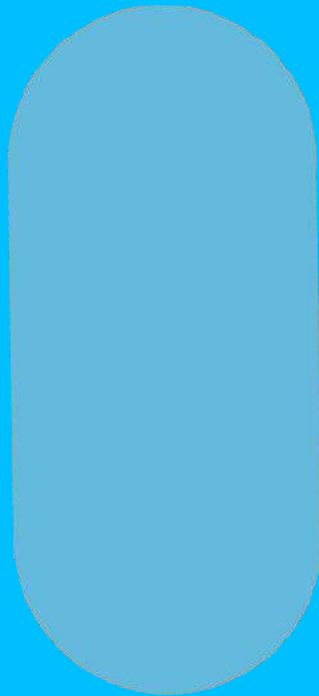




Lime Down Solar Park

Planning Position Statement

MAY 2026



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Contents

1. INTRODUCTION	4
Legislative Context	4
Interested Party	5
Authors of this Report	5
Structure of this Document	6
2. THE SITE AND PROPOSALS	7
The Site	7
Designations	7
<i>Applicant Assessment</i>	7
<i>Interested Party Assessment</i>	8
<i>Other Planning Considerations within and surrounding the Order Limits</i>	9
<i>Agricultural Land</i>	9
<i>Public Rights of Way</i>	10
<i>Minerals</i>	10
Proposed Development	11
3. STATEMENT OF NEED	16
National Legislation	16
National Policy Statements	16
<i>NPS EN-1: Overarching National Policy Statement for Energy</i>	16
<i>NPS EN-3: National Policy Statement for Renewable Energy Infrastructure</i>	18
<i>NPS EN-5: Electricity Networks Infrastructure</i>	18
<i>2025 Revisions to the National Policy Statements</i>	18
4. PLANNING POLICY FRAMEWORK	19
Introduction	19
<i>National Policy</i>	19
<i>National Policy Statements</i>	19
<i>2025 Revisions to the National Policy Statements</i>	19
<i>NPS EN-1: Overarching National Policy Statement for Energy</i>	20
<i>NPS EN-3: National Policy Statement for Renewable Energy Infrastructure</i>	23
<i>NPS EN-5: Electricity Networks Infrastructure</i>	23
National Policy Statements (2026)	23
National Planning Policy Framework (2024)	24
Draft National Planning Policy Framework	24
Local Planning Policy	25
Other Policy and Legislation	26
5. PLANNING APPRAISAL	27
Introduction	27
Temporary vs Permanent Impacts	27
Need	28
Mitigation Hierarchy	29
Site Selection and Alternative Sites Assessment	30
Land use and soils	32

Biodiversity, ecology and the natural environment.....	33
Climate Impacts.....	34
Heritage.....	35
Landscape and Visual Impact.....	41
Noise.....	45
Air Quality.....	47
Glint and Glare.....	48
Transport and Highways.....	49
Flood Risk and Drainage.....	55
Socio-Economic Impacts.....	58
Health.....	58
6. PLANNING BALANCE.....	61
Double Counting of Environmental Benefits.....	62
The Planning Balance.....	65
7. CONCLUSIONS.....	71



1. INTRODUCTION

Purpose of this Report

- 1.1 This Planning Position Statement ('Statement') has been prepared by Marrons on behalf of SLD Wiltshire Limited ("Interested Party") in response to the proposed development at Lime Down Solar Park ("the Scheme").
- 1.2 The Scheme comprises a solar photovoltaic ("PV") electricity generating station of over 50 megawatts ("MW") and associated development comprising Battery Energy Storage System ("BESS") with an export capacity of approximately 500 MW, substations, grid connection infrastructure, and other infrastructure integral to the construction, operation and maintenance, and decommissioning phases ("the Proposed Development").
- 1.3 The proposal is classed as a Nationally Significant Infrastructure Project ("NSIP") for the purposes of the Planning Act 2008 (as amended) and is therefore required to proceed by way of an application for a Development Consent Order ("DCO").
- 1.4 Lime Down Solar Park Limited ("the Applicant") submitted an application for a DCO to the Planning Inspectorate on 19th September 2025.
- 1.5 The application was accepted for examination by the Planning Inspectorate on 17th October 2025.
- 1.6 The purpose of this Statement is to consider the proposed development against the relevant National Policy Statements including planning policies for specific topic areas.
- 1.7 For the reasons as set out herein and through other submissions, it is considered that the proposed development is not in an appropriate location and, despite the substantial weight to be afforded to renewable energy generation, consider the Secretary of State should refuse consent for this application.

Legislative Context

- 1.8 The Planning Act 2008 (as amended) ("PA 2008") is the principal legislation governing the Examination of an application for an NSIP and the decision as to whether to grant Development Consent.



- 1.9 The Scheme falls within the definition and thresholds of a NSIP under Section 14(1)(a) and 15(2) of the Planning Act 2008 comprising an onshore generating station in England exceeding 50MW generating capacity. Under Section 115(1)(b) of the Planning Act 2008, the Scheme also proposes to include development described as ‘associated development’, such as the BESS.
- 1.10 Under the Planning Act 2008 regime, the framework for determining planning applications for development consent is provided by National Policy Statements (“NPS”). Section 5 of the Planning Act 2008 allows the Secretary of State (SoS) to designate NPSs which set out national policy in relation to the types of NSIP listed in Section 14 of the Planning Act 2008.

Interested Party

- 1.11 SLD Wiltshire Ltd campaign group (hereafter referred to as “Stop Lime Down” or “SLD”) recognises the important role that solar energy plays in reducing the global carbon footprint and supports the development of renewable energy.
- 1.12 Marrons have been instructed by Stop Lime Down to review the proposed development in the context of relevant planning policies and to provide a view on where the planning balance lies.

Authors of this Report

- 1.13 This report has been prepared by Marrons, a national Planning and Design consultancy with offices across England. The report has been co-authored by Sandra Ford and Joshua Mellor.
- 1.14 Sandra Ford has been a Planning Director at Marrons since July 2023. She holds a Postgraduate Diploma in Town Planning, a Certificate in Professional Planning Studies both from University of Central England in Birmingham, and a Postgraduate Certificate in Urban Design from Oxford Brookes University. She is a member of the Royal Town Planning Institute, a member of the RTPI’s General Assembly and a member of the RTPI’s England Policy Committee.
- 1.15 She have over 25 years’ experience of working in town planning both in local and central government development management/strategic planning/regeneration and delivery, and more recently the private sector. In her current role, she acts for a number of developers in preparing applications for planning permission. She also



promotes several sites of varying sizes for mixed used developments and large scale residential led developments. During her career, she have given evidence at a number of Section 78 and Local Plan Inquiries, EiPs and Regional Spatial Strategy Examinations on a range of town planning matters.

- 1.16 Joshua Mellor is a Planning Director based out of the Tunbridge Wells office. He co-leads the South East Planning Team. Josh is a Chartered Member of the Royal Town Planning Institute and has worked as a planning consultant for over 10 years. Prior to being a planning consultant, he worked as a Planner for a multi-national solar farm developer for 5 years working on solar farm applications under 50MWp. Josh has acted as Expert Witness at several planning inquiries, mainly relating to major residential development and housing land supply.
- 1.17 The evidence which we have prepared and provided is true and has been prepared, and is given, in accordance with the guidance of our professional institutions, and we confirm that the opinions expressed are our own, true and professional opinions, irrespective of by whom we are instructed to act.

Structure of this Document

1.18 The structure of this Statement is as follows:

- Section 1 – introduces the Statement and its purpose;
- Section 2 – provides a description of the site and designations and outlines the Proposed Development;
- Section 3 – addresses the statement of need for the Proposed Development;
- Section 4 – describes the planning policy framework relevant to the determination of the Proposed Development;
- Section 5 – provides a summary of the evidence provided by the Stop Lime Down team which informs our planning appraisal;
- Section 6 – sets out the planning balance; and
- Section 7 – concludes the Statement.



2. THE SITE AND PROPOSALS

The Site

- 2.1 The Order Limits comprise a total area of 1,237 hectares of land located largely within the administrative area of Wiltshire Council, with two small areas of existing highway within the administrative area of South Gloucestershire Council. The Order Limits are made up of the Solar PV Sites, the Cable Route Corridor, the Existing National Grid Melksham Substation and the Highway Improvement Areas.

Designations

Applicant Assessment

- 2.2 The Applicant has identified the following designations on the Site.

Table 1: Designations

Designation	Commentary
Landscape	<p>The northern boundary of Lime Down A and western boundary of Lime Down B and Lime Down C are located within 10 m of the Cotswolds National Landscape (CNL). Minor highway improvement works within the Highway Improvement Areas would be undertaken within the CNL.</p> <p>Lime Down A, C, the western part of Lime Down B and the most westerly part of Lime Down D are situated within the Cotswolds National Character Area (NCA Profile: 107 Cotswolds (NE420)). The remainder of Lime Down B, D, and the entirety of Lime Down E are situated within the Avon Vales National Character Area (NCA Profile: 117 – Avon Vales (NE522)).</p>
Ecology and Biodiversity	<p>There are no statutory internationally designated ecological sites located within 10 km of the Order Limits. There are four statutory internationally designated ecological sites located within 30 km. These include the Bath and Bradford on Avon Bats Special Area of Conservation (SAC), Severn Estuary Special Protection Area (SPA) and Ramsar, and Salisbury Plain SPA.</p> <p>There are four statutory nationally designated ecological sites located outside of, but within 5 km of the Order limits. These are Harries Ground, Rodbourne Site of Special Scientific Interest (SSSI); Corston Quarry and Pond Local Nature Reserve (LNR); Sutton Lane Meadows SSSI; and Conygre Mead LNR.</p>



	<p>There are 37 non-statutory locally designated sites located outside of, but within 2 km of, the Order Limits. These comprise 36 Local Wildlife Sites (LWS) and one Protected Road Verge.</p>
<p>Flood Risk</p>	<p>The Order Limits are situated within the Severn River Basin Management Plan (RBMP) area, specifically within the Avon Bristol and North Somerset Streams Management Catchment. The majority of the Solar PV Sites and Cable Route Corridor are located within Flood Zone 1 with a low risk of fluvial flooding. However, there are also areas of Flood Zone 2 and Flood Zone 3 with a medium and high risk of fluvial flooding, respectively, within Lime Down B, C, D and E and the Cable Route Corridor. There are areas of high flood risk just beyond the red line limits of the Scheme. The Solar PV Sites and Cable Route Corridor are generally at a very low risk to surface water flooding with limited areas of low to high risk along watercourses and drains.</p>
<p>Cultural Heritage</p>	<p>There are no World Heritage Sites, Registered Battlefields or Protected Wrecks within 2km of the Solar PV Sites and 250m of the Cable Route Corridor. No designated heritage assets are located within the Solar PV Sites, however, various Listed Buildings, Scheduled Monuments, Conservation Areas are located within 2km of the Solar PV Sites.</p> <p>There are also various designated heritage assets within 250m of the Cable Route Corridor, including two Grade II Listed Buildings within the Cable Route Corridor.</p> <p>Forty-seven records of non-designated archaeological assets are present within the Solar PV Sites according to the Wiltshire Historic Environment Records (HER), as well as an additional 53 areas of potential archaeological interest and 37 Historic Landscape Character (HLC) units. There are 588 records of non-designated archaeological assets present within the Cable Route Corridor.</p>

Interested Party Assessment

2.3 The Interested Party has appointed several Expert Witnesses who have undertaken a review of the designations on the Site and these are considered within the individual representations supporting this Statement. This Statement is supported by the following Written Representations:

- Flood Risk and Drainage – prepared by Professor Richard Skeffington*



- Glint and Glare – prepared by John van Hoogstraten of Straten Consulting Services Ltd
- Air Quality – prepared by Professor Richard Skeffington* and Professor Peter Dobson
- Noise – prepared by Ian MacCarthur of Clarke Saunders Associates
- Transport and Highways – prepared by Mr Bruce Bamber of Railton TPC Ltd
- Heritage – prepared by Mr Tom Linnington and Ms Lucy Nicholson of Marrons
- Landscape and Visual Impact – prepared by Ms Carly Tinkler
- Ecology – prepared by Mr Nicholas Valori of Betts Ecology
- Site Selection and Alternative Sites Assessment – prepared by Sir Michael Pitt*
- Human Health – prepared by Dr Claire Osmond*
- Agriculture, Soil and BMV Land – prepared by Sam Franklin of Landscape
- Whole Life Carbon Assessment – prepared by University of Derby

* indicates a person who is also an Interested Party in the Examination.

Other Planning Considerations within and surrounding the Order Limits

Agricultural Land

- 2.4 Of the 749.3 ha making up the Solar PV Sites, 717.5 ha is agricultural land. Across the Solar PV Sites, the land is primarily in arable use, with some areas of grassland in Lime Down B, C and E. The ALC grading for the Solar PV Sites, as informed by soil surveys, is set out in Table 1 below. The majority of the Solar PV Sites (67%) comprise land within Subgrades 3b and 4 and therefore is not best and most versatile (BMV) agricultural land. Approximately 242 ha of the Solar PV Sites is classified as BMV quality, mostly in Subgrade 3a with a small proportion of Grade 2. There is no Grade 1 land (being the highest grade) within the Solar PV Sites.



