



# Central Buckinghamshire Area Planning Committee agenda

Date: Thursday 3rd March 2022

Time: 2.30 pm

Venue: The Oculus, Buckinghamshire Council, Gatehouse Road, HP19 8FF - Aylesbury

## Membership:

M Rand (Chairman), N Brown, M Caffrey, B Chapple OBE, M Collins, P Cooper, R Gaster, R Khan, R Newcombe (Vice-Chairman), G Smith, D Thompson and A Waite

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<b>Agenda Item</b>	<b>Page No</b>
<b>1 Apologies</b>	
<b>2 Minutes</b> To approve as a correct record the minutes of the meeting held on 3 <sup>rd</sup> February 2022.	<b>3 - 4</b>
<b>3 Declarations of interest</b>	
<b>Applications</b>	
<b>4 21/02821/APP - Land at Whirlbush Farm, Risborough Road, Kingsey, Buckinghamshire, HP17 8NE</b>	<b>5 - 38</b>
<b>5 Availability of Members Attending Site Visits (if required)</b> To confirm Members' availability to undertake site visits on 29 <sup>th</sup> March if required.	
<b>6 Date of the Next Meeting</b> 30 <sup>th</sup> March 2022	

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## Central Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the Central Buckinghamshire Area Planning Committee held on Thursday 3 February 2022 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 2.30 pm and concluding at 3.03 pm.

### Members present

M Rand (Chairman), M Caffrey, B Chapple OBE, P Cooper, R Newcombe (Vice-Chairman), G Smith, D Thompson, A Bond and F Mahon

### Agenda Item

#### 1 Apologies

Councillors Brown, Collins, Gaster, Khan and Waite gave apologies.

#### 2 Minutes

Resolved:

That the Minutes of the meeting held on Thursday 9<sup>th</sup> December 2021 be approved as a correct record.

#### 3 Declarations of interest

There were none.

#### 4 20/02611/AOP - Land To The East And West Of, Rabans Lane, Aylesbury, Buckinghamshire, HP19 8TS

Proposal:

Outline application for the erection of up to 200 dwellings together with associated parking, landscape and access from Rabans Lane together with means of access only to be determined following demolition of existing buildings on Land to the east and west of Rabans Lane. Full planning application for erection of 7,500m<sup>2</sup> of B2/B8 floorspace together with means of access from Rabans Close.

It was proposed by Councillor Newcombe, Seconded by Councillor Rand and

**resolved:**

that application 20/02611/AOP be deferred for consideration at a subsequent

meeting of the committee, to allow adequate time for officers to examine information received following the publication of the Case Officer's report.

**5 21/04555/APP - Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8FF**

Removal of condition 10, 11, 14 relating to permission 12/02849/ADC (Variation of Condition 10 of planning permission 12/01733/ADC to extend the period of temporary permission for a further 3 years from 1st April 2013 to continue use of access and exit arrangements).

Speakers:

None

It was Proposed by Councillor Cooper, Seconded by Councillor Thompson and

**resolved:**

that the application to remove conditions 10, 11, 14 relating to permission 12/02849/ADC be approved and the conditions which still are relevant to the development be reapplied.

**6 Availability of Members Attending Site Visits (if required)**

The Chairman confirmed that any necessary site visits for applications prior to their consideration at the next scheduled meeting of the committee would occur on 2nd March.

**7 Date of the Next Meeting**

Thursday 3<sup>rd</sup> March, 2022.



## Report to Central Buckinghamshire Area Planning Committee

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<b>Application Number:</b>	21/02821/APP
<b>Proposal:</b>	Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of up to 49.99 MW, including mounting system, battery storage units, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, DNO substation, landscaping and environmental enhancements for a temporary period of 40 years.
<b>Site location:</b>	Land at Whirlbush Farm, Risborough Road, Kingsey, Buckinghamshire, HP17 8NE
<b>Applicant:</b>	Whirlbush Solar Ltd.
<b>Case Officer:</b>	Zenab Hearn
<b>Ward affected:</b>	BERNWOOD
<b>Parish-Town Council:</b>	KINGSEY
<b>Valid date:</b>	16 July 2021
<b>Determination date:</b>	3 <sup>rd</sup> March 2022
<b>Recommendation:</b>	Approval

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### 1.0 Reason for Planning Committee Consideration

- 1.1 This application is being presented to Central Area Planning Committee following a call in by Dinton with Ford and Upton Parish Council. This application seeks planning permission for the construction of a solar farm with all associated equipment with a generating capacity of up to 49.9MW for a period of 40 years from the date of the first exportation of electricity from the site.
- 1.2 It is acknowledged that the proposal would provide a source of renewable energy which would contribute towards meeting the targets set out in the Climate Change Act 2008 and the commitment towards Net Zero Carbon by Buckinghamshire Council to which significant weight is given in favour of the application. The proposal would cause harm of moderate significance to the visual amenity and landscape/scenic quality of the area and the setting of Chilterns AONB.
- 1.3 In accordance section 38(6) of the Planning and Compulsory Purchase Act 2004 proposals must be determined in accordance with the development plan unless material considerations indicate otherwise. The delivery of renewable energy and contribution to energy security which this scheme would provide to meet both local and national

commitments weigh strongly in favour of this proposal. As such, the proposal would deliver substantial public benefits such as to outweigh the harm identified. For the reasons explained within this report, this application is being recommended for approval subject to conditions.

### **Description of Proposed Development**

- 2.1 The application site comprises approximately 53 ha of agricultural fields bounded by the A4129 (Risborough Road) to the south and an unnamed road to the north. A part of the western part of the site adjoins the railway line whilst the rest of the site is bounded by agricultural land. It is located 2km to the south-east of Haddenham which is set within a rural context across an agricultural landscape. The surrounding area is characterised by irregular fields. The applicant's survey has determined that the whole site contains grade 3b agricultural land. The site lies within Flood Zone 1.
- 2.2 There are no public rights of way that run through the site. However, there are several PRoW that are within close proximity to the site. PRoW KIN/4/1 runs along the western boundary of the site. PRoW ASA/2/1 runs to the north of the site leading to the unnamed road. PROWs ASA/9/1 and ASA/5/1 also run to the north of the site.
- 2.3 The closest heritage assets are the Aston Sandford Conservation Area (c.200m north) which comprises several listed buildings including the Church of St Michael, The Manor, Manor Cottage, The Old Rectory, Stone Lacey and Pastor Farm. Haddenham Conservation Area is located 1.5km to the west of the site. Other heritage assets (listed buildings) nearby include Waldrige Manor and Foxhill, Dove House Farm, Kingsey and St Nicholas Church in Kingsey.

#### *Proposed Development*

- 2.4 The application proposes a ground mounted solar farm with a generating capacity of upto 49.99 MW, including mounting framework, battery storage units, inverters, customer DNO housing, underground cabling to existing substation, stock proof fencing, CCTV, internal stone tracks and associated infrastructure, landscaping, biodiversity net gain and environmental enhancements for a period of 40 years.
- 2.5 The proposed solar panels will be spaced to avoid overshadowing and will be set on a steel frame supported by pile driven stakes. The panels will have a maximum height of upto 2.4m with a gap of 0.8m at its lowest edge, this would allow for low intensity grazing to occur alongside the development with livestock being able to pass beneath the panel.
- 2.6 The proposal includes battery storage units that would be formed from a standard shipping container measuring 12m in length. The final details of the storage units would be agreed prior to installation.
- 2.7 The following ecological mitigation measures are proposed:
  - Wildflower planting of approximately 1.9ha within 2m buffer strips offset from all hedgerows across the site

- Gaps in the hedgerow planted up with native hedgerow increasing habitat connectivity
- An additional tree belt comprising approximately 70 oak trees along the northern boundary as well as infill hedge planting on the western boundary

2.8 All electricity generated will feed into the national grid. The scheme will be delivered without any support from government subsidies. The inclusion of battery storage units would optimise the performance of the solar farm development by allowing the energy generated during daytime hours to be stored and then released during the evening to match the peak demands on the power network. Once established, the proposed solar farm would provide:

- 59,969 MWh per annum
- Approximately 14,441 homes powered from the project
- A saving of 25,787 tonnes of CO<sub>2</sub> saved per annum

2.9 The application is accompanied by:

- 21.06\_100 – Site location plan
- 21.06\_101 - Site block plan existing
- 21.06\_301 Rev. D - Site block plan proposed
- Transport Statement dated June 2021
- Flood Risk Assessment dated May 2021
- Tree constraints plans 1-6
- Ecology Report dated July 2021
- Landscape and ecology management plan dated July 2021
- Archaeological and heritage assessment dated July 2021
- Landscape and visual impact appraisal dated July 2021
- Figure L1 – Site Location Plan
- Figure L2 - Viewpoint 1
- Figure L3 – Viewpoint 2
- Figure L4 – Viewpoint 3
- Figure L5 – Viewpoint 4
- Figure L6 – Viewpoint 5
- Figure L7 – Viewpoint 6
- Figure L8 – Viewpoint 7
- Figure L9 – Viewpoint 8
- Figure L10 – Viewpoint 9
- Figure L11 – Viewpoint 10
- Figure L12 – Viewpoint 11
- Figure L13 – Viewpoint 12
- Figure L14 – Viewpoint 13
- Statement of Community Involvement dated July 2021
- Verified Views dated July 2021
- Solar photovoltaic glint and glare study dated July 2021
- Planning, Design and Access Statement dated July 2021

- Geophysical survey report dated June 2021
- Landscape and Visual Impact Appraisal Addendum dated October 2021
- Figure 1 Rev. A – Cumulative site location plan
- Figure 2 Rev. A – Viewpoint C1
- Figure 3 Rev. A – Viewpoint C2
- Figure 4 Rev. A – Viewpoint C3
- Figure 5 Rev. A – Viewpoint C4
- Drainage Strategy Addendum dated October 2021
- Technical Note – Optimised Generation Potential

### **3.0 Relevant Planning History**

Reference: 21/01136/INF1

Development: EIA screening/scoping opinion - the erection of a subsidy-free solar farm development with an installed generating capacity of 49.99 MW, accompanied by associated works and infrastructure.

