



Buckinghamshire Council

North Buckinghamshire Area Planning Committee

Agenda

Date: Wednesday 20 December 2023

Time: 2.30 pm

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

Membership:

Agenda Item	Time	Page No
1 APOLOGIES		
2 MINUTES To approve as a correct record the minutes of the meeting held 15 November 2023.		3 - 4
3 DECLARATIONS OF INTEREST		
APPLICATIONS		
4 22/03492/APP - LAND AT MANOR FARM, BEACHAMPTON		5 - 58
5 AVAILABILITY OF MEMBERS ATTENDING SITE VISITS (IF REQUIRED) To confirm Members' availability to undertake site visits if required.		
6 DATE OF THE NEXT MEETING 17 January 2024		

If you would like to attend a meeting, but need extra help to do so, for example because of a disability, please contact us as early as possible, so that we can try to put the right support in place.

For further information please contact: Harry Thomas on 01296 585234, email democracy@buckinghamshire.gov.uk.

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North Buckinghamshire Area Planning Committee minutes

Minutes of the meeting of the North Buckinghamshire Area Planning Committee held on Wednesday 15 November 2023 in The Oculus, Buckinghamshire Council, Gatehouse Road, Aylesbury HP19 8FF, commencing at 2:30pm and concluding at 3:50pm.

Members present

P Fealey (Chairman), H Mordue (Vice-Chairman), A Bond, P Cooper, C Cornell, P Gomm, F Mahon, S Morgan, A Osibogun, B Stanier Bt, R Stuchbury and D Town

Agenda Item

1 Apologies

There were none.

2 Minutes

RESOLVED:

That the minutes of the meeting held on 27th September 2023 be agreed as a correct record.

3 Declarations of interest

Councillor C Cornell declared an interest in application 23/02514/APP, as she sat on Winslow Town Council, knew the applicant and had visited the pub on previous occasions. However, she confirmed that she did not feel predetermined on the matter, and would be able to fully participate in the consideration of the item.

Councillor P Gomm declared an interest in application 23/02514/APP as the Chairman of the Winslow and Villages Community Board, which had occasionally used the premises as a meeting place with attendees of community board meetings. He confirmed that he did not feel predetermined on the matter, and would be able to fully participate in the consideration of the item.

Councillor F Mahon declared an interest in application 23/02514/APP as the case involved a public house, and he was a Publican himself. He confirmed that he did not feel predetermined on the matter, and would be able to fully participate in the consideration of the item.

Councillor Sir B Stanier Bt declared an interest in application 23/02514/APP as the Vice-Chairman of the Winslow and Villages Community Board and a Ward Member for Winslow on Buckinghamshire Council. He had been one of three Ward Members to have called the application in for consideration by the committee and had visited the pub on previous occasions. He confirmed that he did not feel predetermined on the matter, and would be able to fully participate in the consideration of the item.

4 23/02514/APP - Bell Hotel PH, Market Square, Winslow

Proposal: Solar PV panels on the roof of the function room and patio area to the rear of the hotel (retrospective).

Speakers:

Town Council: Councillor Colin P Bishopp (Winslow Town Council)

It was proposed by Councillor P Cooper, seconded by Councillor F Mahon and

RESOLVED

that application 23/02514/APP be **approved**, as the committee did not agree with the officer's interpretation of Policy C3 of the Vale of Aylesbury Local Plan (VALP) that the installed solar panels amounted to unacceptable adverse impact, including cumulative impact, on the Conservation Area, nor the listed building, nor their settings.

5 Availability of Members Attending Site Visits (if required)

Details on any site visits deemed appropriate to occur prior to an application's consideration at the next scheduled meeting of the Committee would be communicated to Members as necessary.

6 Date of the Next Meeting

20th December 2023



Report to Buckinghamshire Council – North Planning Committee

Application Number:	22/03492/APP
Proposal:	Construction and operation of a solar farm together with all associated works, equipment and necessary infrastructure
Site location:	Land At Manor Farm, Beachampton, Buckinghamshire, MK19 6DT
Applicant:	One Planet Developments Ltd
Case Officer:	Antonia Liu
Ward affected:	WINSLOW
Parish-Town Council:	Beachampton Parish Council and Thornton Parish Council
Valid date:	11 October 2022
Determination date:	4 August 2023
Recommendation:	Approve subject to the recommended conditions and any amendments or additional conditions considered necessary.