Table 2: ALC Areas of the Solar PV Sites

Grade	Description	Area(ha)	Area (% of agricultural land)
1	Excellent quality	0.0	0
2	Very good quality	30.8	4
Subgrade 3a	Good quality	209.3	29
Subgrade 3b	Moderate quality	245.0	34
Grade 4	Poor quality	232.4	33
Grade 5	Very poor quality	0.0	0
	Total agricultural	717.5	100

- 2.5 Similar work has been completed for the Cable Route Corridor, which equates to up to 205.2 hectares of agricultural land (albeit not all of this land will be affected by the final cable route). Of this, the majority is best and most versatile agricultural land shown in Table 2.

Table 3: ALC Areas of the Cable Route Corridor

Grade	Description	Area(ha)	Area (% of agricultural land)
1	Excellent quality	0.0	0
2	Very good quality	10.2	5
Subgrade 3a	Good quality	144.6	70
Subgrade 3b	Moderate quality	44.7	23
Grade 4	Poor quality	3.3	2
Grade 5	Very poor quality	0.0	0
	Total agricultural	205.2	100

Public Rights of Way

- 2.6 There are 19 Footpaths, 7 Bridleways and 3 Byways Open to All Traffic (BOAT) distributed reasonably evenly within the Solar PV Sites, with the densest concentration being in and around Lime Down D and E.

- 2.7 There are 19 Footpaths, 2 Bridleways, and 1 BOAT running through the Cable Route Corridor.

Minerals

- 2.8 There are no mining areas or mineral safeguarding areas (MSA) recorded within the Solar PV Sites but the Cable Route Corridor does pass through:



- two small areas of the Bristol Avon Valley Mineral Resource Zone and MSA which cover approximately 3.7 ha in total; and
- a MSA identified for building stone between Corsham and Whitley which extends to 27.2 ha.

Proposed Development

- 2.9 The Scheme comprises a solar photovoltaic electricity generating station of over 50 MW and associated development comprising BESS with an export capacity of approximately 500 MW, substations, grid connection infrastructure, and other infrastructure integral to the construction, operation and maintenance, and decommissioning phases.
- 2.10 The PV electricity generating station and BESS would be contained within five land parcels referred to as Lime Down A, B, C, D and E (hereafter collectively referred to as the 'Solar PV Sites').
- 2.11 The Cable Route Corridor is the area within which the export connection cables (hereafter referred to as the 'Grid Connection Cables') would be located to connect the Solar PV Sites to the National Grid at the existing Melksham Substation (hereafter referred to as the 'Existing National Grid Melksham Substation') and the area within which cables connecting the Solar PV Sites would be located (hereafter referred to as 'Interconnecting Cables').
- 2.12 The Scheme would be contained within the Order Limits (also referred to as 'the Site') which comprises the Solar PV Sites, the Cable Route Corridor, the works at Existing National Grid Melksham Substation and the Highways Improvements Areas.
- 2.13 The Order limits comprise a total area of 1,237 hectares (ha) of land. Of this, the Solar PV Sites comprise a total area of 749.3 ha.
- 2.14 The Order Limits are predominantly located within the administrative area of Wiltshire Council. Two small areas of existing highway (being junctions onto the A46), totaling 0.15 ha, are located within the administrative area of South Gloucestershire Council.
- 2.15 The main components of the Scheme are comprised of the following:



- **Solar PV Infrastructure** comprising:
 - Ground mounted bifacial solar photovoltaic (PV) panels (Solar PV Panels) which would convert sunlight into electrical current;
 - Solar PV mounting structures upon which the Solar PV Panels would be mounted (Solar PV Mounting Tables). The Applicant seeks consent for both tracker and fixed Solar PV Mounting Table options;
 - 33 kV Sub-distribution Switch Rooms, which would be located throughout the Solar PV Sites to collect the generated power and manage its delivery to the 132 kV and 400 kV Substations;
 - Conversion Units, which incorporate inverters, transformers and switchgear. These are required to convert the direct current (DC) electricity collected by the Solar PV Panels into alternating current (AC), which allows it to be exported to the grid. The equipment would either be standalone, or housed together within a container; and
 - Electrical and communications cabling required to connect the Solar PV Panels to other components of the Scheme.

- **Battery Energy Storage System ('BESS') Area** comprising:
 - battery energy storage system units each containing fire protection systems and components; containers for housing the cells; interconnection units including heating, ventilation and air conditioning, liquid cooling systems; conversion units including inverters, transformers and switchgear; monitoring and control systems; cabling between the BESS containers and other infrastructure within the BESS Area; together with other associated infrastructure including surface water management infrastructure and fire safety infrastructure such as provision for fire water supply and containment

- **Substations** to include:
 - 132kV Substations: located in Lime Down A, C, D and E, which would take power from the 33kV Sub-distribution Switch Rooms and feed



power to the 400kV Substation. The 132kV Substations would include external electrical infrastructure and a separate control building with welfare facilities;

- 400kV Substation: One 400kV Substation would be located in Field D22 of Lime Down D and would be used to step up the electrical voltage to 400kV ready to be exported to the Existing National Grid Melksham Substation. It would also step down the voltage from 400kV to allow for both excess electricity from the grid and Solar PV Sites to be stored within the BESS. The 400kV substation would consist of external electrical infrastructure such as transformers, switchgear and metering equipment, together with a separate control building and may incorporate a metering room; and
- Associated works such as cabling and earthworks.
- **Grid Connection Works at the Existing National Grid Substation**
 - This is required to connect the Scheme to the infrastructure at the Existing National Grid Melksham Substation and is anticipated to include the installation of a circuit breaker, current transformers, a disconnect/earth switch, sealing ends and cables and busbar modifications. An additional building may be required to house protection, control and ancillary apparatus. At this stage the location of the bay to be used by the Scheme within the Existing National Grid Melksham Substation is not known;
- **Cabling and associated works in the Cable Route Corridor.**
 - The Cable Route Corridor consists of the area required for the Interconnecting Cables (which connect the Solar PV Sites) and the Grid Connection Cables (which connect the Solar PV Sites to the Existing National Grid Melksham Substation). The Cable Route Corridor is typically 50m wide but widens to up to 665m wide in a number of locations such as utility or road and rail crossings to allow additional working space for horizontal directional drilling (“HDD”). Cabling between Solar PV panels will also be required, together with other associated cabling such as data cables to allow for data



monitoring during operation, CCTV cabling, and cabling to connect substations to the local electricity distribution network (to provide power to the substation equipment for use in the event of technical problems). Work Nos 5A and 5B also include temporary construction and decommissioning laydown areas associated with laying the cables.

- **Supporting infrastructure** including:
 - fencing, gates and boundary treatments; security and monitoring measures (e.g. CCTV, lighting, communication equipment); landscaping and biodiversity works; improvements to private tracks; internal access tracks, ramps, bridges and footpaths; temporary footpath diversions and signage; earthworks; sustainable drainage and irrigation infrastructure; acoustic barriers; utility connections; and secondary temporary construction and decommissioning laydown areas;
- **Temporary construction and decommissioning laydown areas** including:
 - hardstanding, car parking, offices, security and welfare facilities, storage facilities, site drainage and utility connections;
- **Site Accesses** comprising:
 - the creation of temporary and permanent access from the public highway to enable construction, operation and decommissioning, including visibility splays, temporary and permanent highway alterations, and offsite works (e.g. to structures, boundaries and drainage) to accommodate abnormal load movements;
- **Landscaping, Ecological Mitigation and Enhancement** such as landscape and biodiversity enhancement measures and habitat creation including associated works;
- **Permissive Paths.** These will contribute to the wider network of footpaths in the area and facilitate greater public access to the countryside.



- **Further associated development in connection with the above works.**

2.16 The operational life of the Scheme is anticipated to be 60 years. During that time activities will comprise general operational and maintenance activities and programme of replacement activities.

2.17 Decommissioning is expected to take between 12 and 24 months, carried out in phases, and is expected to occur after the 60-year design life of the scheme.



3. STATEMENT OF NEED

- 3.1 This chapter summarises the need for the Proposed Development at the Site, against relevant national policies. This establishes the need for the Proposed Development.
- 3.2 The Interested Party are not in conflict with the Applicant in relation to the need for developments such as the Proposed Development in contributing towards the government's objectives for decarbonisation and a low carbon future. The need for renewable energy infrastructure is understood.

National Legislation

- 3.3 The urgent need for developments such as the Proposed Development is established through national legislation, including the following:
- Climate Change Act 2008;
 - Energy Act 2023; and
 - Great British Energy Act 2025.

National Policy Statements

- 3.4 The Secretary of State is required to consider the National Policy Statements (NPSs), as relevant, and must decide the application for development consent for the Scheme under the Planning Act 2008 in accordance with those NPSs.

NPS EN-1: Overarching National Policy Statement for Energy

- 3.5 NPS EN-1 sets out the overarching national policy for the submission and assessment of applications relating to energy infrastructure. The document covers government policy on the need for nationally significant infrastructure projects ('NSIPs'), how applications for energy infrastructure will be assessed and the way in which impacts and mitigations will be judged.
- 3.6 NPS EN-1 states that the SoS should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of



infrastructure.

- 3.7 Chapter 2 of the NPS sets out the Government policy in relation to energy infrastructure development, this includes the legally binding commitment made through the Climate Change Act 2008 (as amended) to achieve net zero by 2050.
- 3.8 Chapter 3 emphasises the need for new large-scale energy infrastructure to meet energy objectives and why the government considers the need as urgent. As a result, paragraph 3.2.6 explains that all applications should be assessed on the basis that the need for those types of infrastructure is “urgent” and paragraph 3.3.7 outlines that “substantial weight” should be given to that need. As a result, need for an individual project need not be considered separately (paragraph 3.2.8).
- 3.9 The NPS establishes a critical national priority (‘CNP’) for the provision of nationally significant low carbon infrastructure. It is acknowledged that it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts.
- 3.10 Paragraph 3.3.63 of NPS EN-1 states that subject to any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy.
- 3.11 Paragraph 3.3.20 acknowledges that wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Analysis shows that the net zero 2050 future is likely to be predominantly comprised of wind and solar energy.

Section 4.2 sets out the CNP for low carbon infrastructure, identifying a need for nationally significant low carbon infrastructure in order to meet Government decarbonization targets and achieve net zero targets. Solar power is confirmed as a form of CNP infrastructure within Paragraph 4.2.5. The relevance of solar as CNP Infrastructure is dealt with further below where this Statement addresses the planning policy framework.



***NPS EN-3: National Policy Statement for Renewable Energy
Infrastructure***

- 3.12 NPS EN-3 sits alongside NPS EN-1 as the primary decision-making policy for NSIPs and provides technology-specific policy to be considered by the Secretary of State alongside NPS EN-1 when determining applications for renewable energy NSIPs, including solar PV infrastructure.
- 3.13 NPS EN-3 further establishes the urgent need for low carbon infrastructure and that solar is a key part of the government's strategy for low-cost decarbonisation of the energy sector.

NPS EN-5: Electricity Networks Infrastructure

- 3.14 NPS EN-5 principally concerns high voltage long distance transmission and distribution infrastructure but also applies to other kinds of electricity infrastructure including underground cables at any voltage, and associated development linked to an NSIP.
- 3.15 The Statement highlights that the security and reliability of the UK's current and future energy supply is highly dependent on having an electricity network which will enable the new electricity generation, storage, and interconnection infrastructure that the country needs to deliver the transition to net zero.
- 3.16 NPS EN-5 also establishes the urgent need for low carbon infrastructure.
- 3.17 While applicable in principle to the Proposed Development, the focus of the assessment is likely to be on NPS EN-1 and NPS EN-3 due to the specific characteristics of the Proposed Development and the relatively limited policy content in NPS EN-5 on project-specific grid connections.

2025 Revisions to the National Policy Statements

- 3.18 Revised versions of the NPSs came into force on 6 January 2026. The revised versions sought to align the NPSs with current energy policy, including the Clean Power 2030 Action Plan and Net Zero by 2050. The revised versions retain that substantial weight should be given to the urgent need for renewable energy infrastructure.



4. PLANNING POLICY FRAMEWORK

Introduction

- 4.1 This chapter provides a summary of the relevant NPSs, and other planning policy documents considered to be relevant and important to the Proposed Development. It provides an overview of the energy NPSs, the NPPF, and relevant local policy documents comprising the relevant planning policy framework.

National Policy

National Policy Statements

- 4.2 The relevant NPSs for determination of the DCO application in accordance with Section 104(2) of the PA 2008 are:

- NPS EN-1: Overarching National Policy Statement for Energy (January 2024);
- NPS EN-3: National Policy Statement for Renewable Energy Infrastructure (January 2024); and
- NPS EN-5: National Policy Statement for Electricity Networks Infrastructure (January 2024).