Decision: EIAC Decision Date: 15 June 2021

3.1 As indicated above the development has been screened under the Environmental Impact Assessment Regulations and the local planning authority has concluded that an environmental impact assessment will not be required in this case.

### **4.0 Representations**

4.1 Statutory site publicity has been given to the application. All representations received have been summarised in Appendix A.

### **5.0 Policy Considerations and Evaluation**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. This is reiterated within paragraph 47 of the NPPF (2021). The development plan is defined in Section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.

5.2 The development plan for this area comprises:

- Buckinghamshire Minerals and Waste Local Plan 2019 (BMWLP)
- Vale of Aylesbury Local Plan (15th September 2021)

5.3 In addition, the following documents are relevant to the determination of the application:

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG) - ‘Planning Practice Guidance for Renewable and Low Carbon Energy’
- The Climate Change Act 2008



- UK Government Solar Strategy 2014
- EN-1: Overarching National Policy Statement for Energy (July 2011);
- EN-3: National Policy Statement for Renewable Energy Infrastructure (July 2011) - Written Ministerial Statement on Solar Energy: protecting the local and global environment made on 25 March 2015
- Commercial Renewable Energy Development and the Historic Environment Historic England Advice Note 15 (February 2021)
- Natural England's Technical Information Note: Solar Parks: Maximising Environmental benefits (TIN101)
- Chilterns Conservation Board Position Statement (2011)

5.4 The issues and policy considerations relevant to the determination of this application are the principle of development, design, historic environment in terms of impact on nearby listed buildings and conservation areas, the amenity of existing residents, landscaping and impact of the Chiltern AONB, highways and access, minerals safeguarding, ecology and flooding and drainage.

5.5 The following VALP (2021) policies are relevant to the application:

- BE1 Heritage Assets
- BE2 Design of new development
- BE3 Protection of the amenity of residents
- NE1 Biodiversity and Geodiversity
- NE2 River and streams corridors
- NE3 The Chilterns AONB and setting
- NE4 Landscape character and locally important landscape
- NE7 Best and most versatile agricultural land
- NE8 Trees, hedgerows and woodland
- C3 Renewable energy
- C4 Protection of public rights of way
- T4 Capacity of the transport network to deliver development
- T7 Footpaths and cycle routes
- I1 Green infrastructure
- I4 Flooding

5.6 The following Buckinghamshire Minerals and Waste Local Plan (2019) is relevant to the determination of the application:

- Policy 1 Safeguarding of Mineral Resources

### **Principle of Development**

5.7 Policy C3 of the VALP (2021) encourages renewable energy developments provided that there is no unacceptable impact on the criteria set out within the Policy.

5.8 The National Planning Policy Framework sets out a proactive approach towards the provision of Renewable Energy development to meet aims to reduce greenhouse gas

emissions and meet renewable energy targets. Chapter 14 of the NPPF sets out the national planning policy with regards to climate change, flooding and coastal change. This requires the planning system to support the transition to a low carbon future and to support renewable and low carbon energy and associated infrastructure. Paragraph 158 of the NPPF (2021) states that applications for renewable energy development are not required to demonstrate the overall need for renewable energy. It also requires applications to be approved where its impacts are (or can be made) acceptable.

- 5.9 The Climate Change Act of 2008 and subsequent amendment in June 2019 sets a legal requirement of the Secretary of State to reduce Greenhouse emissions by 2050. The sixth carbon Budget places a legally binding target for the UK to Net Zero by 2050, requiring a doubling of electricity demand from power produced by low-carbon sources, including 4GW per year of solar energy production. Through the Electricity Market Reform (EMR) there is a move towards the increased supply of secure electricity to ensure sufficient capacity to meet demand. Renewable energy plays a key factor in supporting the demand and tackling the climate crisis and in July 2020 the Council passed a motion to work alongside national Government with the objective to achieve net carbon zero for Buckinghamshire by 2050.
- 5.10 The National Policy Statement for Energy (EN-1) (2011) published by the Department of Energy and Climate Change, sets the overarching national policy for energy. Whilst the proposed development is under the threshold for national significance, the principles of EN-1 are material because it describes the national approach to energy provision. Part 2.2 of EN-1 sets the Government's aim to move towards a secure low-carbon energy system which requires significant investment in new technologies to deliver these aims, to deliver a long-term strategy for low carbon energy provision, such as solar energy, to deliver less reliance of fossil fuel consumption. Energy provision is vital to economic prosperity, and social well-being, and is essential to ensure that the UK and Buckinghamshire has secure renewable energy.
- 5.11 This application seeks planning permission for the installation of a solar farm and supporting infrastructure for a period of 40 years, at the end of the project, it is proposed to be removed from the site and the land returned to its former use. The delivery of this scheme would produce 49.9MW. The proposal would contribute towards the targets set out in the Climate Change Act 2008 and the commitment to Net Zero Carbon across Buckinghamshire Council. The development will increase the security for provision of renewable electricity supply within Buckinghamshire. The proposal is supported by policy both nationally and locally. The benefit of producing renewable energy is given significant positive weight in favour of the development.
- 5.12 Notwithstanding, the need for renewable energy does not override other material planning considerations. The LPA acknowledges that opportunities for Renewable Energy proposals are strongly influenced by the availability of the natural resources (in this case an appropriate land mass), and the sensitivity of the environment to accommodate the different types and scales of installation including the cumulative impacts. The policy

support for the renewable scheme must be balanced alongside the visual impact of the scheme, the cumulative effect with other existing and proposed solar development in the area, the effect on, and the temporary loss of agricultural land, the impact on the Chiltern AONB, the impact on rights of way and the impact on the amenities of local residents, the effect on the local highway network, minerals safeguarding and the effect on wildlife and ecology.

- 5.13 The proposal must accord with the relevant policies in the Local Plan and demonstrate that the proposal will not result in adverse impact that outweigh the benefits of the proposal. If the benefits of delivering the renewable energy are considered to outweigh the negative impacts then the proposal can be granted permission in accordance with National and Local Plan policy and the guidance set out in this report.

#### **Landscape - Chilterns AONB**

- 5.14 Policy NE3 of the VALP (2021) requires major development proposals affecting the AONB to demonstrate they conserve and enhance the distinctive character, tranquillity and remoteness of the AONB. Major developments are expected to have regard to important views and visual amenity from public vantage points, including key views from the steep north-west facing chalk escarpment overlooking the low clay vale and foreground views to the AONB. Paragraph 172 of the NPPF (2021) places great weight on the conservation and enhancement of the AONB.
- 5.15 The application site is located within 5km of the Chilterns AONB. The Chilterns AONB is visible from within the site, and the site is visible from Whiteleaf Hill in the Chilterns AONB which provides panoramic views of the Chilterns escarpments, across Aylesbury Vale. The Applicant has prepared views from the Chilterns AONB which confirms the proposed solar farm would be visible from the AONB. It is acknowledged that Bumpers Solar Farm (in the West area of Buckinghamshire) is in close proximity however, in the view of officer's, it would not be seen as an unbroken extension to this existing solar farm. Additional tree planting is proposed to mitigate against the impact of the proposal from the AONB.
- 5.16 Whilst this proposal would be visible from the AONB, it would not be viewed as a large unbroken mass with the existing Bumpers Farm solar farm. Taking into account the proposed mitigation planting along the eastern boundary of the site, it is considered the proposal would result in moderate adverse impact on the setting of the AONB. Negative weight is attributed to this in the planning balance.

#### **Impact on Landscape Setting**

- 5.17 Policy NE4 of the VALP (2021) requires development to contribute to, and enhance, the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside and development should provide net gains in biodiversity.
- 5.18 Policy NE8 of the VALP (2021) requires the protection and retention of trees, hedgerows and woodland and the implementation of buffers around retained and planted

hedgerows and woodlands.