1.0 Summary & Recommendation

- 1.1 This application is being presented to the North Area Planning Committee following a three member call in from Councillor Chilver, Councillor Goss and Councillor Stanier.
- 1.2 The application seeks full planning permission for a solar farm and associated infrastructure with a generating capacity of around 33MW for a period of 40 years from the date of first exportation of the electricity from the site.
- 1.3 To accord with 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.
- 1.4 In this instance, the proposed development was not accompanied by a Minerals Assessment, as required by MWLP Policy 1 (Safeguarding Mineral Resources). However, the proposed development is of a temporary nature (40 years), after which it would be restored to agricultural land. As such, the proposed development not permanently inhibit extraction of any mineral resource in the long-term which is the overall aim of MSAs and MWLP Policy and limited weight against the development is given for this aspect.
- 1.5 There is conflict with VALP Policy NE7 as the proposed development does not wholly avoid built structures on areas on the site on areas classed as Grade 3a. However, the solar panels

would be secured to the ground by steel piles with limited soil disturbance, and the proposed development is of a temporary nature (40 years), after which it would be restored to agricultural land. Therefore, the proposed development would not result in significant areas of agricultural land that would be permanently affected and limited weight against the development is given in his respect.

- 1.6 There would also be less than substantial harm, at the lower end, to Beachampton Conservation Area, a designated heritage asset. Great weight is given to the asset's conservation, irrespective of the potential harm. However, the overarching public benefit of providing a large-scale renewable energy scheme in line with climate change interest and supporting national energy need and energy security are afforded significance positive weight in the development making process. These public benefits alone would outweigh the less than substantial harm, at the lower end, to the designated heritage asset. Accordingly, this is afforded limited weight.
- 1.7 The overarching public benefits of the providing a large-scale renewable energy scheme in line with climate change interest carry very significant positive weight in the decision making process. In addition, to very significant positive weight given to the contribution towards UK energy security through the accelerated deployment of low-cost renewable energy generation such as solar and stabilisation of energy prices for consumers. There would also be significant biodiversity net gain over and above policy requirements which is given moderate weight for the proposed development, economic benefits through the construction process which is given limited weight for the proposed development.
- 1.8 When weighed in the planning balance, the magnitude of benefits would substantially outweigh the harms. Subsequently, the recommendation is for APPROVAL subject to the recommended conditions and any amendments / additional conditions considered necessary.

2.0 Description of Proposed Development

Site Description

- 2.1 The application site measures approximately 43ha and comprises agricultural land in the form of geometrically irregular fields, in arable and pasture use and occasional ponds. A wet ditch runs through the centre of the site (east-west) and there is a change in ground level of approximately 17m with the land rising from the east to the west. The site boundaries comprise of established hedgerows with intercepting single tree or small groups of trees. There are two existing access points currently providing access for agricultural vehicles. To the north, the site connects with Thornton Road, and to the east the site connects with Stratford Road.
- 2.2 The wider landscape is also characterised by undulating arable and pasture land, intercepted with hedgerows and small woods. With reference to the Aylesbury Vale Landscape Character Assessment (2008), the site and surrounds is identified as a Local Landscape Area known as Thornborough-Beachampton Great Ouse Tributaries.
- 2.3 There is a Public Right of Way (ref BCH/2/1) which runs along the boundary of the field

towards the southeast of the site, linking the public highway from Main Street / Elmer Close to Stratford Road, and another Public Right of Way (ref: BCH/9/1) that runs along the northeastern edge of the site, linking the public highway from Main Street to Thornton Road.

- 2.4 The village of Beachampton is located approximately 250m to the northeast of the site. The village represents linear development, centred along Main Street. Main street and a detached element to the south of Watery Lane fall within Beachampton Conservation Area. Within the conservation area are the following listed buildings: St Marys Church (Grade II*), Red House Farm (Grade II), Grange Farm and Barn to the south-east of Grange Farm (Grade II) and Old Latin School (Grade II). To the north of Beachampton village is Beachampton Hall (Grade II*) while to the east is Manor Farm and cottage 20m to the south-west of Manor Farm (Grade II).
- 2.5 In terms of other constraints, the site falls within an Archaeology Notification Area, Minerals Safeguarding Area and Great Crested Newt Impact Zone (part red, part yellow).

Proposed Development

- 2.6 The applicant seeks full planning permission for the construction and operation of a solar farm for a temporary period of 40 years from the date of exportation of electricity from the site after which the site will be decommissioned.
- 2.7 The solar panels are made up of crystalline silicon cells, which are blue, grey or black in colour. Each panel would measure approximately 2.25(l) x 1.14m (w) and mounted at an angle of 15-30 degrees on frames (minimum 0.8m to maximum 3m high) driven into the ground to a depth of approximately 1m. The solar arrays would be in the form of straight rows from east-west, facing south, across the field enclosures. There would be a minimum distance of approximately 2.18m between rows.
- 2.8 In addition to the panels, the proposal comprises the following supporting infrastructure and boundary treatment:
- A customer switchgear flat-roof building measuring approximately 12.2m (l) x 2.5m (w) x 2.9m (h), sited on a concrete plinth or strip foundation at a height of approximately 0.3-0.4m.
 - 11 no. combined inverter/transformer flat-roof buildings each measuring approximately 12m (l) x 2.5m (w) x 2.9, (h), sited on a concrete plinth or strip foundation at a height of approximately 0.3-0.4m.
 - 2no. spare-part containers each measuring approximately 12.2m (l) x 2.4m (w) x 3m (h), sited on a concrete plinth or strip foundation at a height of approximately 0.3-0.4m.
 - A Distribution Network Operators (DNO) substation measuring approximately 3m (l) x 3x (w) x 2.7m in height.
 - 56no. 2.9m height pole mounted CCTV cameras.
 - 4m wide internal track of permeable crushed stone.
 - 1.9m high mesh-wire security fence (with mammal gates).