2025 Revisions to the National Policy Statements

- 4.3 In July 2024, the Chancellor announced a review of the energy NPS to align them with current energy policy and support delivery of Clean Power by 2030 and Net Zero by 2050. This was followed by the Clean Power 2030 Action Plan and proposed updates to the energy NPSs were published for consultation in April 2025.
- 4.4 The 2025 versions of National Policy Statements 1, 3 and 5 came into force on 6 January 2026.
- 4.5 It should be noted that transitional arrangements confirm that 2024 NPSs apply to applications accepted for examination before the amended versions were finalised. The government does note, however, that any emerging draft



energy NPSs (or those amended but not having effect) are potentially capable of being important and relevant considerations in the decision-making process. The extent to which they are considered relevant is at the discretion of the Secretary of State to consider within the framework of the PA 2008 and with regard to the specific circumstances of each DCO application. As a starting point, however, it is noted that a positive decision to include transitional provisions has been made, and the s104 PA 2008 duty applies to the 2024 versions. That must weigh in any consideration of the weight to be attributed to the revised NPSs over the 2024 versions.

- 4.6 This section provides an overview of NPS EN-1, EN-3 and EN-5 (2024) against which the application will be determined.

NPS EN-1: Overarching National Policy Statement for Energy

- 4.7 NPS EN-1 sets out the overarching national policy for the submission and assessment of applications relating to energy infrastructure. The document covers government policy on the need for NSIPs, how applications for energy infrastructure will be assessed and the way in which impacts and mitigations will be judged.
- 4.8 NPS EN-1 states that the SoS should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent. NPS EN-1 confirms that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008 and that the SoS is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS.
- 4.9 NPS EN-1 sets out 'Assessment Principles' which cover general policies related to specific assessment topics and 'Generic Impacts' which includes the generic impacts that arise from the development of all of the types of energy infrastructure covered by the energy NPSs. This sets out much of what the applicant should include in their assessment and what the Secretary of State should consider in their decision making. The Government has concluded that there is a critical national priority for the provision of nationally significant low carbon infrastructure. Paragraph 3.3.63 states that subject to



any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any residual impacts not capable of being addressed by application of the mitigation hierarchy.

- 4.10 Paragraph 4.1.2 outlines that the Energy White Paper and British Energy Security Strategy all emphasise the importance of the government's net zero commitment and the need to maintain a secure and reliable energy system. Paragraph 4.1.3 confirms that given the level and urgency of need for renewable infrastructure, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.
- 4.11 Paragraph 4.1.5 outlines that when weighing the adverse impacts of a proposed development against its benefits, the Secretary of State is required to consider the potential benefits (including the contribution to meeting need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements), and any long-term or wider benefits, in addition to the potential adverse impacts (including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy).
- 4.12 In this context, the Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels (paragraph 4.1.6 of EN-1).
- 4.13 Paragraph 4.1.7 outlines that where an NPS requires an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects not capable of being addressed by application of the mitigation hierarchy, in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable



risk to, or interference with, human health and public safety, defence, or irreplaceable habitats.

- 4.14 Paragraph 4.2.6 sets out that the overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, is the starting point for all assessments of energy infrastructure applications.
- 4.15 Paragraphs 4.2.11 – 4.2.14 are clear that Applicants must apply the mitigation hierarchy and demonstrate how this has been applied. An applicant must show that all residual impacts are those that cannot be avoided, reduced or mitigated (in that order). The Secretary of State must be satisfied that the applicant's assessment demonstrates that mitigation hierarchy requirements have been met in order for the CNP presumption to apply. This puts proper demonstration of compliance with the mitigation hierarchy front and centre in assessment of the Environmental Statement.
- 4.16 That the Secretary of State must be satisfied as to whether the application of the mitigation hierarchy will also be relevant to the proper application of paragraph 3.3.63, as that part of the policy is predicated on appropriate mitigation of impacts as part of the design process. A failure properly to apply the mitigation hierarchy will mean that residual impacts remain which could have been addressed by the mitigation hierarchy.
- 4.17 Should the presumption apply, paragraph 4.2.15 confirms that in all but the most exceptional circumstances it is unlikely consent would be refused on the basis of residual impacts after the mitigation hierarchy has been applied. A number of residual impacts are, however, subject to an exception, including residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or an unacceptable risk to net zero. The presumption also does not apply to Habitats Regulations Assessment residual impacts (which are dealt with from para 4.2.18).
- 4.18 Where the presumption applies, the "starting point" will be that any tests set out in the NPSs, or other planning policy, which require a clear outweighing of harm, exceptionality or very special circumstances are treated as met (para 4.2.16). However, it should be noted that this is only a starting point,



and that the assessment may depart from this in appropriate circumstances.

NPS EN-3: National Policy Statement for Renewable Energy Infrastructure

4.19 NPS-EN3, together with EN-1, is the primary decision-making policy document for the Secretary of State on NSIPs.

4.20 Amongst other projects, NPS EN-3 applies to solar PV schemes greater than 50 MW. The NPS EN-3 is concerned with impacts and other matters which are specific to solar PV.

4.21 The policies set out in NPS EN-3 are additional to those on generic impacts set out in EN-1. Applicants should show how their application meets the requirements in EN-1 and this NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.

4.22 NPS EN-3 provides the technology-specific policy to be considered by the Secretary of State alongside NPS EN-1 when specifically determining applications for renewable energy NSIPs, including solar PV infrastructure. It covers themes such as factors influencing site selection and design, technical considerations for solar PV infrastructure, and particular impacts usually associated with solar sites in terms of ecology, landscape, glint and glare, heritage, construction, agricultural land and decommissioning.

NPS EN-5: Electricity Networks Infrastructure

4.23 NPS EN-5 principally concerns high voltage long distance transmission and distribution infrastructure but also applies to other kinds of electricity infrastructure including underground cables at any voltage, and associated development linked to an NSIP. It is therefore considered relevant due to the inclusion of underground cabling, inverters, transformers, switchgear, cabling, and substations within the Scheme.

4.24 NPS EN-5 sets out assessment principles specific to electricity network infrastructure in addition to those detailed in NPS EN-1.

National Policy Statements (2026)

4.25 In July 2024 the Chancellor announced a review of the existing energy NPS to align them with current energy policy including to achieve Clean Power by



2030 and Net Zero by 2050.

- 4.26 The revised NPSs were published on 6 January 2026 and have incorporated the ambitions of the published Clean Power 2030 Action Plan which set out how the government intends to expand low-carbon energy infrastructure to achieve energy security and at least 95% of generation in Great Britain being produced by clean sources by 2030.
- 4.27 In terms of transitional arrangement, the Secretary of State has decided that any application accepted for examination before the updated energy NPSs were adopted, will be determined by the current suite of energy NPSs, published in 2024. The amended energy NPSs will apply only to applications accepted after their formal publication.

National Planning Policy Framework (2024)

- 4.28 The NPPF (December 2024) (last updated February 2025) sets out the government's planning policies for England and is a material planning consideration in determination of planning applications under the Town and Country Planning Act 1990 (TCPA 1990).
- 4.29 NPPF paragraph 5 confirms that the NPPF does not contain specific policies for NSIPs and that applications for NSIPs are to be determined in accordance with the decision-making framework set out in the PA 2008 and relevant NPSs. On this basis, the NPPF is of less relevance to the Secretary of State's decision than the relevant NPSs. However, NPS EN-1 recognises that NPPF (along with Local Development Framework, and other important and relevant matters) should still be considered by the Secretary of State (para 4.1.11-4.1.14). Where there is a conflict, the NPSs prevail (paragraph 4.1.15).

Draft National Planning Policy Framework

- 4.30 A revised draft NPPF was published for consultation on 16th December 2025 and provides a comprehensive rewrite of the policies within the Framework, including the presumption of sustainable development. The consultation closed on 10th March 2026, and it is anticipated that the NPPF will be adopted in Summer 2026.
- 4.31 Of most relevance, paragraph 12 maintains that *'The Framework does not*



contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include this Framework). National policy statements may, where relevant, be a material consideration in preparing plans and making decisions on planning applications.'

Local Planning Policy

4.32 Policies in adopted and emerging Local Plans are frequently considered important and relevant matters and can influence the content of Local Impact Reports, which the Secretary of State will have regard to in their decision making in accordance with s104(2)(b) of the PA 2008.

4.33 With the exception of the Highways Improvement Areas, the Scheme lies within the administrative area of Wiltshire Council. The adopted Local Plan for Wiltshire comprises:

- The Wiltshire Core Strategy (adopted 2015);
- Saved local policies from previous local plans;
- The Chippenham Site Allocations Plan (adopted 2017);
- The Wiltshire Housing Site Allocations Plan (adopted 2020);
- Made Neighbourhood Plans; and
- The Minerals Core Strategy (adopted 2009) and supporting minerals and waste documents.

4.34 The adopted Local Plan is currently under review. The Wiltshire Local Plan Pre-Submission Draft 2020-2038 (Regulation 19) ('Wiltshire's Draft Local Plan') was submitted to the Secretary of State for Housing, Communities and Local Government for independent examination on 28 November 2024.

4.35 The Highways Improvement Areas partially lie within the administrative area of South Gloucestershire Council. The adopted Local Plan for South Gloucestershire comprises:



- The South Gloucestershire Core Strategy (adopted 2013);
- Policies, Sites and Places Plan (adopted 2017); and
- The Joint Waste Core Strategy (adopted 2011).

4.36 The adopted Local Plan is currently under review. The Draft Wiltshire New Local Plan (Regulation 19) underwent consultation between February 2025 and April 2025. The Plan was submitted to the Secretary of State for examination, however, the Council have been advised by the Inspectors appointed to examine the Plan to either withdraw the Local Plan from examination or request the Inspectors draft a final report, which would recommend non-adoption of the Plan. The Council is taking a report to the 6th May Cabinet and 19th May Council meeting recommending one of the options proposed by the Inspectors.

4.37 Given that only 0.15 ha of the Order limits are located in the administrative area of South Gloucestershire Council (comprising a small section of the Highway Improvement Areas), local planning policy for South Gloucestershire has only been considered in the context of the Highway Improvement Areas falling within its administrative boundaries, for example, in relation to transport, climate change, and design.

Other Policy and Legislation

4.38 The following UK Government Energy and Climate Change Policy documents are of relevance:

- Net Zero Strategy: Build Back Greener (2021)
- British Energy Security Strategy (2022)
- Powering Up Britain: Energy Security Plan (2023)
- Net Zero Growth Plan (2023)
- Seventh Carbon Budget (2025/26)
- Carbon Budget and growth delivery plan (2025)
- Clean Power 2030 Action Plan (2024)



5. PLANNING APPRAISAL

Introduction

5.1 This section provides a summary of evidence provided to the Examination by the wider Stop Lime Down team, which considers relevant matters as set out below including highlighting identified benefits and harms. Section 6 thereafter considers the planning balance. We have not attempted to set out the full content of each report here, albeit we have had regard to all of the reports in full in coming to our conclusions (particularly in Section 6).

Temporary vs Permanent Impacts

- 5.2 Prior to setting out the identified benefits and harms, it is important to consider the timescales associated with the impacts of the development.
- 5.3 It is correct to note that the Proposed Development is described as, and the draft Development Consent Order contains provisions which provide for, a temporary development. By this, we mean a scheme with a set end date and specific provisions for decommissioning. That is a relevant factor when considering the benefits and harms of the Proposed Development. It is also relevant to note the length time for which the Proposed Development will operate, and to take into account that NPS EN-3 at para 2.10.65 explains that an “upper limit of 40 years is typical, although applicants may seek consent without a time-period or for differing time-periods of operation”.
- 5.4 However, it is also pertinent to note that some planning policies address temporary schemes. Thus, when considering the effects of granting development consent, it is relevant to consider those policies which address temporary schemes (as the grant of consent sets the new baseline to which those policies are applied).
- 5.5 While both the 2023 and 2025 NPS EN-3 address repowering for certain types of renewable energy infrastructure, they do not address solar schemes such as the Proposed Development. For those forms of generation that are addressed, the tenor of the policy is positive.
- 5.6 However, NPPF Paragraph 168(c) sets out that when determining planning applications for renewable and low carbon energy developments, LPAs



should in the case of applications for the repowering and life extension of existing renewable sites, give significant weight to the benefits of utilising an established site.

- 5.7 This establishes that significant weight should be applied to the life extension of existing renewable sites in the local planning context. Given NPS EN-3 is silent specifically in respect of solar but does recognise policy in favour of repowering of other schemes, it is considered that the approach in NPPF is likely to be adopted for NSIPs as well.
- 5.8 The proposed Scheme has a 60-year design life with a subsequent decommissioning stage of between 12 and 24 months. Decommissioning is expected to take place in 2089 (paragraph 4.8.1 of the Planning Statement).
- 5.9 Assuming that the proposed Scheme is decommissioned at the end of the 60-year life design, then it is considered appropriate to assess the impacts of the proposed Scheme as temporary.
- 5.10 However, given grant of development consent changes the baseline and engages repowering policy, such consent materially improves the prospects of an application to repower. Thus, the prospects that decommissioning will indeed take place after 60 years are tempered by that policy position.
- 5.11 As such, there is the potential that the Secretary of State could consider the harms as being more than merely temporary harms. In this scenario, the harms should be weighted taking into account how consent changes the baseline for continuation of the harms.
- 5.12 For the purposes of this statement, the harms have been considered as temporary in the balance (save for where they arise from truly permanent parts of the Proposed Development which will not be removed on decommissioning). However, should they indeed be considered with this policy favour for repowering in mind, then the weight should be considered as somewhat greater.