- 5.19 Policy C3 of the VALP (2021) encourages planning applications involving renewable energy development if there is no unacceptable adverse impact, including cumulative impact on local landscapes.
- 5.20 The overarching aim set out in EN-1 (Overarching National Policy Statement for Energy) requires decision makers to balance large scale projects against the impact on the locality, ensuring that the proposal has been well designed taking account of the potential effect on the landscape having regard to siting, operational and other relevant constraints with the aim being to minimise the harm to the landscape where possible and introducing appropriate measures to do so.
- 5.21 The site is located in the Haddenham Vale Landscape Character Area (LCA). The landscape qualities of the area, relevant to the application site and surroundings within the landscape area are:
- Flat vale landscape
  - Backdrop of Chilterns and tranquillity
  - Parliamentary enclosures with large scale open arable fields
  - Sparse settlement pattern of dispersed farmsteads
  - Low level of woodland cover but with higher concentration of shelter belts, parkland and woodland coverts in the west
- 5.22 The site comprises 5 grazing fields demarcated by low level hedging. The proposed solar farm would be within the existing fields so as not to intervene with the hedgerow structure currently in place.
- 5.23 The site displays a weak hedging structure along the site's boundaries. New hedgerows will be planted in double (parallel) rows with four to six plants per metre of hedgerow. The native hedges will be allowed to grow up to a height of 3.5m to improve condition and provide additional habitat for nesting birds, and this will have the additional benefit of screening the array. The hedges will be cut on a rotation, and no more than once in every three years, to ensure optimal berry and blossom production and will be cut in a tapered shape so that they are slightly wider at the bottom than the top. Trimming/pruning will be carried out between December and February, to avoid the main bird nesting season (March to September). A line of oak trees will be planted directly to the south of the northern boundary hedge. Two lines of trees will also be planted along the western and eastern boundaries to provide screening. These trees will be planted in addition to the buffer strip.
- 5.24 The development would result in intervention to the landscape characteristics of the Haddenham LCA. As proposed, the proposal seeks to reduce conflicts with the landscape characteristics of the site and the landscape area as a whole but it would not fully remove them. The Council's landscape architect notes that the proposal would impact the landscape quality of the site and wider area. In response to the concerns raised, the Applicant has provided further mitigation along the eastern boundary of the site, this

would go some way in minimising the effect of the development from views towards the site from Whiteleaf Hill.

- 5.25 In terms of visual impacts of the proposal, the site is situated within the setting of the Chilterns AONB. The proposal would be partially visible from vantage points in long range views (1.5km and above) from Whiteleaf Hill where walkers and visitors experience panoramic views over wide, open agricultural landscape of the vale. The landscape beyond the Princes Risborough settlement (even after the expansion area is developed) is a large-scale area of open countryside, with some isolated areas of settlement/development within it. Bumpers Farm solar farm currently forms a discernible feature in this view. The proposal would result in new area of industrial like features within the currently open and expansive agricultural landscape, albeit the proposal would be confined to five fields and would only be viewed from particular points and certain stretches.
- 5.26 In terms of the short-range views (0 - 200m), there would be a rather constant intervention of landscaping between the site and surrounding fields, public highways, and PRowS. The site is currently screened by hedging/tree structure. The proposal includes further hedge and tree planting to further reduce visibility of the proposed solar farm.
- 5.27 The proposal has sought to assimilate the development. The size of the site allows the opportunity for landscape scale enhancements to be delivered, bringing multiple benefits. The scheme appears to have been led by a mitigation approach with an emphasis on screening. The proposed development was further revised in response to the landscape officer's comments, introducing a stronger landscaping buffer along the eastern boundary of the site to further obscure views of the proposal. There has also been an overall improvement to the landscaping strategy, which would deliver a greater biodiversity gain.
- 5.28 It is to be noted that the proposal is for a period of 40 years only after which, the site would be expected to be returned to grazing fields. The construction of the development does not require deep excavation or permanent sizeable features to remain on site in perpetuity. Most of the elements comprising the proposal would rest on the ground, with the exception of the mounts that would be securely fixed to the ground and a proportion of the cabling required that would be shallow buried. The development therefore is reversable at the end of the 40 year period or when the need for the energy generated ceases. Following the 40 year period or earlier if the solar farm stops exporting electricity to the grid, the site shall be returned to its current agricultural use. Should planning permission be granted, planning conditions are recommended requiring the site to be returned to its current agricultural use. On this basis the site would not become a brownfield site, but remain a greenfield site at the end of the 40 year period.
- 5.29 To conclude on this matter, the character and visual appearance of the grazing fields comprising the application site would change as a result of the proposed development, and as such there would be an impact of moderate significance on the visual amenity and scenic quality of the landscape of the Haddenham Vale LCA and the setting of the

Chilterns AONB. The harm identified is considered to be of moderate significance to the overall landscape of the area, as the application site is currently free of development. This weighs negatively against the proposal.

#### **Raising the quality of place making and design**

- 5.30 Design is considered in terms of policy BE2 and NE4 of the VALP (2021). The policy requires new development to achieve high quality design form that responds to the characteristics of the site.
- 5.31 The layout of the solar farm largely follows established field boundaries and sizes. The panels, arrays, housing, fencing and inverter boxes are all relatively low-level developments with the highest parts of the scheme comprising the inverter boxes and fencing. The scale and mass would remain consistent across the site. The structures are of a 'standard' design, material and form synonymous with such solar development. The design will be apparent within the parameters of the site and due to the lay of the land from the surrounding area and from Whiteleaf Cross AONB. It is recognised the applicant has sought to confine the proposed solar farm within the existing field boundaries and mitigate its visual impact through improving existing hedging where it is sparse along the eastern and western boundary and through further tree planting. It is recognised that the applicant has sought to mitigate its impact where possible. On this basis, its design is on balance considered acceptable. If planning permission was granted, details of landscaping mitigation would be required by way of a condition. Neutral weight is given to this in the planning balance.

#### **Historic Environment/Archaeology**

- 5.32 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority (LPA) to pay special regard to the desirability of preserving listed buildings, their setting and any architectural features that they possess. In addition, section 72 of the Act requires the LPA to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area (CA). In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. The duties in s.66 and s.72 of the Act do not allow a local planning authority to treat the desirability of preserving the settings of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight and there should be a strong presumption against planning permission being granted.
- 5.33 Policy BE1 of the VALP (2021) seeks to conserve heritage assets in a manner appropriate to their significance, including their setting. Policy BE1 requires development proposals that cause less than substantial harm to a designated heritage asset to weigh the level of harm against the public benefits that may be gained by the proposal, including securing its optimum viable use. Policy C3 of the VALP states planning applications involving

renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on the historic environment including designated and non-designated assets and their settings.

- 5.34 The significance of a large-scale solar development on heritage assets is derived from both its physical presence and physical impact on any fabric of a heritage asset, and also from its setting. Due to the scale of the development, there is potential for large scale solar PV to harm the setting of heritage assets.
- 5.35 The site does not contain any Heritage Assets in terms of listed buildings or other heritage assets. Therefore, the proposal is considered in terms of the impact of the development on the setting of heritage assets within the surrounding area.
- 5.36 The closest heritage assets include the Aston Sandford Conservation Area (c.200m north) which comprises several listed buildings including the Church of St Michael, The Manor, Manor Cottage, The Old Rectory, Stone Lacey and Pastor Farm. Haddenham Conservation is located 1.5km to the west of the site. Other heritage assets include Waldrige Manor and Foxhill, Dove House Farm, Kingsey and St Nicholas Church in Kingsey.
- 5.37 The site is located to the south of the village of Aston Sandford. The site itself is 'greenfield' predominantly comprising arable and pasture fields divided by hedgerows covering an area of approximately 50 hectares.
- 5.38 The largely open landscape with mature hedgerow and tree boundaries forms part of the rural and agricultural setting to a number of designated heritage assets. The predominantly flat topography allows for open panoramic views into and out of the site.
- 5.39 The site lies in close proximity to the designated Aston Sandford Conservation Area and the eight listed buildings therein. These designated heritage assets are the most likely to be affected by the proposals due to the close interrelationship with the development site and the wider rural landscape setting. The Aston Sandford Conservation Area is a small linear settlement containing seven listed buildings, its irregular row settlement pattern stemming from its medieval origins. The settlement form and prevailing characteristics have been heavily shaped by its agricultural origins and former land use connections.
- 5.40 There are two PRoWs, KIN/4/1 and ASA/2/1 which link the site to the Conservation Area and offer vantage points of the heritage assets and the development site. The landscape setting contributes to the understanding, experience and general sense of rurality which is characteristic of their settings.
- 5.41 The Conservation Officer has identified that overall; the proposal would result in harm to the setting of the Aston Sandford Conservation Area and the Grade II listed Old Rectory and associated barn therein. The harm identified is at the lower end of the less than substantial spectrum and should be weighed against the public benefits of the proposal. In this case, it is considered that the benefits of delivering a source of renewable energy at this site would outweigh the lower end of less than substantial harm identified and therefore neutral weight is attributed to this in the planning balance.