- Underground cable in cable trenches (1.2m in depth) that will connect the solar farm to the point of connection at Stony Stratford 132/33kC substation.
- Soft landscaping and ecological components.

Although a plan has been submitted showing a layout for the solar arrays and the details of the associated plant and equipment, at this stage, these are intended to show the 'worst-case' scenario and are intended to be indicative only. The applicant seeks a degree of flexibility, utilising the Rochdale Envelope approach, so that discussions with National Grid and innovations in technology can inform the final design.

2.9 The output from the proposal would be around 33MW although output may slightly vary due to changes in technology and products available at the time of implementation. The proposal falls well below the threshold of a Nationally Significant Infrastructure Project (NSIP) which requires development generating capacity above 50 megawatts (MW) to be subject to a Development Consent Order from the relevant Secretary of State. Therefore, the proposed development can be assessed and determined under the Town and Country Planning Act 1990 (as amended).

2.10 The application was accompanied by:

- Application Form
- Design and Access Statement (September 2022)
- Planning Statement (October 2022)
- Statement of Community Involvement (September 2022)
- Site Location Plan ref: OPL004-SP-01 Rev. 05
- Site Layout Plan ref: OPL004-PL-01 Rev. 06
 - Amended Site Layout Plan ref: OPL004-PL-01 Rev. 12
- Thornton Road Site Access Plan ref: SK22264-003 Rev. A
- Landscape Masterplan
 - Amended Landscape Masterplan rev. C
- Topography (Sheet 1 & 2), ref: 6211-1
- Standard Drawing: 40ft Customer Switchgear ref: OPL004-SD-01 Rev. 02
- Standard Drawing: Inverted/Transformer Building ref: OPL004-SD-02 Rev. 02
- Standard Drawing: GRP Substation ref: OPL004-SD-03 Rev.02
- Standard Drawing: Access Track ref: OPL004-SD-04 Rev. 02
- Standard Drawing: Security Deer Fence ref: OPL004-SD-05 Rev.02
- Standard Drawing: CCTV Camera and Post ref: OPL004-SD-06 Rev.02
- Standard Drawing: PV Detail ref: OPL004-SD-07 Rev. 03

- Standard Drawing: Storage Container ref: OPL008-SD-08 Rev. 01
- Watercourse Blockage Location Plan ref: 372.4_Blockage Plan_03.07.2023
- Flood Risk Assessment and Surface Water Drainage Strategy (September 2022)
 - Revised Flood Risk Assessment and Surface Water Drainage Strategy (May 2023)
- Agricultural Land Classification (September 2022)
- Soil Impact Statement (September 2022)
- Landscape and Visual Impact Assessment (October 2022)
 - Landscape and Visual Impact Assessment Addendum (April 2022)
- Preliminary Ecological Appraisal (October 2022)
 - Applicant Response to Ecology Consultation response (December 2022)
 - Ecological Impact Assessment (June 2023)
 - Revised Biodiversity Net Gain Assessment
- NatureSpace District Licence Report (November 2023)
- Landscape and Ecological and Management Plan (October 2022)
 - Amended Landscape and Ecological Management Plan (Rev B)
- Arboricultural Impact Assessment (October 2022)
- Heritage Impact Assessment (October 2022)
- Transport Statement and Construction Traffic Management Plan (September 2022)
 - Applicant Response to Highway Consultation Response (December 2022)
- Waste and Recycling Strategy

3.0 Relevant Planning History

3.1 Relevant planning history for the site is as follows:

Reference: 22/00538/SO

EIA Screening Request in respect of Land at Manor Farm, Beachampton, Buckinghamshire, MK19 6DT on the basis that the proposed solar farm falls under Schedule 3, Category (3)(a) and given the site area exceeds 0.5ha.