Need

- 5.13 The Applicant stated the following:



“The Scheme will make a substantial positive contribution to meeting the urgent need for renewable electricity generation as established in NPS EN-1 and would help to ensure security of supply for the country.”

5.14 For the reasons as set out in Section 3, this is not disputed.

Mitigation Hierarchy

5.15 EN-1 defines the mitigation hierarchy as being the avoid, reduce, mitigation, compensation process that applicants need to go through to protect the environment and biodiversity.

5.16 The Applicant has stated the scheme Design Principles (secured through the draft DCO) have adhered to the mitigation hierarchy through reduction of impacts and control of any adverse effects on the environment throughout the lifecycle of the Scheme from construction through to operation and maintenance and decommissioning (Planning Statement para 2.1.6).

5.17 The Applicant’s approach to the mitigation hierarchy is as set out in Environmental Statement Volume 1, Chapter 6 EIA Methodology with para 6.6.3 stating:

“The design process has been heavily influenced by the findings of early environmental appraisals and the EIA process. The Scheme has had several measures incorporated into the design to avoid or minimise environmental impacts, for example, through the appropriate routing and siting of infrastructure to avoid designated sensitive areas”

5.18 Details of embedded mitigation are detailed in relevant topic chapters of the Environmental Statement. Where likely significant effects are identified consideration is also given to any ‘additional mitigation’ over and above embedded mitigation needed to mitigate these effects.

5.19 For reasons set out throughout Section 5 and 6 of this Paper, we do not consider the Applicant has properly applied or demonstrated the mitigation hierarchy, such that it has failed to appropriately ‘avoid’, ‘reduce’, or ‘mitigation’ potential impacts



Site Selection and Alternative Sites Assessment

- 5.20 Site Selection is a critical matter in the consideration as to whether harms have been adequately avoided, as per the mitigation hierarchy. Also relevant in this case is the relevant duty to further the purpose of conserving and enhancing the natural beauty of national landscapes.
- 5.21 The Applicant sets out its approach to Site Selection in the Environmental Statement, notably the Alternatives and Design Evolution Chapter and accompanying Site Selection Assessment Report (Appendix 4-1). In addition, the Applicant has responded to the Relevant Representations of Stop Lime Down in response to concerns raised over the Site Selection process.
- 5.22 A review of the work completed by the Applicant has been undertaken by Stop Lime Down, led by Sir Michael Pitt with input from legal and topic experts. This is as set out in Site Selection and Alternative Sites Assessment submission.
- 5.23 For the reasons detailed in the report, and as summarised below, the report concludes there are critical flaws within the Applicant's approach which make it defective, and which weigh against the grant of development consent. Notably, the considerable harms identified throughout Stop Lime Down's overall submissions in the Examination stem to a significant degree from its inappropriate location and the failure to focus on key planning constraints when selecting that location.
- 5.24 As a starting point, Stop Lime Down has identified two key defects in the Applicant's site selection methodology relating to: (1) the redrawing of Potential Development Areas ('PDAs'); and (2) the lack of adequate exploration of combination of PDA parcels.
- 5.25 In respect of redrawing of PDAs, the Stop Lime Down submission demonstrates an inconsistent approach has been undertaken in consideration of potential areas of search. This is a clear logical flaw to the analysis. A redrawing of areas should have been undertaken based on the loosened constraints considered by the Applicant as the assessment evolved.



- 5.26 There has been no proper assessment of the PDAs applying a consistent approach to identification. Given the importance of avoidance as part of the mitigation hierarchy, it is considered that this is a demonstrable flaw in the assessment of alternatives for the Proposed Development.
- 5.27 In respect of how PDAs have been chosen, and the lack of combining of these, there is no explanation provided by the Applicant of how the component parcels were collected together into each PDA. The submission identifies clear opportunities for parcels to be combined to overcome some of the reasons for rejection identified by the Applicant and/or provide additional land for mitigation.
- 5.28 The Applicant has acknowledged it may be possible to combine land from a number of PDAs but highlighted it would not be “proportionate to assess all sites in various combinations”. In light of the context of the Site, the policy framework (including mitigation hierarchy) and the identified significant adverse effects, such an approach clearly would have been proportionate to consider.
- 5.29 Aside from these methodological concerns, there is disagreement with the outcome of the alternative sites assessment itself. The review considers the Applicant’s conclusion there are not more suitable locations within the 20km search area than the Site to be incorrect. Based on the evidence submitted, it is considered that the Site of the Proposed Development is one of the most harmful locations considered, if not the most harmful.
- 5.30 Stop Lime Down has been consistent in its concerns that Site was chosen with an undue focus on landownership considerations, without proper engagement with the planning constraints. Practicalities of delivery are no substitute for avoidance and mitigation of environmental effects.
- 5.31 The review considers the Applicant’s RAG analysis for PDA 10 (the Site) as set out in the submission. This highlights there are numerous instances where the Applicant has taken an unduly favourable approach to this PDA. The review conversely demonstrates that PDA 10 measures as one of the most constrained areas and is not appropriate for the development proposed.
- 5.32 The Applicant’s approach to the site selection is shown to be flawed. This



indicates a failure to “avoid” harm, the first step of the mitigation hierarchy.

Land use and soils

- 5.33 A review of the agricultural land that the proposal will be developed upon has been undertaken by Mr Franklin of Landscape Land & Property. Mr Franklin confirms that the proposals affect approximately 717.5 Hectares, the majority of which is used for arable farmland and more than 240 hectares of the Best and Most Versatile (‘BMV’) land will be lost for the life of the scheme as result of the proposal.
- 5.34 Mr Franklin refers to NPS EN-3 and the Written Ministerial Statement (WMS) May 2024 which confirms that NSIPs should avoid the use of the BMV agricultural land where possible. The Applicant has failed to demonstrate that an adequate assessment of alternative sites of lower value agricultural land has been undertaken and it is necessary to utilise BMV land. This advice is still relevant as advised in letter dated 15th February 2025, from the Minister of State for Energy and net Zero which confirms that there has been no change to the policy weight attached to the BMV land.
- 5.35 The proposed development will remove the existing agricultural use of the site, of which approximately a third of the site is classed as BMV Land. The loss of this high grade land, in Mr Franklin’s view, is a major concern for the country in terms of ensuring food security and maintaining the country’s food supply.
- 5.36 Mr Franklin advises that the loss of the arable land will in effect leave the land between the solar panels suitable only for sheep grazing, which will be limited, if undertaken at all, as it is not cost effective, and the practical difficulties of livestock. It is noted, however, that there is no suggestion by the Applicant that this is actually being considered.
- 5.37 The impact of the development on the quality of soil is also raised as a concern, due to the increased run-off from the panels, sedimentation, compaction of soil, improper handling and storage of excavated soil, further details are contained with Mr Franklin’s report.
- 5.38 Concern is also raised by Mr Franklin in terms of the lack of detail relating to the proposed cable route, which has not been surveyed, with passes through



areas where 75% of the land is BMV. The concern relates to the impact of drainage schemes which have the potential to be damaged, which can cause long term soil damage. Heat from the cables can also lead to the drying out of some soils. Without a full and detailed survey of the cable, it is not possible to understand the full implications of the cable on the BMV land.

Biodiversity, ecology and the natural environment

- 5.39 The Applicant has, through the Environmental Statement and accompanying appendices, completed a review of ecology and biodiversity implications of the proposed development. This includes consideration of necessary mitigation measures, as set out in the relevant Ecological and Environmental Management Plans / Strategies submitted.
- 5.40 Mr Valori of Betts Ecology has undertaken a review of the work completed to date by the Applicant, alongside the Relevant Representations (including those of Natural England and the Environment Agency) and responses to these. This does not include a review of the additional work being undertaken by the Applicant at this time.
- 5.41 Mr Valori highlights in his submission there are clear deficiencies in the Applicant's evidence which does not align with ecological best practice guidelines. A summary of Mr Valori's review is as set out below:
- The Applicant has justified the absence of species-specific surveys for the solar PV site based on an assessment of habitats affected. The mitigation strategy, which assumes that, when in doubt, species are accepted to be present, is questioned including whether this complies with the mitigation hierarchy. It is not possible to make an adequately informed and secure decision on the proposals purely based on broad habitat types and hypothetical ad-hoc searches as works are ongoing, without all the required species-specific survey data beforehand;
 - In respect of the cable route corridor, the Applicant has undertaken no species-specific surveys (other than possibly badgers). This is based on general assumptions. It is unclear how the Applicant will be able to effectively plan the cable route to avoid avoidable impacts to



species. The impacts from this phase of the works are being overlooked due to their “temporary” nature. This fails to follow the mitigation hierarchy;

- The full extent of harm to the hedgerow network and wider boundary features has been overlooked. Further clarification is necessary to demonstrate which sections of the road network require widening and the anticipated effect on associated features;
- The Applicant’s identified mitigation, through appointment of Clerk of Works, pre-clearance checks, and if necessary, translocation, are unlikely to be effective to remove any significant negative effects during construction stage; and
- The Applicant has failed to properly assess whether the Site (Lime Down C) is functionally linked to the Bath & Bradford-on-Avon Bats SAC.

5.42 The Applicant has therefore failed to successfully demonstrate the proposed development would not result in significant adverse effects on habitats and species.

Climate Impacts

5.43 The Applicant, through Chapter 7 (Climate Change) of Environmental Statement, has identified a net-positive carbon impact over the life of the development. This arises from an estimated total energy generated between 23.54 TWh and 24.26 TW over the 60-year lifespan of the Proposed Development, considered against the carbon cost of construction, decommissioning and other activities.

5.44 The Applicant’s assessment has been reviewed by a team representing the University of Derby as presented in the Whole-Life Carbon Assessment submitted by Stop Lime Down. As detailed in this submission, a number of the Applicant’s assumptions are challenged, most notably those relating to the cable route and concrete.

5.45 The review also shows that (on the Applicant’s own figures) the cross-over point at which the avoided emissions equal or exceed the total lifetime



emissions for the Scheme, where net-zero is effectively achieved, is at 2075 (for the fixed panel case) and 2078 (for the tracker panel case). In circumstances where a comparator grid intensity is used which changes over time (rather than fixing the figure at 2029), it is shown that the Proposed Development never breaks even by comparison.

- 5.46 This is relevant to the double-counting of environmental benefits which is addressed below. It also indicates that, assessed against the legal and policy requirement to achieve net zero by 2050, the Proposed Development is a net detractor.

Heritage

- 5.47 Marrons, led by Lucy Nicholson on built heritage and Tom Linnington on archaeology, have considered the direct and indirect impacts of the proposed development upon the significance of known and potential designated and non-designated heritage assets. This includes a review of the Applicant's assessment, relying on the baseline work prepared by the Applicant and carrying out further research only where necessary. The methodology used by the Applicant has been used to allow for direct comparison.

Direct Impacts - Archaeology

- 5.48 The archaeological impacts are considered by Mr Linnington.

Relationship of Romano-British settlement sites and the Fosse Way Roman Road

- 5.49 The Applicant has assigned Fosse Way a Heritage Sensitivity Rating of "Low". However, Mr Linnington considers that due to the routeways national importance it should in fact be assigned a sensitivity of "High". The Applicant proposes non-intrusive construction techniques within identified potential settlement sites of Iron Age/Romano-British date within the Solar PV Areas. Mr Linnington considers the Applicant has failed to avoid or mitigate the impacts of the non-intrusive construction techniques on the remains extending beyond these areas and the introduction of large-scale solar PV infrastructure will interrupt the current relationship these sites enjoy with the alignment of the Fosse Way.



5.50 Mr Linnington disputes the Applicant's conclusion of a neutral magnitude of impact and sets out that the magnitude of effect on the Fosse Way would be "Low".

5.51 In addition, Mr Linnington concludes there would be a Moderate effect level of significance in line with Table 12-5 Chapter 12 Cultural Heritage [APP-064], which is a significant adverse effect.

Inconsistency in Impact Assessment regarding areas of "non-intrusive construction methodology"

5.52 Mr Linnington considers the use of piles as a non-intrusive construction methodology is considered to reflect a degree of residual adverse effects of this methodology.

The lack of appropriate impact assessment of proposed intrusive landscape and ecological mitigation

5.53 Mr Linnington considers that the Applicant has failed to avoid or mitigate impact on buried archaeological remains within areas selected for intrusive landscape and ecological mitigation.

The lack of appropriate briefing arrangements ahead of archaeological works to non-archaeological personnel

5.54 Mr Linnington highlights Historic England's ('HE') concern regarding the lack of provision for briefing of non-archaeological personnel ahead of works within the close proximity of archaeological remains, and specifically around high significance remains, such as the Scheduled Monument (NHLE: 1018610). Mr Linnington agrees with HE that this could be resolved through an amendment to the OCEMP.