Archaeology

5.42 Policy BE1 of the VALP (2021) requires archaeological evaluations for any proposals related to or impacting on a heritage asset and/or possible archaeological site. Archaeological notification areas are located nearby the site. The application is supported by a heritage desk-based assessment which includes the results of a geophysical survey included with the application documents. The proposed ground works could impact on buried archaeological features. If planning permission is granted for this development, then it is likely to harm a heritage asset's significance, so a condition would be proposed which secures appropriate investigation, recording, publication and archiving of the results in conformity Policy BE1 of the VALP (2021). Neutral weight is attributed to this in the planning balance.

#### **Amenity of existing residents**

5.43 Policy BE3 of the VALP (2021) notes planning permission will not be granted where a proposed development would harm the amenity of existing residents.

5.44 The nearest residential receptors are located in the village of Aston Sandford located 250m north of the site. Given the relative distances and the intervening fields and roads, the proposal would not adversely impact the amenities of nearby residents. Neutral weight is attributed to this in the planning balance.

#### **Transport matters and accessibility**

5.45 Policy T4 of the VALP (2021) states new development will be permitted where there is evidence that there is sufficient capacity in the transport network to accommodate the increase in travel demand as a result of the development.

5.46 The development is situated approximately 1.6km east of Kingsey, 3.9km southeast of Haddenham and 5.1km northeast of Thame. The A4129 Risborough Road bounds the site to the south, with Stanbridge Road to the west and Black Barn Farm to the east. The village of Aston Sandford is situated immediately north. The site is connected to the local highway network via the A4129 Risborough Road which bounds the site to the south. The proposed site access point is also to be located off the A4129 Risborough Road.

5.47 During the construction period, the proposal would provide temporary access tracks and a construction compound which will be removed in its entirety once the construction period comes to an end. Banksman will be positioned at the site access to indicate large construction vehicles when it is appropriate to leave the site.

5.48 The construction of the solar farm will take place over a six-week period (30 working days). A maximum of 40 construction workers are proposed to be on site over the peak period. Construction at the site will be carried out Monday to Friday 07:00-19:00.

5.49 The location where staff will travel from is unknown at this stage. However, it is anticipated that a number of the non-local workforce will stay at local accommodation and be transported to the site by minibuses to minimise the impact on the strategic and local highway network.

5.50 Overall, it is anticipated that a total of 249 deliveries (498 two-way movements) will take



place over the construction period which equates to an average of 8 deliveries per day. Once operational, the proposal is likely to result in 1 visit by a 7.5t box van each month.

- 5.51 The Highways Authority has reviewed the submitted information and raised no objection to the application subject to the inclusion of the recommended conditions relating to site access and requiring a construction management plan. Neutral weight is attributed to this in the planning balance.

### **Ecology and Biodiversity**

- 5.52 Local Planning Authorities have a Statutory Duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010).
- 5.53 Policy NE1 of the VALP (2021) states that a net gain in biodiversity on minor and major developments will be sought by protecting, managing, enhancing and extending existing biodiversity resources, and by creating new biodiversity resources.
- 5.54 The Ecology Officer has commented on this application noting the submitted ecology report is an accurate account of the ecological features present on site at the time of the assessment. Within this report a Biodiversity Net Gain (BNG) Calculation has been presented which indicates the proposal would generate a biodiversity net gain above 10%.
- 5.55 The submitted report details how ecological features will be established and managed for the duration of the proposed solar farm. Therefore, if the proposal is considered acceptable, a condition is required securing the agreed mitigation and compensation measures specified in the ecological impact assessment submitted with this application. Positive weight is attributed to this in the planning balance.

### **Flood risk and drainage**

- 5.56 Policy I4 of the VALP (2021) seeks to manage flood risk. There is a requirement for a Flood Risk Assessment if the development proposal is over 1 ha in size and is in Flood Zone 1 as is the case with this proposal. The policy requires all development requiring a Flood Risk Assessment to assess all sources and forms of flooding and adhere to the advice in the latest version of the SFRA and meet the criteria set out in the Policy.
- 5.57 The LLFA has reviewed the supporting Flood Risk Assessment and Surface Water Drainage Strategy. The LLFA has raised no objections to the application subject to the inclusion of a condition requiring details of a surface water drainage scheme for the site. Neutral weight is attributed to this in the planning balance.

### **Agricultural Land Quality**

- 5.58 Policy NE7 of the VALP (2021) seeks to protect the best and most versatile farmland for the longer term. The Natural England Agricultural Land Classification (ALC) defines the Best and Most Versatile (BMV) agricultural land as grade 1, 2 and 3a with lower grade

land at 3b, and 4, defined by wetness and gradient of the land. Development of BMV land (1,2 and 3a) should be avoided and development directed towards land of lower grades 3b and 4.

- 5.59 The application is supported by a Soils and Agricultural Quality Report. The site comprises five fields in permanent pasture for sheep grazing. The report has found the site comprises heavy slowly permeable soils giving the land a subgrade 3b agricultural quality. All of the land within the site is limited to this land grade by wetness. On this basis, there is no objection to the loss of low-grade agricultural land. It is considered that the economic benefits of renewable energy outweigh the loss of least productive agricultural land. Furthermore, the site would continue to be used for grazing by sheep, albeit less intensely, preserving an agricultural function and generating an additional agricultural yield. Neutral weight is attributed this in the planning balance.

#### **Mineral Safeguarding Area**

- 5.60 A very small slither of the minerals safeguarded area forms part of the site. On this basis, the applicant is not expected to provide a Minerals Assessment in line with Policy 1 of the BMWLP (2019).

#### **Other Matters**

- 5.61 The application is supported by a Technical Note which sets out how the scheme makes the most efficient use of the site to maximise its electricity generating potential. Since the emergence of solar farm development over the past decade, the efficiency and output of solar panels has increased considerably. The efficiency is driven by a combination of technical advances in the manufacturing of the panels. The applicant notes this proposal would use a solar panel (module) with a maximum power output of 670W. The output of the panel enables the schemes generating capacity of 49.9MW to be achieved within a site area of 53ha. By comparison, the nearby Bumpers Farm scheme has an installed generating capacity of 25MW but occupies a site area of 52ha. Appendix C provides a table setting out the energy density for solar farm applications received and consented in the Buckinghamshire Council area. The efficiency of the solar panel in this scheme, requires a smaller area of land to be used to provide 49.9MW of electricity together with biodiversity net gain of over 10% and the commitment to allow low intensity grazing to continue across the site. This application makes efficient use of land to deliver higher renewable energy output whilst minimising its landscape and visual impacts and delivering biodiversity net gain. Positive weight is attributed to this in the planning balance.

#### **Weighing and balancing of issues / Overall Assessment**

- 6.1 In determining the planning application, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
  - b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
  - c. Any other material considerations
- 6.2 The economic, social and environmental roles for the planning system, which derive from the three dimensions to sustainable development in the NPPF, require in this case that a balancing exercise be made to weigh the benefits of the proposed solar panels against the identified harm. The proposed development would make a significant contribution to renewable energy targets and towards achieving net carbon zero. The proposal will result in an increase in generation of a clean source of renewable energy for Buckinghamshire. The scheme will contribute positively towards the provision of Renewable Energy to meet the National aims of reducing Greenhouse gasses, and towards the strategic commitment of Buckinghamshire Council towards Net Zero carbon energy production by 2050. The site would accommodate a solar farm on lower grade agricultural land of grade 3b and does not use 'Best or most Versatile' Agricultural land. The future use of the land includes a commitment to over 10% biodiversity of the site. The proposal would contribute to the local economy and provide energy security benefits.
- 6.3 The nature of the site is considered to be 'temporary' allowing the land to revert back to its former agricultural use once no longer required for the production of renewable energy. On this basis it does not qualify to be considered "previously developed land". The site will deliver net biodiversity enhancement and effective planting secured and delivered through landscaping. These benefits are given significant weight in favour of the development. The benefits of the proposal must be weighed against the harm identified in the report namely to the impact on the local and wider landscape character, visual amenity of the area. The proposed solar farm would not be completely screened from within the local, however, it would be visible in the wider landscape namely from parts of the Chiltern AONB. The landscape harm and visual effect from the wider surrounding countryside would be moderate and may only in part be mitigated by the proposed soft landscaping. There will be relatively moderate localised harm to visual amenity from the PRoW which will be mitigated by proposed soft landscaping.
- 6.4 Subject to suitable conditions, the proposal would have a neutral impact in terms of transport, design, residential amenity, agricultural land quality, flooding and drainage and the historic environment.
- 6.5 Whilst the landscaping harm is acknowledged, there are significant benefits which arise from the scheme in respect of renewable energy and the contribution the scheme would make towards net zero carbon targets. Furthermore, a significant net gain in biodiversity is to be provided which is also a benefit that weighs in favour of the proposal.
- 6.6 The application has been assessed against the development plan as a whole and all relevant material considerations. It is recognised that the proposal would result in some harm, most notably in respect of visual landscape. However, the substantial benefits

arising from this proposal would outweigh the harm and overall, the proposed solar farm would accord with the broader objectives of the development plan. As such this application is recommended for approval subject to the conditions listed below.

