground nesting and wintering birds. • CSAG closing statement (REP6-085) paras 59-67	REP6-082 provides a comprehensive rebuttal of the Applicant’s Position Paper [APP/8.36, REP5-093], presenting CSAG’s case that the Applicant’s claim that its compensation proposals can deliver multiple compensatory benefits across a range of incompatible objectives, is unsafe, unsupported by any viable evidence and hence disguises a negative effect on certain wintering and ground nesting bird species significant at up to county level. CSAG’s closing statement (REP6-085) paras 59-67 provides the summary closing position.	NPS EN-3 2.10.77–2.10.78 requires the applicant to ensure adverse impacts are avoided/minimised/mitigated ‘in line with the mitigation hierarchy’. Para 2.10.130 further requires that monitoring of ‘particular ecological receptors (such as bats and wintering birds)’ should inform land-management changes – i.e. efficacy is meant to be checked and adjusted, not assumed at the outset. No reactive mitigation adjustment for lapwing and golden plover displacement or failure to achieve target population levels for skylark is proposed, and therefore these paras of EN-3 are engaged and offended.

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
				NPS EN-1 paras 5.4.42–5.4.43 (the general mitigation-hierarchy/significant-harm provisions) are also engaged, particularly on the matter of whether multi-functional habitat compensation (Mr Woodfield’s “quart into a pint pot” analogy) is truly deliverable without evidence that the resource-competition/carrying-capacity constraints issues CSAG identifies have been considered, still less resolved.
Wintering Birds – golden plover, lapwing and skylark; alleged underestimation of effect	2.2.13, 2.2.43–2.2.46	• REP6-082 CSAG expanded response to Position Paper on ground nesting and wintering birds. • CSAG closing statement (REP6-085) paras 59-67	REP6-082 rebuts the Applicant’s Position Paper [APP/8.36, REP5-093] claim that “even if all individual Golden Plover/Lapwing were displaced... it would not constitute a significant effect”, and sets out the county/local impact context that the Applicant’s Position Paper disregards or obscures.	As well as being relevant to compliance with the applicable NPS (see row above), this is a matter than raises concerns about the robustness and adequacy of the Applicant’s EIA generally.
Biodiversity Net Gain Assessment – treatment of grassy arable field margins; doubt over deliverability of 40% habitat area net gain	2.2.14–2.2.15, 2.2.47–2.2.49	• CSAG (Mr Woodfield’s) oral submissions at ISH3 REP5-109; • REP6-083 CSAG Response to Applicant’s Position Paper on Arable Field Margins and Hedgerow Mapping, and CSAG comments on the Applicant’s revised BNG Metric/Assessment.	REP6-083 responds directly and comprehensively to the Applicant’s Position Paper [APP/8.37, REP5-094] cited at para 2.2.48 of the Applicant’s closing statement. Part A of the note rebuts the Applicant’s ‘centreline’ justification for classifying arable-margin habitat and vegetation extending beneath hedgerows as cropland; Part B examines whether the Applicant’s revised metric still achieves >40% net gain once that correction is made and Part C gives CSAG’s overall conclusion on the BNG position.	NPS EN-1 4.6.7 – applicants are encouraged to use the latest biodiversity metric ‘to calculate their biodiversity baseline and present planned biodiversity net gain outcomes’. These should be presented in full with the application. CSAG has consistently exposed errors and omissions that show this has not been done correctly. NPS EN-1 4.6.10 – biodiversity net gain ‘should be applied after compliance with the

Matter	Applicant Closing Statement REP6-072 paragraphs	Examination document/s where CSAG response can be found	Summary of position	Relevant NPS EN-1 / EN-3 (2023) paragraphs engaged
		• REP6-085 CSAG closing submissions (paras 68-72).	REP6-085 summarises how the Applicant's net gain figure has consistently been reduced in response to challenges related to omissions, error and methodology, and notes how the Applicant has abandoned sensible conservative principles to take 'rearguard action' to change the Metric calculation to try and uphold the diminishing credibility of the >40% target secured by Requirement 7.	mitigation hierarchy'. See rows above for comments on the Applicant's failure to comply with the mitigation hierarchy.

CSAG Landscape Comments on D6 Submissions for D7

20th August 2026

██████████

Introduction

This note sets out CSAG's landscape comments on Deadline 6 material, for Deadline 7.

Section A is comments on new documents submitted by the Applicant, Section B is updated documents, Section C is comments on material submitted and responses by others.

Where no comments are provided, this should not be taken as agreement with the Applicant's / others' responses. CSAG fully maintains the position of its landscape expert ██████████ as set out in CSAG's *Landscape and Visual Report* (LVR) [REP1-127], Part 3 – *Landscape and Visual*, and summarised in CSAG's Closing Statement [REP6-085] under the heading *Landscape and Visual*.