Proposed use of strip map and sample ('SMS') excavation

5.55 Mr Linnington highlights that the Applicant has applied a methodological flaw to the magnitude of effect in relation to SMS excavation, as detailed further within the Ms Nicholson's report.

5.56 Mr Linnington considers that it should be recognised by the Applicant that SMS does not reduce the magnitude of impact to "Negligible", but rather



“Low” thus the residual effect will be Moderate (a significant adverse effect), and for other Receptors (e.g.) C13-01 and C29-01 will be Moderate/Minor.

The appropriateness of horizontal directional drilling (HDD)

5.57 Mr Linnington highlights that the Applicant has proposed the use of HDD in order to avoid impacting highly sensitive archaeological remains within the cable route corridor. In the event of trenchless cabling techniques, such as HDD, not being viable in this location, the proposed solution by the applicant is to undertake a program of SMS excavation within Mitigation Area F120 to mitigate the impact of the scheme on this nationally significant archaeological asset.

5.58 Mr Linnington considers that the employment of SMS excavation is not appropriate mitigation for such a valuable archeological remain. Excavation, through its nature is a destructive process, the harm of which is mitigated through the preservation by record.

5.59 Mr Linnington concludes that should SMS be employed within the mitigation area F120, and recognizing that a reasonable worst case is HDD failing, the residual effect on the Scheduled Monument ‘Pillow mound 280m southwest of Surrendell Farm’ (NHLE: 1018610) would be Moderate (a significant adverse effect).

Indirect Impacts - Built Heritage

5.60 Ms Nicholson agrees with the Applicant that there would be no direct impacts to built heritage assets as a result of the Scheme.

5.61 However, Ms Nicholson considers that there is insufficient assessment in relation to:

- the contribution of the Site to the setting of Bradfield Manor and associated listed buildings and omission of consideration of the impact of the increase of noise on the assets;
- the consideration of the impact of the increase of traffic to the group of assets at Alderton; and
- the consideration of the impact of noise on the asset group at Norton



and Advil's Farmhouse.

Bradfield Manor Group

5.62 Ms Nicholson highlights that Historic England requested visualisations showing panels from the identified window. These are awaited to better understand the impact on the significance of the highly designated heritage asset and to provide a greater degree of certainty to the effectiveness of the proposed mitigation measures in terms of planting.

5.63 Ms Nicholson states that the Applicant omits to provide any analysis of the contribution the historic relationship with Bradfield Manor and much of the land within Lime Down D makes to the significance of the Grade I asset.

Setting Assessment

5.64 Ms Nicholson considers that the Site contributes to the significance of the asset group in four direct ways;

- through the historic functional relationship;
- through the existing agrarian landscaping;
- through the appearance of the Site within the designed views from the Parlor of the Manor (specifically to the Grade I Manor); and
- through the experience of the tranquil, rural setting.

5.65 These elements are all considered in detail within Ms Nicholson's assessment.

Impact

5.66 Ms Nicholson considers the impact on Bradfield Manor Farmhouse is fourfold:

- Erosion of the agrarian landscape;
- The change in the character of the views from the Parlour;
- The ability to appreciate the asset within its rural setting; and



- The noise implications from the BESS and solar panels.

5.67 These impacts are all considered in detail within Ms Nicolson's assessment.

5.68 The Applicant concludes less than substantial harm at the lower end of the scale. However, Ms Nicholson argues that this conclusion is unsupported without the necessary setting contribution analysis (provided by a full setting analysis of the Manor, its connection with the Site and the requested visual from Historic England) and therefore the Applicant's conclusion cannot be relied upon.

5.69 Ms Nicholson concludes that the magnitude of impact arising from the Scheme is Medium following the Applicant's own matrix (an increase from the concluded Low by the Applicant in the Heritage Impact Assessment Tables [APP-232]).

5.70 The Significance of Effects following the Applicant's matrix is a Major/Moderate effect. This is considered significant in EIA terms and a moderate to high level of less than substantial harm in NPPF terms.

5.71 Ms Nicholson concludes that the Magnitude of Impact (with embedded mitigation) on Bradfield Manor (Grade I) is Medium and the Significance of Effects is Major/Moderate Adverse (significant effect).

5.72 In relation to the remaining assets comprising Bradfield Manor Group, the Magnitude of Impact (with embedded mitigation) is Low and the Significance of Effects is Moderate/Minor Adverse.

Alderton Group

5.73 Ms Nicholson considers that the Applicant's submitted Heritage Statement does not consider the wider aspects of the Scheme in their impact assessment. Ms Nicholson sets out the full extent of the wider aspects of the Scheme in her report, this includes degree of visibility from parts of the Conservation Area and the impacts from the increase in traffic on the tranquil character of the setting and to the setting of the Manor Farmhouse.

5.74 Ms Nicholson concludes that the Magnitude of Impact (with embedded mitigation) for each of the assets in the Alderton Group is Negligible.



5.75 The Significance of Effects on Church of St Giles is Moderate/Minor Adverse and Negligible Adverse on Alderton Conservation Area and Manor Farmhouse (Grade II).

Norton Group and Avil's Farmhouse

5.76 Ms Nicholson states that the Applicant's Heritage Statement omits to adequately assess the impact of the noise effects of the proposed scheme on the heritage assets. This has been omitted across the board on assets; however, Ms Nicholson's report focuses only on the assets identified as being impacted by operational noise impacts within the noise graphs prepared by the Applicant.

5.77 The limitations of the noise assessment are considered in detail by the noise report by Mr MacArthur, prepared for SLDS, and the findings of this may result in further assessment being carried out in relation to the impact on the setting of the assets through noise.

5.78 Ms Nicholson assesses the impact on the assets which were identified using the Applicant's noise graphs:

- The group of assets at Norton;
- Bradfield (as dealt with above); and
- Avil's Farm (south of Lime Down E)

Norton Group

5.79 This change in background noise would have a direct impact on the tranquil character of the setting of these assets. The noise experts describe the noise which would be heard as a low industrial hum, which is out of character of the incidental agricultural noises (such as those noises generated by farming practices). This increase would be both day and night when the scheme is in operational phase.

5.80 Ms Nicholson concludes that the Magnitude of Impact (with embedded mitigation) on the Norton Group assets is Low in comparison to the neutral impact identified by the Applicant.



5.81 The residual effect (which mirrors the significant effect as a result of the lack of sufficient noise mitigation) is Moderate/Major Adverse (significant effect) for Norton Manor (Grade II*) and Moderate/Minor Adverse for the remaining assets in the Norton Group.

Avil's Farmhouse

5.82 In relation to Avil's Farmhouse, Mr MacArthur describes the noise which would be heard as a low industrial hum, which is out of character of the incidental agricultural noises (such as those noises generated by farming practices).

5.83 Ms Nicholson concludes that the Magnitude of Impact (with embedded mitigation) on Avil's Farm is Negligible in comparison to the neutral impact identified by the Applicant.

5.84 The residual effect (which mirrors the significant effect as a result of the lack of sufficient noise mitigation) is Negligible Adverse.

Rodbourne Conservation Area

5.85 Ms Nicholson concludes that the introduction of up to 47 HGVs per day within the setting of the Conservation Area would interrupt the tranquil setting of the Conservation Area and introduce an aspect of the industrial character into the setting.

5.86 It is concluded that the Magnitude of Impact (with embedded mitigation) is Negligible (in comparison to the Neutral effect found by the Applicant).

5.87 The residual effects (which mirrors the significant effect as a result of the lack of sufficient noise mitigation) is Negligible Adverse.

Landscape and Visual Impact

5.88 The landscape and visual impact of the proposals and the local context are described in detail within the Landscape and Visual written representations of Ms Tinkler. Ms Tinkler advises that the landscape within the Cotswold's National Landscape ("CNL") and its setting are highly sensitive (taken from the Landscape and Visual Impact Assessment ("LVIA")). The landscape is of high quality, highly valued and is highly susceptible to the industrial form of



change that is proposed.

- 5.89 In terms of the landscape character effects, Ms Tinkler advises that the proposal if consented would be one of the largest solar NSIPs in the UK and agrees with the Applicant that there would be a significant adverse effect on landscape character and visual amenity and significant adverse direct effects on landscapes within the Order including on the setting of the CNL. The significant adverse direct effects arising from within the Order Limits would cause significant adverse indirect effects on landscapes within the CNL, and the CNL's Special Qualities.
- 5.90 However, Ms Tinkler raises numerous concerns over the submitted LVIA, including but not limited to, she does not agree with the predicted levels of adverse landscape and visual effects, advising that they have been underestimated by the methodology used and does not agree that the proposals would result in a beneficial landscape effect. There is also a double counting of mitigation as enhancement.
- 5.91 Ms Tinkler sets out that one of the main reasons for the difference in judgements on the impacts of the scheme is due to different interpretations/applications of the published guidance, used, mainly, GLVIA3.
- 5.92 How the CNL has been addressed and categorised is also of concern with Ms Tinkler's view being that it should be made very clear that the CNL is of High (or, on a more granular scale, Very High) sensitivity and effects should therefore be assessed as High and not High-Medium. Ms Tinkler also takes issue with the fact that the LVIA confers the same level of value to both the landscapes within the CNL and its setting and considers that greater clarification on this point is required.
- 5.93 Ms Tinkler finds through her own assessment that for the highest sensitivity landscape and visual receptors, many of the adverse effects, including along the construction route, which runs through the CNL and its setting would be up to Major Adverse (significant).
- 5.94 Furthermore, Ms Tinkler highlights Wiltshire Council's Renewable Energy Study Landscape Sensitivity Assessment Final Report (LUC, March 2023)



which confirms that Solar PV developments larger than 120 hectares were not considered in the assessment and that landscape sensitivity to very large schemes would be categorised a “high” sensitivity regardless of location. Given the proposal is ten times larger, Ms Tinkler’s view is that the LVIA should have assumed that all of the landscapes with the Order Limits are of High sensitivity.

5.95 Due to the failure of the LVIA to apportion the correct level of sensitivity to the landscape and visual effects, there are knock on consequences for the judgements about the level of harm to the landscape and visual effects. In particular, Ms Tinkler advises that the Applicant has failed to take into account the cause, nature, and likely extent of many of the effects that may arise throughout the lifetime of the project and as result the magnitude of the effects have been underestimated. This means that the effects have either not been mitigated or could lead to permanent damage to or loss of valuable features. Ms Tinkler, within Chapter 6 of her report, sets out in detail the type of and nature of both direct and indirect effects that will arise as a result of the project from construction to decommissioning. Ms Tinkler considers that the direct construction effects on the overall character of the landscapes closest to the Scheme, including the CNL, would have be Major Adverse (significant). At the decommissioning stage, the levels of harm are likely to be Major Adverse (significant) at the start of the works and then gradually reduce to Neutral.

5.96 Ms Tinkler considers that the highest level of indirect effect on the overall character of the landscape would be Major Moderate Adverse (significant).

Mitigation and Enhancement

5.97 Ms Tinkler raises several concerns with the Applicant’s proposed mitigation and enhancement strategy. One of the main areas of concern relates to the identification of the mitigation proposals as a direct consequence of the scheme as benefits/enhancements and are in effect “double -counting”. In addition, it is not clear within the LVIA whether the measures proposed are mitigation or enhancements or both. This lack of clarity has a direct impact on the impacts of the proposal as to what is classed as beneficial landscape effects or as they could be incorrectly identified as benefits, when in reality they are required to mitigate the impacts of the scheme.



5.98 Concern is also raised over the proposed mitigation in the form of the new planting of hedges and woodland, which in Ms Tinkler's view would give rise to adverse landscape and visual effects, due to tall hedges being uncharacteristic of the area and would result in the loss of openness.

5.99 Ms Tinkler also highlights the heavy reliance of the LVIA on the importance of existing and proposed vegetation to reduce high levels of adverse landscape and visual effects as there is no certainty that it will be in place for the lifetime of the development. More detail relating to why this is the case is set out in Chapter 7 of Ms Tinkler's report.

Landscape Effects

5.100 Ms Tinkler advises that significant direct and indirect effects, on the landscape, temporary and long term would result from the proposals. These effects would extend over 1km and beyond in all directions, including the CNL and its setting. These effects significant adverse impacts would ensue for the duration of the project, which are incapable of being mitigated. In some instances, the effects would be permanent.

Tranquillity

5.101 Ms Tinkler also raises concern over the impact of the development on the surrounding area and in particular the CNL, in terms of noise and the impact this will have on the tranquillity of the area, citing policy CE5.1 of the CNL Management Plan 2025-2030 which seeks to further the conservation and enhancement of the area.

Amenity Effects

5.102 Ms Tinkler has undertaken her own assessment on the impact of the proposal on residential, social and recreational amenity, see Chapter 9: Amenity Effects and 10: Visual Effects, as the Applicant's LVIA does not especially consider these effects. Ms Tinkler finds that the impact is **significant adverse** during all phases of the scheme, and considers that it is highly likely that people will be deterred from visiting the area due to the introduction of an intensive and extensive industrialisation of the landscape.