**List of Planning Conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be for a temporary period only to expire 40 years after the date of first commercial export of electricity to the grid (“the date of first export”). Written confirmation of the date of first export shall be provided to the Local Planning Authority within one month after the event.

Reason: In order to protect the visual amenity and character of the surrounding countryside and to ensure the development only exists for the lifetime of the development in accordance with policies C3, NE1, NE4, NE8, BE1 and BE2 of the VALP (2021).

3. The development hereby permitted shall be carried out in accordance with the following approved plans/details:

- 06\_100 – Site location plan
- 21.06\_301 Rev. D - Site block plan proposed

Reason: To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

4. Notwithstanding the approved plans hereby approved in Condition 3, prior to the commencement of the development hereby permitted, full details of the final locations, design, finishes and materials to be used for the panel arrays, inverters, substation control building, substations, CCTV cameras, fencing any other structure required for the operation of the site as solar farm shall be submitted to and approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved details.

Reason: The reason for this pre-start condition is to understand what the details of the final scheme before any works commencement on site to ensure the development is carried out in a manner which minimises the visual impact on the character of the rural area and to comply with policies BE2, NE4, NE1, NE2, NE8, BE3 of the Vale of Aylesbury Local Plan and the advice within the National Planning Policy Framework.

5. Prior to above ground works details of hard and soft landscape works (“the landscaping scheme”) have been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include a statement setting out the design and mitigation objectives and how these will be delivered. Soft landscape works shall include but not be

limited to:

- planting plans
- written specifications (including cultivation and other operations associated with plant and grass establishment)
- schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate
- implementation programme (including phasing of work where relevant)
- details of additional hedgerow planting at the entrance to the site

The scheme shall be implemented by no later than the first planting season following the First Export Date and thereafter be maintained in accordance with the approved scheme. In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the completion of the development, a new tree or shrub or equivalent number of trees or shrubs, of a species first approved by the Local Planning Authority, shall be planted and properly maintained in a position or positions first approved in writing by the Local Planning Authority.

Reason: To ensure appropriate landscape mitigation is in place, and that the development is carried out in a manner which minimises the visual impact on the character of the rural area and to comply with policies BE2, NE4, NE1, NE2, NE3, NE8, of the Vale of Aylesbury Local Plan and the advice within the National Planning Policy Framework.

6. Prior to the first operation of the development (first export of electricity to the grid), a maintenance schedule and a long term management plan, for the soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include:

- a) Details of long-term design principles and objectives.
- b) Management responsibilities, maintenance schedules and replacement provisions for existing retained landscape features and any landscape to be implemented as part of the approved landscape scheme.
- c) Summary plan detailing different management procedures for the types of landscape on site. The schedule and plan shall be implemented in accordance with the agreed programme.

Reason: To ensure the development is carried out in a manner which minimises the visual impact on the character of the rural area and to comply with policies BE2, NE4, NE1, NE2, NE8, BE3 of the Vale of Aylesbury Local Plan and the advice within the National Planning Policy Framework.

7. Prior to the first operation of the development (first export of electricity to the grid), an area shall be laid out within the site for large articulated vehicles to turn in accordance with the approved and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway.

8. No other part of the development shall begin until the site access off the A4129 Risborough Road has been sited and laid out in general accordance with the approved drawing and constructed in accordance with Buckinghamshire Council's guide note "Commercial Vehicular Access Within Highway Limits".

Reason: To enable vehicles to draw off, park and turn clear of the highway in order to minimise danger, obstruction, and inconvenience to users of the highway and of the development.

9. Prior to the commencement of any development works on the site, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority, and the approved CTMP shall be adhered to throughout the construction period. The CTMP shall include the following details:
- The routing of construction vehicles, including temporary directional signage where appropriate.
  - Co-ordination and management of deliveries to avoid multiple deliveries at the same time and spread HGV movements.
  - Delivery hours outside of highway network peak periods.
  - Traffic management within the site to include signage, speed limits, banksmen, and internal access track widths / passing places.
  - The parking of vehicles of site personnel, operatives, and visitors off the highway.
  - Construction staff Travel Plan.
  - Loading and unloading of plant and materials and storage of plant and materials used in constructing the development off the highway.
  - The erection and maintenance of security hoarding.
  - Wheel-washing facilities.
  - Before and after construction condition surveys of the highway and a commitment to rectify and repair any damage caused.

Reason: The reason for this pre-start condition is to minimise danger and inconvenience to highway users prior to construction.

10. Development shall not begin until a detailed surface water drainage scheme for the site, based on the principles set out in the approved Flood Risk Assessment (ref. 19351-HYD-XX-XX-RP-FR-0001, 06.05.2021, Hydrock) and Drainage Strategy Addendum (ref. 19351-HYD-XX-XX-RP-FR-5000, 14.10.2021, Hydrock) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Full construction details of all SuDS and drainage components
  - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components
  - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.
  - Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance

Reason: The reason for this pre-start condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with I4 of the VALP (2021) to

ensure that there is a satisfactory solution to managing flood risk.

11. No development shall take place, unless authorised by the local planning authority, until the applicant, or their agents or successors in title, have undertaken archaeological evaluation in form of a geophysical survey and trial trenching in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Where significant archaeological remains are confirmed these will be preserved in situ.

Reason: The reason for this pre-start condition is to record or safeguard any archaeological evidence that may be present at the site prior to construction to comply policy BE1 of VALP and the advice within the NPPF.

12. Where significant archaeological remains are confirmed, no development shall take place until the applicant, or their agents or successors in title, have provided an appropriate methodology for their preservation in situ which has been submitted by the applicant and approved by the planning authority.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply policy BE1 of VALP and the advice within the NPPF.

13. Where archaeological remains are recorded by evaluation and are not of sufficient significance to warrant preservation in situ but are worthy of recording no development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason: To record or safeguard any archaeological evidence that may be present at the site and to comply policy BE1 of VALP and the advice within the NPPF.

14. At the end of the period of 40 years from the date of grid connection, the use hereby permitted shall cease and all materials and equipment brought on the land in connection with the use permitted shall be removed and the land restored to its previous state or as otherwise agreed, in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority prior to the decommissioning works taking place. Details shall include a method statement and timetable for the dismantling and removal of the solar pv development and of the associated above ground works and foundations to a depth of at least one meter below ground; and the details shall include a method statement, a traffic management plan, and a timetable for any necessary restoration works following removal of the solar pv development. The scheme shall be implemented in accordance with the approved details.

Reason: In order to protect the visual amenity and character of the surrounding countryside and to ensure the development only exists for the lifetime of the development in accordance with policies C3, NE1, NE4, NE8, BE1 and BE2 of the VALP (2021).

15. If within the 40 year period the solar pv development does not generate any electricity to the national grid for more than 6 months in a continuous period of 12 months, then details of a

scheme, to repair or remove the solar pv development and all associated infrastructure, buildings, equipment and access points, shall be submitted to the Local Planning Authority for its written approval within 3 months of the end of that 12 month period.

If removal of the development is required, all development and associated equipment, infrastructure and access shall be removed within 12 months of the details being approved and the details shall include a method statement and timetable for the dismantling and removal of the solar pv development and of the associated above ground works and foundations to a depth of at least one meter below ground; and, the details shall include a method statement, a traffic management plan, and a timetable for any necessary restoration works following removal of the solar pv development. The scheme shall be implemented in accordance with the approved details.

Reason: To minimise any detriment to the visual amenity of the surrounding area and ensure decommissioning works do not have adverse highway or amenity impacts in accordance with policies C3, NE1, NE4, NE8, BE1, BE2 and T5 of the VALP (2021).

16. Alongside the scheme for decommissioning the site (required by condition 14 or 15), an ecological assessment report detailing site recommendations for the site post decommissioning will be submitted to and approved in writing by the Local Planning Authority. Within 12 months of the approved details, the site will only be decommissioned in accordance with the approved details.

Reason: To safeguard the future ecological value of the application site subsequent to decommissioning.

17. All electrical cabling between the panel rows and the onsite connection building, substations and transformer units shall be located underground. Thereafter the excavated ground shall be reinstated to its former condition within 2 months of the commissioning of the solar farm in accordance with a scheme which has been submitted and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in a manner which minimises the visual impact on the character of the rural area prior to construction and to comply with policies BE2, NE4, NE1, NE2, NE3, NE8, of the Vale of Aylesbury Local Plan and the advice within the National Planning Policy Framework.

18. No external lighting or CCTV cameras other than those shown on the approved plans shall be installed during the operation of the site as a solar PV facility without the prior written consent of the Local Planning Authority.