A) New documents Applicant

Rosefield Solar Farm Applicant's Response to Deadline 5 Submissions [REP6-070]

3.11 CSAG [REP5-109], epage 142, Paras 4.11 and 4.12

██████████ does **not agree** with the Applicant's response about levels of glint and glare effects on people in the study area being Low, and the method used being acceptable.

CSAG's comments on glint and glare for Deadline 7 are in Section C below, but in summary, CSAG's position on glint and glare remains as set out in CSAG's *Deadline 6 Comments on Applicant's Deadline 5 Submissions* [REP6-080].

3.16 CSAG [REP5-109], epage 145, paras 5.3 to 5.10

██████████ does **not agree** with the Applicant's response about underestimations of levels of landscape sensitivity, and maintains that these levels have been underestimated. For example, in ██████████ opinion, none of the landscape areas or types categorised in the LVIA as being of 'Low' sensitivity meet the LVIA's criteria for 'Low'.

Rosefield Solar Farm Closing Statement [REP6-072]

As stated in previous submissions, in ██████████ opinion, there are several aspects of the Applicant's LVIA [REP6-038] which do not accord with industry standard methodology, many of which have resulted in a) levels of landscape and visual effects having been underestimated, and levels of benefits stated where none would be delivered.

Rosefield Solar Farm Applicant's Response to the Rule 17 letter [REP6-073]

In Table 5: *Response to Action Points from ISH3*, Action Point 21 is for the Applicant to "Clarify the guidance relied on in the Applicant's Glint and Glare Assessment [APP-082] and submit the "Solar

Photovoltaic and Building Development Glint and Glare Guidance” (2022) referred to in its assessment. Applicant to share the 2022 Guidance with CSAG and Buckinghamshire Council in advance”.

The Applicant submitted the glint and glare assessment guidance at Deadline 5 (in [REP5-045]), although [REDACTED] was able to download the current (4th edition) of the guidance when it was published in 2022, so her comments on glint and glare are based on that document.

CSAG’s comments on glint and glare for Deadline 7 are in Section C below, but in summary, CSAG’s position on glint and glare remains as set out in CSAG’s Deadline 6 *Comments on Applicant’s Deadline 5 Submissions* [REP6-080].

B) Revised documents Applicant

Rosefield Solar Farm Statement of Common Ground – Buckinghamshire Council (Rev. 6) (Clean) [REP6-027]

[REDACTED] **agrees** with Buckinghamshire’s residual concerns about landscape and visual matters.

C) Responses / comments / new documents others

Buckinghamshire Council’s Comments on the Applicant’s Response to Deadline 4 Submissions [REP6-075]

3.40 Buckinghamshire Council [REP4-092], Pages 4 and 5, and Buckinghamshire Council [REP4-094], Page 3, re glint and glare.

Buckinghamshire Council refers to their response to the ExA’s Rule 17 letter on this issue – see below.

Rule 17 Examining Authority’s Request for Information – Buckinghamshire Council Response [REP6-074]

This document sets out Buckinghamshire Council’s response to the ExA’s request for further information on a number of items [PD-019].

[REDACTED] comments relate to glint and glare effects.

“The applicant’s response to action point 22 from issue specific hearing 3 (ISH3) [REP5-098] provides an assessment of glint and glare effects on local roads. Buckinghamshire Council is requested to provide comments on the assessment and its conclusions. The Council should confirm if it considers that mitigation is required and what form it should take, if appropriate”.

[REDACTED] **agrees** with the opinions and concerns expressed by Buckinghamshire Council in the *Request for Information* report about the Applicant’s Glint and Glare Assessment (GGA), in terms of both the informal method, and the results. The opinions and concerns reflect those of [REDACTED] as set out in previous submissions, for example CSAG’s Deadline 6 *Comments on Applicant’s Deadline 5 Submissions* [REP6-080].

In summary, throughout the Examination, [REDACTED] has expressed significant concerns about the Applicant’s GGA. As explained in CSAG’s submissions, so far, the Applicant has neither adequately addressed, nor resolved the concerns.

In [REDACTED] opinion, which has been corroborated by a leading industry expert, the GGA method is highly flawed, masking a real risk of **serious injury or even fatality** resulting from glint and glare.

Buckinghamshire Council's response states that *"The Council remain concerned that the Guidance has been applied in a blanket way which results in the omission of potentially significant glint and glare effects and/or the need for mitigation"*, and that the Council has *"concerns about given the safety-critical issues that can still arise on local roads (particularly at national speed limit speeds)"*.

Regarding the ExAs question about mitigation, para. 15 of the Council's *Request for Information* report states that in the light of the GGA's latest findings, a *"precautionary approach is appropriate"*, and suggests that mitigation measures are considered, with associated "amendments to the oLEMP and/or the oCEMP and/or the oOEMP".

██████ **agrees** with the recommendations, but does **not** consider that these would be sufficient to address the risks of serious accidents.