5.103 To conclude, it is acknowledged that within NPS EN-1 that virtually all



nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation, however, given the scale, size, extent and location of the proposals in close proximity to the CNL, along with the number of significant adverse impacts identified by Ms Tinkler which would extend from the commissioning, operational and decommissioning stage it is considered that the harm arising from the proposals on the landscape of the CNL and the surrounding area outweighs the benefits of the proposal.

Noise

- 5.104 Ian MacArthur of Clarke Saunders Associates has been appointed as Acoustic Expert and has undertaken a review of the noise impact assessments undertaken by the Applicant. As detailed in the report, Mr MacArthur considers the Applicant's assessment is not robust or reliable. Further, Significant Observed Adverse Effect Level ('SOAEL') effects, where identified, have not been avoided, nor has the Applicant adequately mitigated or minimised noise Lowest Observed Adverse Effect Level ('LOAEL') effects as far as reasonably practicable, as required by policy and good acoustic practice.
- 5.105 Mr MacArthur highlights the Applicant's approach is inconsistent with the framework for noise as set by EN-1 and the Noise Policy Statement for England ('NPSE') in that it seeks only to demonstrate compliance with SOAEL, rather than avoiding significant adverse effects and minimising noise impacts towards LOAEL or lower. As a consequence, the assessment does not provide a sound basis for decision-making, as it fails to properly characterise the extent of adverse effects or to demonstrate policy compliance.
- 5.106 In relation to how the Applicant has assessed background noise, a number of inconsistencies and uncertainties have been identified in the data obtained which conflict with the Applicant's statement that it has taken a precautionary approach to assessment. The identified inappropriately high background noise selection minimises noise effects of the development without justification, leading to a conclusion disregarding the lower range of figures and pointing to unlikely outcomes.



- 5.107 Mr MacArthur highlights that the Applicant has failed to adequately consider the potential noise impacts or changes to the ambient noise climate on the PRow network despite the importance of considering adverse effects on these being emphasised in EN-1 and EN-3. The Applicant's RR response WBA-018 indicate noise levels from inverter units "with silencers" would always be below 52dB. This would be significantly above, and incongruous with, the existing ambient and background noise levels for affected PRow users. Mr MacArthur further considers that the Applicant's assertion that such noise produced by the development would be "akin" to existing conditions is not supported by the evidence.
- 5.108 In relation to operational noise, the Applicant has not followed the core BS4142 approach. Instead, it has introduced a fixed minimum background level of 30 dBLA90 which decouples the assessment from measured background noise climate in locations where the actual background levels fall below this. The Applicant has therefore artificially elevated the baseline. Relying solely on these absolute thresholds renders the background noise survey, which quantifies the very quiet nature of the setting and, therefore context, entirely redundant.
- 5.109 Mr MacArthur highlights Bradfield Manor (Grade I Listed Building) as a receptor example to demonstrate how the Applicant's approach has not been adequately undertaken. Based on the data provided this demonstrates the predicted noise from the BESS container area would be clearly distinguishable and perceptible in the grounds of Bradfield Manor as a continuous industrial sound. There would be a resulting major adverse effect which has not been identified by the Applicant (as it would be a high sensitivity receptor experiencing a high magnitude of impact). The introduction of a continuous industrial humming sound produced by the BESS would generate a sharp contrast to the existing background levels currently experienced at Bradfield Manor which is set in a rural ambient soundscape. The Applicant only commits within the outline operational management plan (OEMP) to maintain noise emissions to decimal points below the adopted SOAEL. Mr MacArthur highlights that targeting the SOAEL as an acceptable outcome is not in line with national policy framework, in that significant adverse effects should be avoided, and other adverse effects minimised as far as reasonably practical.



- 5.110 The referenced OEMP commits the proposals to achieving the “resulting levels” at properties “to provide reassurance that the scheme as built will not lead to significant effects from noise”. However, even at committed levels Mr MacArthur notes the noise would be clearly audible for much of the time, with the associated permanent loss of very quiet background noise levels that are a characteristic of the area. Whilst the Applicant states that all reasonable measures have been applied, this does not appear to be the case with little detail relating to embedded mitigation measures.
- 5.111 Mr MacArthur’s work highlights there is a risk the proposal could cause adverse impacts and harm at or above the SOAEL thresholds and, if left beyond this design stage, there may be no practicable mitigation options available to the operator to reduce noise levels. The Applicant’s commitments to limiting noise rely on constraining impacts to levels marginally below an adopted threshold of Significant Impact, rather than securing avoidance of SOAEL and meaningful minimisation of LOAEL effects, contrary to the principles of the NPSE, NPS-EN-1 and NPPF.

Air Quality

- 5.112 The Applicant’s assessment of Air Quality impacts is as set out in Volume 1, Chapter 15 of the Environmental Statement. We do not challenge the Applicant’s conclusions with respect to all matters, other than potential impacts from BESS fire emissions, subject to securing mitigation as set out in the Environmental Statement.
- 5.113 In respect of BESS fire emissions, the Applicant’s modelling concludes that in the event of a BESS fire, emissions during operation and maintenance phase are predicted to be not significant. This includes consideration for measures in the Outline BSMP including notification of potentially affected residents and potential road closures and/or notification of Network Rail if necessary.
- 5.114 The Applicant’s modelling has been reviewed by Professor Richard Skeffington and Professor Peter Dobson, as set out in the submitted Air Pollution Modelling for a BESS Fire at Lime Down paper. This is critical of the Applicant’s modelling and conclusions, based on questionable model assumptions, incorrect use of pollutant standards and flawed model



implementation.

5.115 In summary, the principal points highlighted by Professor Skeffington and Dobson are:

- The modelling work assumes only one container would catch fire and there would be no spread to other containers. This ignores evidence from other BESS fires. A reasonable worst case scenario should consider that the fire would spread to all containers;
- The assessment has artificially restricted spread distance to 1km which is unrealistic as shown by other BESS fires;
- A more realistic assessment, based on a 5km spread, would put many more receptors at risk, including nine villages, three primary schools and the M4. These receptors have not been adequately considered;
- Workplace exposure standards are wrongly used to assess the effects of particulate exposure, whereas there are ambient standards which could be used;
- Pollutant concentrations were not assessed at the closest receptors, which include the main line railway;
- Particle concentrations were assessed using a diesel fire as a model, whereas this is data available to allow assessment using lithium-ion battery fires. This has led to an underestimation of particle concentrations by a factor of 2.5 to 4.6; and
- Not every potentially serious pollutant has been assessed, including very fine particles and heavy vapours.

5.116 The Environmental Statement conclusions are therefore not considered robust, nor do they represent a reasonable worst-case scenario arising from a potential BESS fire.

Glint and Glare

5.117 An independent Glint and Glare Assessment has been undertaken



by Straten Consulting Services Ltd which includes the results of a ForgeSolar glint and glare analysis and comparative technical review against the Glint and Glare Assessment submitted by the Applicant.

- 5.118 The Straten Consulting Services Assessment identified glare with potential for yellow glare (the higher-intensity classification carrying potential for temporary after-image) towards multiple aviation, road and rail receptors. Yellow glare from the dominant arrays is present in every calendar month, confirming that this is a structural characteristic of the development's geometry rather than a seasonal or transitional phenomenon. Cumulative annual yellow glare at road and rail receptors represents a significant and persistent safety-relevant reflective hazard that warrants further examination.
- 5.119 The Applicant's Glint and Glare Assessment is identified to have significant evidential and methodological deficiencies, including non-publication of the ForgeSolar output data which underpins its conclusions. Without this it is not possible to fully assess whether the Applicant's conclusions are sound. Straten Consulting Services conclude the Applicant's results are an opinion-based assessment, not an evidence-based assessment.
- 5.120 There are further deficiencies identified in respect of potential glare impacts on Badminton Airfield and Bowldown Farm Airfield and lack of consideration for cumulative impact of the scheme as a whole, rather than each array zone being treated as a discrete assessment unit.

Transport and Highways

- 5.121 The transport and highways impacts of the proposals and the local context is described in detail within the Highways report of Mr Bamber, of Railton TPC Limited. His report highlights that the use of rural lanes by construction vehicles gives rise to highway safety concerns on the basis that the ISEP Guidelines identify vulnerable groups and routes with road safety concerns as requiring consideration when defining sensitive receptors, which include narrow rural lanes that are proposed to be used to reach access points.
- 5.122 Mr Bamber considers that the highway safety matters have not been properly



assessed by the Applicant.

Rural Lanes

- 5.123 One area of concern relates to the Applicant's assessment of the sensitivity of rural lanes. The Applicant has only used whether a link passes through the Cotswold National Landscape or the presence of a Conservation Area to define sensitivity. Mr Bamber considers that the width of the rural lane should have also been part of the sensitivity assessment given the need for HGVs to be able to pass each other safely. Mr Bamber identifies a number of rural lanes which do not allow for two HGVs to pass each other and the consequences arising.
- 5.124 In order for two HGVs to pass each other safely, a minimum carriage width of 5.5m is required, and this would only be achieved by the two vehicles being driven slowly. Anything less than 5.5m would require one of the vehicles to either mount a verge of footway or one of the vehicles would have to reverse, which in Mr Bamber's view is a highly dangerous manoeuvre, given the nature and context of rural lanes. Furthermore, there are a number of narrow lanes that are proposed to be used, which extend significant distances. There is no certainty that the HGVs associated with the development will not meet other HGVs or other vehicles during transit. As a result, the Applicant has not assessed a reasonable worst-case in relation to vehicle conflict in accordance with Policy EN-1.
- 5.125 One option to address the concern is the provision of passing places for HGVs. However, these would have to be of sufficient size with adequate inter-visibility, which on highly constrained, rural narrow lanes is difficult to achieve. Mr Bamber refers to the HS2 Design Approach Statement – Roads July 2012, which deals with the issue of traffic using minor rural roads, which is comparable to what is being proposed at Lime Down. The guidance advises that there should be a minimum width of 6.0m to accommodate occasional larger vehicles and 6.8m when heavy vehicles are likely to meet. Concluding that rural lanes are often unsuitable for HGV's because they cannot physically and safely accommodate the regular passage of vehicles. However, the Applicant has not used road width to inform the categorisation of link sensitivity.



- 5.126 The mitigation proposed to address the issues associated with narrow lanes is the suggestion of passing bays within the Highway Improvement Area, however, these have not been assessed to determine whether they can be achieved and delivered and what the impact of this would be. Mr Bamber highlights that given no assessment has been made it cannot be said a reasonable worst case has been adopted.
- 5.127 Furthermore, Mr Bamber refers to the ISEP guidelines which identifies pedestrians, cyclists and equestrians as vulnerable users of rural lanes. This is dismissed by the Applicants as they have not considered rural lanes to be sensitive receptors. This is identified as a flaw in the assessment undertaken. The Applicant has based their assessment on the capacity of the highway network to accommodate increased traffic but has failed to address the safety aspect of the Scheme and demonstrate how harms would be avoided, contrary to NPS EN-1.
- 5.128 To address the potential impact of HGVs on the rural highway network, the Applicant is proposing a booking system to avoid HGVs meeting. In Mr Bamber's view, this level of co-ordination is a significant challenge given the number of HGVs that would be travelling to and from the various sites and highlights the fact that the Applicant will be unable to control other HGV traffic using the rural network.
- 5.129 Furthermore, Mr Bamber raises concern over the Applicant's approach to dealing with the potential safety implications, with the Applicant citing them as short term. As Mr Bamber points out, the Applicant's assertion that there is no difference between a highway safety risk that lasts for a few days and one that lasts for 5 years is methodically incorrect nor ethically justifiable.
- 5.130 Mr Bamber also raises concern over the limited work that has been done to assess the capacity of the highway network to safely accommodate construction traffic associated with the cable route. The concern relates to the concentration of movements to 5 locations with specific concerns raised over the various compounds proposed.

Access Points

- 5.131 Mr Bamber highlights a further safety concern relating to the number of



access points to sites which do not have sufficient visibility. To overcome the lack of visibility the Applicant is proposing the use of a banksman, however, Mr Bamber, refers to relevant appeal decisions where the issue of the use of banksman has been considered with the conclusion that the use of a banksman does not provide certainty and can introduce new highway safety measures.

- 5.132 The alternative would be to remove roadside vegetation and trees to allow for safe visibility splays, however, this has not been assessed as the reasonable worst case scenario. A total of 12 locations are identified by Mr Bamber as being particularly problematic.

Under estimation of HGV numbers

- 5.133 In terms of the number of HGVs that are anticipated as a result of the proposal in terms of the construction, operational phase, waste removal, associated cable delivery, substation/BESS, access tracks, general, allowance for compounds, substations, treatment of topsoil, highway improvements drainage infrastructure and acoustic fencing; Mr Bamber raises concerns over the assumptions that have been used by the Applicant as the figures quoted appear to be less than half of other sites, with no justification for this. The worst-case scenario has therefore not been assessed, contrary to NPS EN-1.