Reason: In the interests of the visual amenity of the area, and to enable the Local Planning Authority to consider issues of light pollution and amenity of local residents at the appropriate time in accordance with policies BE2, NE1, NE4, NE8 of the VALP (2021)

19. Notwithstanding the provisions of the Town and Country planning (General Permitted development) Order 2015 (As amended) no fixed plant or machinery, cabling (over or under ground), buildings structures and erections, fences or private ways shall be erected,



extended, installed or rearranged without prior permission from the Local Planning Authority.

Reason: In the opinion of the Local Planning Authority, it is appropriate to maintain control of development proposals that may have an impact on visual amenities or landscape and ecological interests of the countryside in accordance with policies C3, NE1, NE4, NE8, BE1, BE2, and T5 of the VALP (2021).

20. All temporary construction yards and temporary access tracks required to provide temporary storage of materials, parking and access in conjunction with the development shall be removed within three months of the completion of the construction works and within three months of the cessation of the scheme following its decommissioning and the land restored to its former condition.

Reason: To protect the character, appearance and quality of the countryside in which the development is positioned in accordance with policies C3, NE1, NE4, NE8, BE1, BE2, and T5 of the VALP (2021).

21. Should any unexpected contamination of soil or groundwater be discovered during development of the site, the Local Planning Authority should be contacted immediately. Site activities within that sub-phase or part thereof, should be temporarily suspended until such time as a procedure for addressing any such unexpected contamination, within that sub-phase or part thereof, is agreed upon with the Local Planning Authority or other regulating bodies.

Reason: In the interest of human health in accordance with Policy NE5 of the VALP (2021).

22. During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: a) Monday - Friday 07.00 - 18.00, b) Saturday 09.00 - 13.00 c) nor at any time on Sunday, Bank or Public holidays.

Reason: To protect the amenity of local residents in accordance with Policy BE3 of the VALP (2021)

23. The development shall be implemented in accordance with the agreed mitigation, compensation and enhancement measures detailed in the Ecology Report and the Landscape & Ecology Management Plan by Wild Frontier both dated July 2021. Any variation to the agreed plan shall be agreed in writing with the local planning authority before such change is made. The condition will be considered discharged following; a written statement from the ecologist acting for the developer testifying to the plan having been implemented correctly.

Reason: In the interests of improving biodiversity within Buckinghamshire and to secure an appropriate buffer adjacent to the watercourse in accordance with policy NE2 of VALP and the advice within the NPPF.

24. Prior to commencement (including ground works and vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: The reason for this pre-start condition is to improve biodiversity within Buckinghamshire and to secure an appropriate buffer adjacent to the watercourse in accordance with policy NE2 of VALP and the advice within the NPPF.

#### **Informatives:**

1. All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request. Please note that requests made without the appropriate fee will be returned unanswered.
2. It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.
3. The applicant is advised that the highway access works will need to be constructed under a Section 184 of the Highways Act legal agreement. This agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge, or other land forming part of the highway. A minimum period of 8 weeks is required to process the agreement following the receipt by the Highway Authority of a written request. Please contact the Highways Development Management Delivery Team via: [highwaysdm@buckinghamshire.gov.uk](mailto:highwaysdm@buckinghamshire.gov.uk)
4. The applicant is advised that temporary signs on the highway and works to repair / rectify highway damage will require a highway license. Please contact the Transport for Buckinghamshire Streetworks Team via: [streetworkslicences@buckinghamshire.gov.uk](mailto:streetworkslicences@buckinghamshire.gov.uk)

**7.0 Working with the applicant / agent**

- 7.1 In accordance with paragraph 38 of the NPPF the Council has approached decision-taking in a positive and creative way taking a proactive approach to the development proposal focused on solutions and work proactively with the applicant to secure development.
- 7.2 The Council work with the applicants/agents in a positive and proactive manner by offering a pre-application advice service, and as appropriate updating applications/agents of any issues that may arise in the processing of their application.

## **APPENDIX A: Consultation Responses and Representations**

### Parish/Town Council Comments

#### **Haddenham Parish Council**

Haddenham Parish Council objects because of the "cumulative impact" as described in the Planning Practice Guidance (PPG) "Renewable and low carbon energy" on the landscape of three solar farms in such close proximity. The three schemes are:

1. Bumpers Farm, near Ilmer - Ref 14/06582/FUL - approved on appeal Dec 2016 in the former Wycombe DC - 52 Ha
2. Callies Solar Farm, near Ford - Ref 21/02310/APP - decision awaited - 97Ha
3. Whirlbush Solar Farm, near Kingsey - current application - 53 Ha

In common with Buckinghamshire Council, the Parish Council, has declared a climate emergency and seeks to contribute to zero carbon initiatives. On balance the Parish Council did not therefore object to the Callies Solar Farm application which, like Whirlbush, is not on the "best and most versatile" agricultural land.

However, the Parish Council is mindful that this is the third application in the same immediate area and of the advice in the above PPG that "cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases." The PPG further states "protecting local amenity is an important consideration which should be given proper weight in planning decisions" and "the need for renewable or low carbon energy does not automatically override environmental protections."

In view of the cumulative landscape and visual impact the Parish Council considers that Buckinghamshire Council should not approve both these current applications.

If Buckinghamshire Council is minded to approve the Whirlbush Solar Farm project, the Parish Council would wish to see similar conditions as imposed at Fox Covert near Great Horwood Ref 20/02582/APP, including a construction traffic management plan and a community benefit fund.

*Officer comment: The community benefit fund does not form part of the formal planning application process and may be offered directly to the Parish Council's by the solar farm developer. If that is the case, the developer will liaise directly with the Parish Council. It would not be sought by the Local Planning Authority as it would not meet the tests set out in Regulation 122 of the CIL Regulations (2010) as amended.*

## **Dinton with Ford and Upton Parish council**

This parish council object to this application on the following grounds.

- 1) Use of arable land in an area of attractive landscape which will be very visible from the Chiltern AONB.
- 2) There is no evidence that biodiversity will be enhanced by this scheme other than increased numbers of sheep
- 3) The 131 acre site will when placed alongside Bumpers Farm and potentially Callie's Farm solar farm sites make a nearly 300 acres of Industrial style solar farm with its attendant workings. A brown field site would be preferable at this scale. This is thus a total amounting to a strategic development.
- 4) The visual impact on the adjacent villages is unwarranted given the rural nature of Aylesbury Vale.

The Parish council would wish this application to be **called in** and considered by a full planning committee.

## **Aston Sandford Parish Council**

### Introduction

1. We object to the proposal on the grounds of visual impact and the effect on ecology/biodiversity.

### Visual impact

2. If planning permission were given the visual impact of this proposal would be enormous and detrimental. On the ground the fencing, the solar panels and in particular the batteries would be an unsightly scar on the countryside, obliterating acres of farmland. But from the AONB of the Chilterns its impact would be huge. The existing nearby Bumpers Solar Farm, by comparison small, is clearly visible from the Chilterns; the addition of a further 49 hectares of solar panels not far from it would result in an unsightly mass of gleaming glass, ruining what is a patchwork quilt of unspoilt countryside. An application has already been made relating to another 96 hectares solar farm, the so-called Callie's Farm. If permission were given to that and to Whirlbush in addition to the existing Bumpers Solar Farm (all feeding into the same substation) the overall visual impact would be appalling in such a precious landscape.) There can be no justification for turning an ancient landscape into an industrial wasteland.
3. We are not persuaded by the argument that after 40 years the landscape will be returned to its former glory; even if that were possible who would enforce it, especially if, as has already happened with Bumpers, the ownership of the solar farm changes hands, maybe more than once? We note that there is no arrangement such as we understand applied to Bumpers that a bond be taken out to cover the disposal costs at the end of the period (disposal costs which we understand are high given that none of the hardware is recyclable and much of it is toxic, especially the large (and unsightly) batteries).

## Ecology and diversity

4. We are concerned about the ecological impact of the proposal. We note the proposals for biodiversity (eg wildflowers and sheep grazing), but such proposals cannot be a justification for granting permission. Wildflowers survive and multiply only if they are looked after regularly (eg by annual cutting), grass does not grow properly under panels and sheep are unlikely to have much to eat even between solar panels. The claims made for added biodiversity are derisory. It is noted that no calculation has been, or perhaps can be, made as to the loss of agricultural value if the proposals go ahead. When challenged as to the loss of agricultural output, the proposers were able to say only it was not high grade agricultural land. Even lower grade agricultural land has value in producing food.

## Conclusion

5. This application is for a solar farm of 49.99 MW, and therefore, not by coincidence, not regarded as a national infrastructure project to which different planning considerations apply. The application for Callie's Farm is for 49.95 MW. There is already a 22.5 MW solar farm close by at Bumpers. The Council may wish to consider the full implications of the presence such a huge agglomeration of solar panels, amounting to well over the 50 MW limit. The total output from the three solar farms in close proximity would be 121 MW, which must classify as a potential national infrastructure.

## Local MP Comments

### *Greg Clark MP*

I am writing to formally object to planning application 21/02821/APP.

Installation of a solar farm comprising ground mounted solar PV panels with a generating capacity of up to 49.99 MW, including mounting system, battery storage units, inverters, underground cabling, stock proof fence, CCTV, internal tracks and associated infrastructure, DNO substation, landscaping and environmental enhancements for a temporary period of 40 years. Land At Whirlbush Farm, Risborough Road, Kingsey, Buckinghamshire, HP17 8NE.

I am relaying the principal objections of my constituents:

1. The impact on this ancient farming landscape. A solar farm of this industrial scale should not be situated in this rural area of peaceful countryside, with the consequent blight affecting the surrounding villages and their occupant's lives. The surrounding community does not all benefit from it but have to tolerate the inconvenience and damage during construction and decommissioning.
2. There are a number of proposed solar farms seeking permission in this area already, which if approved will destroy the vista from the Chiltern Hills, an AONB and have a devastating impact on the surrounding villages of Aston Sandford, Ford and Haddenham.
3. Solar farms are best situated on brownfield sites in appropriate locations in accordance with

NPPF guidelines, which does not include ancient farmland such as this quiet and rural area in the historic Vale of Aylesbury.

### Consultation Responses

#### **Archaeology Officer**

No objection subject to condition.

#### **Ecology Officer**

No objections subject to the inclusion of relevant condition securing biodiversity net gain.

#### **Heritage Officer**

The application would result in low level 'less than substantial harm' to the heritage assets and should therefore be weighed against the public benefits of the scheme.

#### **Highways Officer**

The Highway Authority has no objection and recommends that this planning application is approved, subject to planning conditions and informatives.

#### **LLFA**

No objections raised subject to the inclusion of the requested conditions.

#### **Rights of Way Officer**

The proposed solar farm appears to have no impact on the local rights of way network.

#### **Environmental Health Officer**

There are no Environmental Health concerns regarding this application.

#### **Landscape Officer**

##### Visual Impact

The assessment of visual effects are summarised in Table 7 of the LVIA, and include:

- Site - there are no PRoW running through the site
- Local landscape (VPs. 1, 2, 3, 4, 5, 6, 7, 9, 10) – at year 1, before any mitigating planting has established, the assessment confirms that closer views from users of the Outer Aylesbury Way long distance path to the north and from PRoW KIN/4/1 to the west are the most affected, experiencing a MODERATE-MAJOR ADVERSE visual effect. No assessment is provided for the directly adjacent roads (Stanbridge Lane and A4129) but direct, transient views into the site would generate a MODERATE ADVERSE visual effect on road users. Footpath users slightly further afield (VP 3, 4, 5, 6, 7) would experience a MODERATE ADVERSE visual effect.

- Wider landscape (VPs. 8, 11, 12) - at year 1, before any mitigating planting has established, the assessment confirms that users of Outer Aylesbury Way long distance path further away to the west would experience MODERATE ADVERSE visual effects. Effects on Swans Way long distance footpath and LCI/13/1 would be NEGLIGIBLE.

- Views from Chilterns AONB (eg. VP.13) – the assessment confirms that the development would be visible from the AONB and asserts a moderate adverse effect. However, it does not consider that, from VP13, the development would be seen as an unbroken extension of the existing Bumpers Farm solar farm. Viewpoint Photo C1 of the LVIA Addendum clarifies this, where the two development areas can be seen overlapping. No additional mitigating planting is proposed along the eastern site boundary to soften views from this direction. The existing boundary hedgerow would be allowed to grow taller (height needs clarifying) but even at 4-5 m high, this would have a limited effect on views from this higher ground. Using the methodology provide in Appendix 1 of the LVIA and the descriptors of visual effects in Table 18, these impacts would result in a MODERATE-MAJOR ADVERSE visual effect.

Inexplicably, the LVIA Addendum, Cumulative Effects, Table 3, stops short of assessing the level of cumulative visual effect the developments might have. An assessment has therefore been provided for each receptor that will experience an effect.

Sequential cumulative visual effect (where repeated views of the solar farms will be seen whilst walking along a route)

- Local landscape:

- Outer Aylesbury Way long distance footpath (ASA/5/1) also identified as part of the Wychert Way, a locally promoted walking route = MODERATE - MAJOR ADVERSE sequential visual effects

- Footpaths ASA/9/1 and ASA/9/2 = MODERATE - MAJOR ADVERSE sequential visual effects

- High Wycombe to Bicester railway line = MINOR - MODERATE ADVERSE sequential visual effects

- Wider/AONB landscape

– there are no predicted sequential visual effects.

Combined cumulative visual effect from:

- Local and wider landscape - there are no predicted combined, cumulative visual effects.

- Chilterns AONB (eg.VP 13) - viewers currently experience panoramic views over wide, open agricultural landscape of the vale. The landscape beyond the Princes Risborough settlement (even after the expansion area is developed) is a large scale area of open countryside, with some isolated areas of settlement/development within it. Bumpers Farm solar farm currently forms a discernible feature in this view, even in summer with full leaf cover. The combined view of Bumpers Farm solar farm, the entire length of Callies Farm solar farm along with the proposed Whirlbush solar farm (which will visually link Bumpers Farm and Callies Farm solar farms together from this direction), will result in a considerable new area of industrial development within the currently open and expansive agricultural landscape. This will be particularly noticeable when the



deciduous hedgerow and scattered trees will have lost their foliage (6 months of the year). Using the methodology provide in Appendix 1 of the LVIA and the descriptors of visual effects in Table 15, these impacts would result in a MAJOR ADVERSE visual effect.

#### Mitigation.

After 5+ years, once the site boundary hedgerows have been allowed to grow up to 4-5m high as proposed, the visual effects on the local and wider landscape will reduce but remain in a range between MINIMUM-MODERATE ADVERSE. It would be imperative to ensure that the hedgerows be managed to an increased height of 4-5m as proposed in the LVIA (not 3m as described in other documents/plans) to reduce impacts. However, this mitigation will have limited effect on views from the higher ground in the AONB as described above (VP13).

#### Landscape Character Impact

I agree with the assessments provided in section 4.4 of the LVIA (although the summary tables 4 & 5 do not accurately reflect the findings), which include:

- Site - the character would fundamentally change from agricultural to industrial, resulting in a MODERATE - MAJOR ADVERSE effect on the landscape character of the site itself
- Local and wider landscape – the development would have a MODERATE - MAJOR ADVERSE effect on the landscape character of the area surrounding the site
- Landscape Character Area (LCA) – on its own, the development would have a NEGLIGIBLE/MINOR ADVERSE landscape effect on the character of the Haddenham Vale Landscape Character Area (8.9)
- AONB - on its own, the development would have a NEGLIGIBLE/MINOR ADVERSE effect on the character of the AONB

#### Combined cumulative landscape impact

•Landscape Character Area (LCA) – the combination of Bumpers Farm, Callies Farm and Whirlbush Farm solar developments (and the Moat Farm proposal which came in too late for consideration in the submitted LVIA Addendum) would change a considerable percentage of the LCA land area. The scale of change would be significant enough to require solar farms to be listed as a new 'Intrusive Element' in the LCA description. It is noted that Bumpers Farm is actually in an adjacent LCA, but is directly adjacent to the boundary, so is included in the assessment. Combined they would alter a number of landscape elements that characterise the LCA including:

- Land cover (change from grassed fields to solar panels)
- land use (change from agricultural fields to light industrial)
- land management (change from hedgerow managed at 2m high for stock control to hedgerows managed at 4-5m high for visual screening)

- perceptual qualities including - openness (long views over wide, open landscape and up to Chiltern Hills curtailed by network of 4-5m high hedgerows)

- tranquillity (change from uniformity of large, open agricultural fields to introduction of uncharacteristic industrial features)

This would result in a MODERATE-MAJOR ADVERSE landscape effect on the character of the LCA.

NB// Little information or design detail is provided for the associated DNO Substation, transformers and battery storage compound on the southern site boundary adjacent Risborough Road. This is a sizable development in itself and would be visible over the roadside hedgerow from Risborough Road until the hedgerow is allowed to grow to 4-5m high, as proposed as well as other potential locations. No landscape mitigation is proposed in the LVIA or on drawing Site Block Plan 21.06.301 Rev B. In order to reduce visual impacts to a minimum, a double staggered, native hedgerow, interspersed with native trees, should be planted around its north, south and west boundaries. The existing hedgerow along the east boundary should be gapped up and supplemented with native trees.