Combined Impact

- 5.134 Mr Bamber raises further concern over the lack of an assessment of the combined impact of construction activities associated with the solar areas and the cable route despite the fact that the operations will be run concurrently. The Applicant has therefore failed to undertake a robust assessment of transport environmental impacts contrary to NPS EN-1.

Assignment of Construction Traffic

- 5.135 Mr Bamber highlights concerns over the assignment of construction traffic. In some locations the increase in HGV movements increases by as much as +422%. The Applicant advises that the highway can accommodate this increase citing the capacity of the highway, however, as referenced above, this does not reflect the nature of the rural roads, some of which are not wide



enough to allow two HGVs to pass. In Mr Bamber's view, the failure to address this is a flawed assessment.

Abnormal Indivisible Loads (AILs)

- 5.136 Given the nature of the development proposed, Abnormal Indivisible Loads (AILs) are expected to be used at the 132kv, 400kv substations and for the delivery of the cable for the cable route. Mr Bamber identifies several examples of where the assessment of AIL access is deficient. Furthermore, concern is raised over the failure to identify where vegetation would be required to be removed to accommodate safe visibility splays.
- 5.137 The use of banksman is again proposed by the Applicant, however, as stated earlier, such mitigation raises a number of problems. A further concern raised is the lack of space within the compound and substation areas for AILs to be able to manoeuvre and to actually turn round. Again, Mr Bamber concludes that the Applicant has failed to properly assess the worst-case scenario.

Impact on Vulnerable users

- 5.138 Mr Bamber highlights that the Applicant has not undertaken any surveys of vulnerable highway users who have the potential to be adversely affected by construction traffic, contrary to NPS EN-1. The Applicant asserts that there is little dedicated walking, cycling and equestrian infrastructure within the Study Area to warrant an assessment being made. This is refuted by Mr Bamber who refers to the Wiltshire Cycleway, Fosse Way and the surrounding country lanes which are used by cyclists to access the Cotswolds National Landscape.
- 5.139 Mr Bamber considers the proposed development would have an adverse impact on cyclists on a number of roads and would result in an unacceptable impact on highway safety which has not been assessed by the Applicant and is contrary to the moderate adverse effects suggested by the Applicant.
- 5.140 The impact on equestrians on narrow rural roads, has also not been assessed. This is a further concern raised by Mr Bamber, this is particularly important given the need for sufficient space to be provided for horses from vehicles as required by the Highway Code.



- 5.141 Furthermore, Mr Bamber advises that the Applicant has not undertaken an assessment of the potential of construction traffic on rural lanes with respect to the potential conflict with pedestrians. Given the number of footpaths and public rights of way and that a number of rural country lanes do not have footways, people have to walk within the carriageway therefore an assessment should have been undertaken.
- 5.142 Mr Bamber makes reference to a couple of walks that are recommended on the Hullavington Community website and highlights the impacts of HGV traffic on the walks citing a 35% increase in HGVs on one section alone, which would mean a HGV travelling along this road every 2.5 minutes.
- 5.143 A further example within Mr Bamber's paper highlights the number of PROW's within the vicinity of Radbourne, and the consequences of construction traffic on these.
- 5.144 In essence, Mr Bamber concludes that that the Applicant has not properly assessed the impact of the development on vulnerable highway users and is of the view that construction traffic will have an unacceptable adverse highway safety impact on cyclists and pedestrians contrary to paragraph 5.14.21 of NPS EN-1.

Impact on Villages

- 5.145 There are a number of villages, including Hullavington, Acton Turville Burton and Grittleton, which are directly affected by the proposed construction traffic routes. There is a clear difference of opinion between the Applicant's assessment relating to sensitivity of roads, the assessment of harm relating to capacity and the resultant harm, to those of Mr Bamber, with all of the villages listed above. Full details of the differences are set out within Chapter 8 of Mr Bamber's report.

Impact on Major Roads

- 5.146 Mr Bamber raises concern over the ability of the Applicant to demonstrate that an access could be achieved without unacceptable highway safety implications to the A420 and the A4. Again, the Applicant relies on deficiencies in visibility being overcome at the A420 and A4 by use of a banksman.



- 5.147 Concerns are also raised over the proposed new site construction access on the A4 given the volume of traffic on this road and the location of the access proposed.

Impact on Cotswold National Landscape

- 5.148 In terms of the impact of traffic on the CNL, the impact on the tranquillity of the CNL is raised as one of the key concerns referred to by Mr Bamber, citing the comments from the CNL Board.
- 5.149 The CNL Board recommends that development which is likely to see the number of HGVs or their increase by 10% should be considered significant.
- 5.150 However, the Applicant has failed properly to assess the impact of construction traffic on tranquillity. This is despite the Applicant's assessment that there would be an increase of 76% in terms of HGVs on the B4039 through the CNL, far in excess of the 10% deemed significant by the CNL Board.
- 5.151 The tranquillity assessment should be completed as failure to do so goes against IEMA guidelines, as highlighted by Mr Bamber.
- 5.152 In summary, the applicant has failed to undertake the necessary assessments to assess the impact of the proposed development on vulnerable users of the highway. From the work underway by Mr Bamber, the development would have an unacceptable impact on highway safety.

Flood Risk and Drainage

- 5.153 The Applicant's consideration of Hydrology, Flood Risk and Drainage is contained in Volume 1, Chapter 11 of the Environmental Statement and associated Flood Risk Assessment and Drainage Strategy Report. This concludes the proposals would have, at worst, a minor adverse (not significant) residual effect after consideration of mitigation measures on sensitive receptors.
- 5.154 A review of the Applicant's Flood Risk Assessment has been undertaken by Professor Richard Skeffington (Critique of IGP's Flood Risk Assessment for the Lime Down Solar Park), considering whether this aligns with the



requirements of NPS EN-1. The review identifies deficiencies in the Applicant's work. It is further supported by papers setting out Observations of Flood Extent above Corston during an Extreme Rainfall Event and Increased Water Availability and Flood Risk Due to Reduced Evaporation at Lime Down.

5.155 Additionally, Professor Skeffington has prepared a paper considering Runoff from Solar Panels at Lime Down which directly responds to the Applicant's conclusion relating to surface water runoff and associated flooding.

5.156 A summary of these submissions is as set out below.

Critique of IGP's Flood Risk Assessment for the Lime Down Solar Park

5.157 As detailed in Professor Skeffington's review of the Flood Risk Assessment, he finds the Applicant's assessment meets only 6 of the 23 requirements mandated by NPS EN-1 paragraph 5.8.15, failing or partially failing the remainder. Further, the assessment of fluvial flooding is found to be seriously flawed, with the Applicant choosing to ignore its own modelling.

5.158 In determining the application, the Secretary of State should be satisfied that the Sequential Test was applied and satisfied as part of the site selection process and that a sequential approach was applied at the site level to minimise risk by directing the most vulnerable uses to the areas of lowest flood risk. Professor Skeffington considers that whilst the Applicant has reviewed risks of flooding across site options, there has been no attempt to seek to construct a scheme which would combine the areas of site options at the lower risk of flooding. It has itself identified a site (Site 12) which is at lower risk of flooding. Further, it is apparent the Applicant has made no sequential approach at site level to the layout and design of the scheme, instead electing to develop areas of the Site within Flood Zone 3 (with part of this area reviewed through the separate Observations of Flood Extent above Corston during an Extreme Rainfall Event paper). The Sequential Test is therefore not achieved.

5.159 The Applicant seeks to justify the proposals through the Exception Test, setting out the wider sustainability benefits (which are questioned throughout the submissions of Stop Lime Down) and that the development



would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. In respect of the latter justification, Professor Skeffington considers the scheme will increase surface water runoff rates which the Applicant has not properly taken into consideration. Further, inadequate mitigation has been identified to reduce flood risks. Professor Skeffington concludes the Exception Test is not met.

- 5.160 In respect of fluvial flooding, Professor Skeffington identifies discrepancies between the modelling work completed by the Applicant and the conclusions of the Flood Risk Assessment, with the Applicant's Impact Assessment incorrectly identifying the potential effect as "low" when it should instead be "high" impact magnitude and "major" significance. Professor Skeffington raises questions over the modelling work, however, in any case, the modelling does not appear to support the Applicant's conclusions. Professor Skeffington concludes that further work should be undertaken by the Applicant, including dynamic hydraulic modelling, and not mere prediction of flood depths.
- 5.161 Table 1 of Professor Skeffington's report highlights the Applicant's Flood Risk Assessment meets only 6 of the 23 minimum requirements mandated by NPS EN-1 and fails or partially fails to meet 17 of them. This includes the assessment not being proportionate, failure to demonstrate how impacts from flood events would be avoided or minimised, and lack of information about how sustainable drainage systems will be designed and managed.

Runoff from Solar Panels at Lime Down

- 5.162 On the argument that the construction of solar panels at Lime Down will not increase surface water runoff rates and hence flooding, and that no mitigation is required other than maintaining a grass sward under the panels, Professor Skeffington has undertaken a review of the assumptions of the Applicant and presents evidence to the contrary.
- 5.163 The Applicant's Flood Risk Assessment relies on research completed by Cook and McCuen (2013), an early review of the hydrological effects of solar farms. This included a computer model on hydrological principles, which concluded that "*the solar panels themselves did not have a significant effect on the runoff volumes, peaks, or times to peak*". As Professor



Skeffington highlights, this work is outdated and more recent reviews have come to different conclusions indicated that solar panels can increase runoff.

- 5.164 The research reviewed by Professor Skeffington, beyond a single paper reviewed by the Applicant, highlights that it should not be assumed the existing ground surface will absorb all the water running from the panels as the Applicant claims, such that there will be no effects on runoff or soil erosion.
- 5.165 Professor Skeffington's assessment includes a thorough consideration of the potential surface water runoff implications of the proposed development, including consideration of soil capacity to absorb water and transmit water elsewhere. As highlighted by the Applicant's own soil infiltration testing, there are areas of the Site where there is poor / no infiltration. Professor Skeffington's conclusion is that the Applicant's conclusions are flawed, and surface water flooding is very likely. The identified mitigation is inadequate to address this.

Socio-Economic Impacts

- 5.166 Within the Written Representations are examples of where businesses within the area have commented on how they will be impacted upon by the proposals.
- 5.167 Examples are provided of the different types of businesses that will be negatively impacted. Furthermore, reference is made to Wiltshire Council's estimates of a loss of £1.76million per year in tourism spending during the construction period alone. It is acknowledged within the paper that Stop Lime Down are not in a position to fully identify the socioeconomics and tourism impacts of the Scheme, however, given the number of representations made and the volume of people speaking at the Open floor Sessions, Stop Lime Down are of the opinion that the Applicant has failed to adequately assess the socio-economic impacts at the appropriate level.

Health



- 5.168 An assessment of the human health impacts of the proposals has been undertaken by Dr. Clare Osmond, a retired GP partner and GP trainer for 20 years. Dr. Osmond refers to the Wiltshire Joint Strategic Needs Assessment (JSNA) 2025 which reports that over a quarter of people aged 16 and over in Wiltshire report elevated levels of anxiety, which are higher than the southwest region and national figures. Furthermore, the JSNA advises that in 2020/21 the level of hospital admissions related to self-harm, for the 10–24-year-olds was significantly higher than the southwest and in England. Reference is made in the Wiltshire Joint Health and Wellbeing Strategy (20230-2032) which recognises the impact that the environment can have on people’s health.
- 5.169 Dr. Osmond refers to research undertaken on the importance of greenspace to alleviate poor mental health and the importance of greenspace to assist in preventing mental health disorders. The proposed scheme would result in the loss of a substantial amount of greenspace around neighbouring villages which would have an adverse impact on the mental health of the public. Dr. Osmond also highlights the importance of people undertaking a minimum of 150 minutes of physical activity a week and considers the proposals will change the character of the area, thereby reducing the attractiveness of the area for people’s enjoyment.
- 5.170 A further area of concern highlighted is that the scale and design of the proposal will result in the loss of physical and visual connections between villages. The change in nature of the area and the increased traffic in terms of HGV movement will deter people from using the existing roads as they currently do which may lead to increased isolation and loneliness. In addition, the scale of the proposal, the impact on the landscape and the change from a rural setting to an industrial/urban setting also poses a significant risk to the mental health and the well-being of residents.
- 5.171 The impact of noise on people’s wellbeing is identified as a further concern which has not been considered. Dr. Osmond refers to studies and research undertaken which sets out the link between exposure to high noise levels and general mental health conditions. With individuals having no practical options to mitigate the noise from external noise sources, people will be exposed to higher levels of noise, which would be detrimental to their overall



health.

- 5.172 To summarise, Dr. Osmond concludes that the proposal will result in a detrimental impact on people's well-being and mental health, in an area where people already experience high levels of mental health issues.



6. PLANNING BALANCE

- 6.1 Paragraph 4.1.5 of EN-1 outlines that the Secretary of State should take into account the potential benefits and the potential adverse impacts when considering a proposed development. Paragraph 4.1.6 further sets out that the Secretary of State is required to take into account the environmental, social and economic benefits and adverse impact at the national, regional and local levels.
- 6.2 Paragraph 4.1.7 outlines that where an NPS requires an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development.
- 6.3 Paragraph 4.1.3 of NPS EN-1 sets out that the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs however paragraph 4.2.14 confirms the CNP presumption will not apply where the mitigation hierarchy has not been properly applied.
- 6.4 We do not consider this the case, for various reasons as set out in this paper and the submissions SLD in the Examination. Notably this includes:
- The Applicant's approach to the assessment of site selection, including the methodology underpinning consideration of alternatives, being flawed, thereby failing to demonstrate adequate measures have been put in place to avoid impacts at the starting point;
 - A failure by the Applicant to demonstrate that significant heritage impacts will be or can be avoided, reduced or mitigated;
 - Inappropriate siting of the proposals near to the Cotswold National Landscape, leading to significant adverse effects on both it and its setting which has not been avoided, reduced or adequately mitigated. This is along with the wider significant landscape and visual effects more generally.
 - An inconsistent approach to the consideration of noise impacts which



overall fails to avoid significant adverse effects and minimise adverse noise effects;

- An inadequate assessment of the potential implications of BESS fire does not robustly consider how potential wide-spread impacts could be minimised or mitigated;
- Unknown impacts of glint and glare arising from significant evidential and methodological deficiencies in the Applicant's assessment thereby not demonstrating how potential impacts, including safety-related hazards, have been avoided;
- Various failures to consider how HGV movements on the surrounding road network will be accommodated and made safe, including how impacts on sensitive receptors and users will be avoided, minimised or mitigated;
- Flawed consideration of flood risk impacts, alongside a failure of the sequential test and lack of avoidance (through design) of proposals in areas identified to be at high risk of flooding; and
- Failures of the mitigation hierarchy in relating to the Applicant's ecology work which has not properly considered how adverse effects could be avoided.

6.5 On this basis, the Secretary of State should apply a flat balance against which the benefits are to be assessed against the harms. In this case, the balance would (in our view) be clearly against granting consent for the proposal development.

6.6 Should the Secretary of State disagree with our conclusions in respect of the mitigation hierarchy, the CNP presumption would apply. Nevertheless, even if this was the case, we consider this would be an exceptional instance where the needs case does not outweigh the identified harms arising from the residual effects.

Double Counting of Environmental Benefits



- 6.7 The Applicant counts the *“need for renewable energy infrastructure and contribution to electricity generation and security of supply”* and *“GHG emissions savings”* as two separate items in the planning balance, both weighing substantially in favour of the Scheme.
- 6.8 However, by adopting this approach, we consider that the Applicant has double counted benefits. This is because the National Policy Statement clearly indicates that there is an inherent, critical need for renewable energy infrastructure and the reduction of GHG is incorporated within and (one of) the justifications for the overall need for renewable energy infrastructure.
- 6.9 We do not agree with the Applicant’s approach to considering the *“need for renewable energy infrastructure and contribution to electricity generation and security of supply”* and *“GHG emissions savings”* separately. Instead, we are of the view that the *“need for renewable energy infrastructure and contribution to electricity generation and security of supply”* is a standalone benefit that includes the benefit of reducing GHG emissions.
- 6.10 NPS EN-1 makes clear that need for renewable energy development to meet the GHG emissions saving requirement to achieve Net Zero targets. Paragraph 3.2.1 of EN-1 outlines the government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including delivery of our carbon budgets and Nationally Determined Contributions. This leads to the conclusion set out in paragraph 3.2.6 of EN-1 that the Secretary of State should assess all applications for development consent for renewable energy infrastructure on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent.
- 6.11 Further to this, Section 3.3 of EN-1 sets out the need for new nationally significant electricity infrastructure. Paragraph 3.3.13 outlines that the Net Zero Strategy set out the government’s ambition for increasing the deployment of low carbon energy infrastructure consistent with delivering our carbon budgets and the 2050 net zero target.
- 6.12 Paragraph 3.3.19 clarifies that there is a need for a diverse mix of electricity infrastructure to come forward to deliver a secure, reliable, affordable and



net zero consistent system in the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.

- 6.13 Paragraph 3.3.63 goes on to emphasise that the basis of the urgent need for CNP infrastructure is to achieve the government's energy objectives including a reduction in GHG emissions, i.e. these are inherently linked.
- 6.14 Section 4.2 outlines the critical national priority for low carbon infrastructure. This underpins the presumption for CNP infrastructure provision. Paragraph 4.2.1 confirms that the government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions and that more than half of final energy demand in 2050 could be met by electricity. Paragraph 4.2.2 further confirms that the UK's strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS.
- 6.15 Section 5.3 of EN-1 relates to GHG Emissions. Paragraph 5.3.1 outlines that significant levels of energy infrastructure development are vital to ensure the decarbonisation of the UK economy and that the construction, operation and decommissioning of that energy infrastructure will in itself lead to GHG emissions. This implies that GHG emission reductions are also part of energy infrastructure development.
- 6.16 Paragraph 5.3.12 confirms that operational emissions are controlled at a national level, as such, the Secretary of State does not need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments. This suggests that there is not a requirement to assess the significance of the GHG position, and that instead the GHG reduction considerations are wrapped up in the need for CNP infrastructure (albeit there is still a requirement to comply with the EIA Regulations).
- 6.17 Further to this, paragraph 2.3.8 of EN-3 sets out that when considering the impact on the historic environment and whether the Secretary of State is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that large-scale renewable projects



play in the mitigation of climate change, the delivery of energy security, and the urgency of meeting the net zero target. This further emphasises that the national need for renewable energy infrastructure is justified by climate change mitigation; it is already reflected in the need for development.

6.18 Double counting the need for the development and the GHG emission savings is therefore the incorrect approach as set out by relevant National Policy Statements. Whilst the development will deliver GHG emission savings, this forms part of the underpinning for the critical need for renewable energy development and is therefore not considered a separate benefit.

6.19 Further to this, as the University of Derby have identified, the GHG emission savings of this particular Scheme are not particularly high so as to allow for this to be counted as separate benefit anyway. Notably, the review by the University of Derby has conclude that (even assessed against the 2029 grid emissions intensity used as a constant for the life of the Scheme), on the Applicant's figures the Scheme would not break even until the 2070s. That is decades after the current legislation-mandated 2050 date for Net Zero to be achieved.

6.20 For the purposes of our Planning Balance set out in Table 4, we do not consider GHG emissions savings to count as a separate benefit and afford this neutral weight in the balance.

6.21 As will be apparent from our conclusions as to weighting, even if the Secretary of State were to adopt the Applicant's approach and attempt to disaggregate GHG emissions savings from the need for renewable energy in the planning balance, our conclusions on outcome would be the same.

The Planning Balance

6.22 To demonstrate the weighting which should be applied to the identified impacts, Table 4 below sets out the appropriate weighting based on the submissions of the Stop Lime Down team.

6.23 The planning balance has been applied to identify the positive, negative and neutral impacts of the proposed development.

6.24 The hierarchy of weight is set out within the glossary to NPS EN-1 and



defines this as 1) limited 2) moderate 3) great 4) significant and 5) substantial.

6.25 This hierarchy of weight for the identified impacts has been followed by the Applicant and we apply the same.

6.26 Our views have been informed by the conclusions of the wider Stop Lime Down team, as summarised in Section 5.

Table 4: Planning Balance

Identified Impact	Weight by Applicant	Weight by Interested Party
Need for renewable energy infrastructure and contribution to electricity generation and security of supply	Substantial positive weight	Substantial positive weight
GHG emissions savings	Substantial positive weight	Neutral weight as benefits through GHG emissions savings are already implied by the need for renewable energy infrastructure.
Ecology and Habitats	Moderate positive weight	Moderate negative weight due to failure of the Applicant to demonstrate the proposed development would not result in significant adverse effects on habitats and species
Biodiversity net gain	Moderate positive weight	Limited positive weight
Connectivity improvements and enhancements –	Substantial positive	Moderate positive weight. The benefit being



permissive paths	weight	delivered through the provision of new permissive paths is diminished by the environment within which they will be located.
Employment Generation	Limited positive weight	Limited positive weight
Economic Benefits	Limited positive weight	Limited negative weight
Landscape and visual effects	Landscape effects – moderate negative weight Visual effects - moderate negative weight Landscape and visual impacts are afforded moderate negative weight.	Landscape effects – substantial negative weight Visual effects - substantial negative weight Landscape and visual impacts should be afforded substantial negative weight for the reasons as set out in Ms Tinkler's report.
Agricultural Land	Moderate negative weight	Moderate negative weight
Tourism and Recreation	Limited negative weight	Great negative weight based on a combination of impacts on the local area including impacts on tranquility, the local highway network, and the landscape setting.
PRoW	Moderate negative weight in the planning balance when considered in isolation. However, on the basis that the visual and socio-economic effects	Limited negative weight. We agree with the Applicant's position that harms to PRoW are, in part, assessed through other topics. However, there remains a residual effect not fully considered



	on PRow have already been considered in the wider weightings above for visual effects and effects on tourism and recreation, this weighting should not be double counted.	elsewhere that the PRow will attract less users, a negative weighting should therefore be applied.
Air Quality	Neutral weight	Moderate negative weight arising from potential air quality effects from risk of BESS fire, which has not adequately been assessed or mitigated.
Woodland	Neutral weight	Neutral weight
Flood Risk and Drainage	Neutral weight	Significant negative weight. In line with the conclusions of Professor Skeffington as set out in Section 5, the Applicant's work has not demonstrated how impacts from flooding will be avoided or addressed. There are risks identified which are not mitigated.
Historic Environment	Neutral weight	Substantial negative weight due to multiple significant adverse effects on heritage assets, including on Grade I Listed Bradfield Manor and Fosse Way.
Soils	Neutral weight	Moderate negative weight
Noise and Vibration	Neutral weight	Significant negative weight due to the loss of very quiet background noise levels that are characteristic of the area



		and the Applicant not seeking to mitigate to below LOAEL.
Traffic and Transport	Neutral weight	Substantial negative weight
Resource and Waste Management	Neutral weight	Neutral weight
Water Quality and Resources	Neutral weight	Neutral weight
Ground Conditions	Neutral weight	Neutral weight
Glint and Glare	Neutral weight	Substantial negative weight due to impact of glare on sensitive receptors including potential persistent safety-related hazards.
Civil Aviation and Defence Interests	Neutral weight	Neutral weight
Battery Safety	Neutral weight	See Air Quality
Human Health	Neutral weight	Moderate negative weight

6.27 As set out in Table 4, we consider there to be a range of effects which weigh, to different degrees, negatively against the proposed development.

6.28 For the reasons set out previously, we consider the CNP presumption does not apply in this instance. As such, the harms clearly outweigh the benefits in this case.

6.29 Should it be concluded the CNP presumption does apply, para 4.2.15 of EN-1 indicates that residual impacts are unlikely to outweigh the need for this type of



infrastructure. In only exceptional circumstances should consent be refused.

- 6.30 However, as highlighted by the same paragraph, one exception is unacceptable risks to human health and public safety. Stop Lime Down have identified clear safety and health risks which have not been addressed by the Applicant. This disengages the presumption.
- 6.31 Should it be concluded these risks are acceptable or are shown to be avoided, minimised (to an acceptable degree) or mitigated, and the CNP presumption apply, we consider this would be an exceptional case where the residual harms are sufficient to outweigh the need for this type of infrastructure.
- 6.32 The Secretary of State should therefore refuse consent for the reasons set out within this Statement.



7. CONCLUSIONS

- 7.1 It is acknowledged that the National Policy Statements for energy establish a CNP for the provision of nationally significant low carbon infrastructure, and that substantial weight should be given to the need for renewable energy infrastructure. It is also acknowledged that virtually all significant energy infrastructure will have adverse effects on the landscape and that the urgent need for CNP infrastructure will in general outweigh any residual impacts not capable of being addressed by the application of the mitigation hierarchy. However, as set out in this statement and the other submissions of Stop Lime Down it is clear the Applicant has not undertaken all the necessary assessments in order for an adequate assessment to be made in relation to the scheme.
- 7.2 Furthermore, the Site is located within close proximity to the Cotswolds Natural Landscape. National Landscapes are legally designated as areas of outstanding natural beauty. The scheme due to its size, location and scale will have significant adverse effects and impacts on the National Landscape and the surrounding area which have not either been avoided, addressed or adequately mitigated against.
- 7.3 Based on the work completed we have shown the following:
- The CNP presumption should not apply in this instance as there are a not insignificant number of instances where the Application and proposals have not properly applied the mitigation hierarchy as required by EN-1;
 - There are identified risks to human health and public safety which would disengage the CNP presumption if this did apply;
 - There are a number of areas where we conclude the weight to be afforded to benefits and harms is materially different from that assessed by the Applicant, including identifying areas where significant or substantial negative weight should be applied in the planning balance;
 - On the basis of the “flat balance”, where the CNP presumption does not



apply, the harms clearly outweigh the benefits in this instance;

- Should the Secretary of State conclude the CNP presumption does apply, we consider this would be an exceptional case where the residual harms are sufficient to outweigh the need for this type of infrastructure.

7.4 We therefore consider that the application should be refused.