## Representations

### **Amenity Societies/Residents Associations**

*Name group and summarise response.*

### **Other Representations**

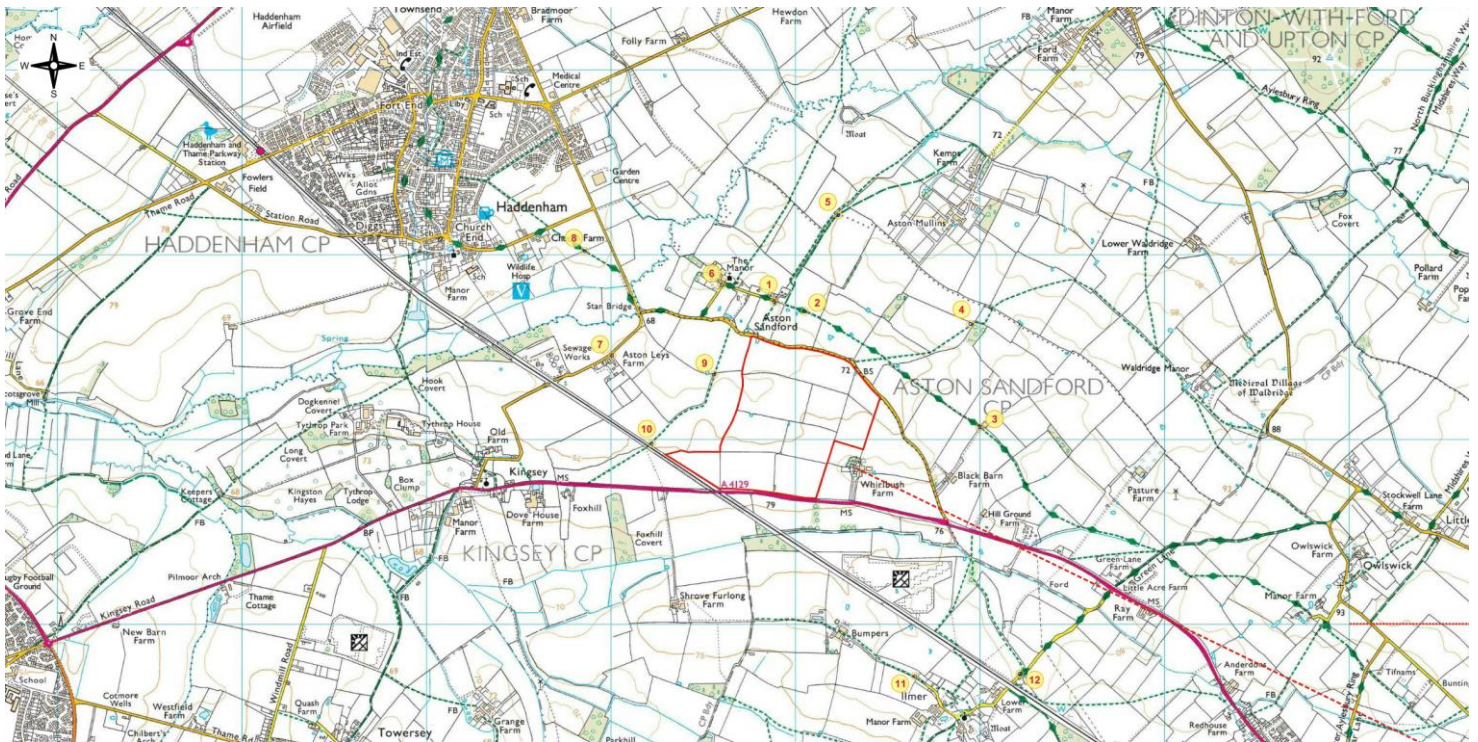
8 comments have been received objecting to the proposal:

- The proposal would result in the open countryside changing to brownfield sites
- The proposal is an industrial installation
- The proposal has few green credentials
- The proposal would have a negative impact on property values
- The proposal would displace wildlife
- The surrounding area would be surrounded by solar farms changing the character of the surrounding area
- Concerns relating to the efficiency of the solar panels
- Solar panels are best placed on roof and brownfield sites and to the side of railways and motorways
- Concerns raised in relation to the number of solar farms in the local area
- Concerns relating to the loss of agricultural land
- Concerns that monk jack deer in the area will lose their natural habitat
- Concerns the proposal would result in a permanent change to the landscape
- Concerns relating to the long term management of the proposal
- Concerns relating to its decommissioning and contaminated land
- Concerns the proposal would harm the Chiltern Hills AONB
- Concerns the proposal would result in harm to the enjoyment of the hikers and dog

walkers

- Concerns relating to the impact on bird migration
- The solar installations it would be over double the size of a national infrastructure project

# APPENDIX B: Site Location Plan



Do not scale – this map is indicative only

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## Appendix C – Table of Solar Farm Applications Received in the Buckinghamshire Council Area

Reference number	Site Area (ha)	Site Name	Application Status	Energy Capacity	Energy Density
11/00245/APP	3.16	High Street, Westcott, Buckinghamshire	Operational	1.3	0.411
11/00179/APP	7	Nash Road Beachampton Buckinghamshire	Operational	2.7	0.386
13/02392/APP	7.4	Long Meadow Farm, Horton Road, Ivinghoe, Leighton Buzzard, Bedfordshire, LU7	Operational	4.1	0.554
13/02921/APP	7.5	Land Adjacent To Brackley Road, Turweston, Buckinghamshire	Planning Application Withdrawn	3.4	0.453
14/01572/APP	17.2	Land At Great Seabrook Farm, Seabrook Farm Lane, Cheddington	Operational	5	0.291
14/01909/APP	32.87	Westcott Venture Park Site Office Building 214 Westcott Buckinghamshire	Planning Permission Granted	15	0.456
14/00615/APP	10.79	Oakwood Farm Ledburn Mentmore Buckinghamshire	Abandoned	5	0.463
13/01561/APP	35.04	Turweston Aerodrome, Whitfield Road, Biddlesden, Buckinghamshire	Operational	16.7	0.477
14/01926/APP	50	Land North Of Bumpers Farm, Ilmer Lane, Ilmer, Buckinghamshire	Operational	5	0.100
14/01750/APP	17.3	Knapps Hook Farm, Doddershall, Quainton, Aylesbury, Buckinghamshire, HP18 0QL	Planning Application Withdrawn	8.9	0.514
14/02302/APP	12.3	Land To South Of Church Farm Church Road Slapton Buckinghamshire LU7 9BX	Operational	6.2	0.504
14/02293/APP	28.96	Land At Gawcott Fields Farm Gawcott Road Buckingham Buckinghamshire MK18 1TN	Operational	9.2	0.318
14/02315/APP	43.1	Land To East Of Gib Lane, Bierton, Buckinghamshire	Operational	24.2	0.561
14/05105/FUL	18.6	Forty Green Farm Forty Green Bledlow Buckinghamshire	Planning Permission Refused	7.5	0.403
14/03309/APP	7.5	Land adjacent to A422, Buckingham road near Brackley	Planning Application Withdrawn	1.6	0.213
15/00557/APP	4	Prospect Farm, The Highway, Drayton Parslow, Milton Keynes, Buckinghamshire	Planning Permission Expired	1.2	0.300
15/00723/APP	12.75	Land at Thornborough Grounds, Bletchley Road, Thornborough	Operational	5	0.392
15/02533/APP	9.45	Land to East of Gib Lane, Bierton	Operational	5	0.529
15/07001/FULEA	13.2	Ld N Of Marlow Landfill Site, Marlow Road, Little Marlow, Marlow	Planning Permission Refused	5	0.379
15/02543/APP	4	East Claydon Road Winslow, East Claydon Road, Winslow, Buckingham	Planning Permission Granted	2.5	0.625

14/01926/APP	52	Land North Of Bumpers Farm, Ilmer Lane, Ilmer, Buckinghamshire	Appeal Granted	25	0.481
19/00983/APP	63	Tuckey Farm, East Claydon Road, Winslow, Buckingham, Buckinghamshire	Planning Permission Granted	25	0.397
19/04485/APP	48	Home Farm, Mursley Road, Little Horwood, Milton Keynes, Buckinghamshire	Planning Application Submitted	36	0.750
20/02582/APP	47	Fox Covert Solar Farm, Great Horwood, Milton Keynes, Buckinghamshire	Planning Permission Granted	22	0.468
20/00779/APP	69.5	Hale Farm, Hulcott, Aylesbury, Buckinghamshire	Planning Application Submitted	40	0.576
20/04311/APP	7.79	Stratford Road	Planning Permission Granted	5	0.642
21/00130/APP	24	Manor Farm, E/O Buckingham	Planning Application Submitted	12	0.500
21/02310/APP	97	Lower Waldridge Farm Lower Waldridge Farm Owlswick Road Ford (Callies Farm)	Refused	49.9	0.514
21/02775/APP	37	Slapton (nr Mentmore)	Planning Application Submitted	49.9	1.349
21/02821/APP	53	Whirlbush Farm (nr Aston Sandford)	Planning Application Submitted	49.9	0.942
21/03182/APP	36.18	Bishopstone (Haddenham Vale)	Planning Application Submitted	24.06	0.665
CM/0035/21	26.1	Calvert Landfill	Planning Application Submitted	16	0.613
CM/0016/21	26.1	Calvert Landfill	Planning Application Submitted	16	0.613
21/04925/APP	28	Land at Wicken Farm	Planning Application Submitted	21	0.750