Decision: EIA Not Required

Decision Date: 2 August 2022

3.2 The following sets out the planning history for solar farms within a 5km radius from the application site:

Potash Farm, Beachampton

Reference: 11/00179/APP

Construction of photo-voltaic park with attendant infrastructure

Decision: Approved

Decision Date: 24.05.2011

Reference: 18/04004/APP

Retrospective Application for Ground Mount Solar and Associated Infrastructure

Decision: Approved

Decision Date: 29.01.2020

Reference: 20/01956/SO

EIA Screening Request - Solar Farm

Decision: EIA Not Required

Decision Date: 20.10.2020

Reference: 20/04311/APP

Installation of ground mounted solar panels and the associate equipment, security measures (including CCTV) and landscaping.

Decision: Approved

Decision Date: 28.01.2022

Land At Wicken Farm, Leckhampstead

Reference: 21/04925/APP

Installation and operation of a Solar Farm, installation of an underground electricity connection cable, and the use and reinstatement of an existing track from Wicken Park Road, together with all associated works, equipment and necessary infrastructure (Cross Borough Boundary Application)

Decision: Pending

Decision Date: N/A

4.0 Representations

- 4.1 Statutory site publicity has been undertaken for the application. All representations received have been summarised in Appendix B.

5.0 Policy Considerations and Evaluation

- 5.1 In determining the planning application, the Council has a statutory duty to have regard to the provision of the development plan so far as material to the application and any other material considerations (Section 70(s) Town and Country Planning Act 1990) and to determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).

The Development Plan

- 5.2 The development plan is defined in Section 38(3)(b) of the Planning and Compulsory Purchase Act 2004 as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.
- 5.3 For the purposes of the determination of this application the development plan for this area comprises the Vale of Aylesbury Local Plan (VALP) (2021) and Buckinghamshire Minerals and Waste Local Plan (MWLP) (2019). There is no emerging or Made Neighbourhood Plan for

Beachampton.

Material Considerations

- 5.4 The following documents are relevant material considerations to determine this application for a solar farm.
- 5.5 ***The Climate Change Act 2008 (as amended) and Carbon Budget:*** The Climate Change Act is the basis for the UK's approach to tackling and responding to climate change. As amended in 2019, the Climate Change Act commits the UK Government to reducing greenhouse gas emissions to net zero by 2050 through legally-binding carbon budgets as setting stones towards the 2050 target. A carbon budget is a cap on the amount of greenhouse gases emitted in the UK over a five-year period. The Government has an obligation to prepare policies to ensure the budget is met.
- 5.6 The UK is currently in the fourth carbon budget period (2023-2027) and the Government's Carbon Budget Delivery Plan (March 2023) includes a policy aimed at achieving a fivefold increase (up to 70GW) of solar power by 2035.
- 5.7 The Sixth Assessment Report of the Intergovernmental Panel on Climate Change identifies that 'climate change is a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a liveable and sustainable future for all'.
- 5.8 ***National Planning Policy Framework (NPPF) (2023):*** The NPPF sets out a presumption in favour of sustainable development. This means approving the proposals that account with an up-to-date development plan without delay. Where there are no relevant development policies, or the policies which are most important for determining the application are out-of-date development proposals should be approved unless specific policies in the NPPF suggest that development should be restricted or the level of harm would significantly and demonstrably outweigh the benefits when assessed against the requirements of the NPPF.
- 5.9 As set out in paragraph 12 of the NPPF, the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Local Planning Authorities may make decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 5.10 Section 14 of the NPPF sets out the national planning policy with regards to climate change, flooding and coast change. It 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. Paragraph 152 of the NPPF 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 155 of the NPPF requires plans to help increase the use and supply of renewable and low carbon energy and heat.
- 5.11 Paragraph 158 of the NPPF 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.

- 5.12 **National Planning Practice Guidance (NPPG) – Renewable and Low Carbon Energy:** The NPPG states that “increasing the amount for energy from renewable and low carbon technologies will help make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable”.
- 5.13 The guidance encourages use of previously developed land and non-agricultural land, provided it is not of high environmental value. Where greenfield land is proposed to be used as a solar farm, consideration should be given to the justification for such, whether poorer agricultural land has been used in preference to higher quality land and whether the proposal allows for continued agricultural use with biodiversity enhancements around arrays.
- 5.14 In relation to large-scale solar farms the NPPF advises that these “can have a negative impact on the rural environment, particular in very undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly added within the landscape if planning sensitively”. The NPPG also recognises that solar farms are temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use. Notwithstanding this, the NPPG makes it clear that while there is a significant need for renewable energy, this need does not automatically override environmental protections.
- 5.15 The approach to assessing cumulative landscape and visual impact of large-scale solar farms should consider the sensitivity of the landscape and visual resources and the magnitude or size of the predicted change. In assessing the impact on visual amenity, factors to consider include establishing the area in which a proposed development may be visible, identifying key viewpoints, and the people who experience the views and nature of the view.
- 5.16 Other than when dealing with set back distances for safety, Local Planning Authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Distance of itself does not necessarily determine whether the impact of the proposal is unacceptable and the local context including factors such as topography, the local environment and near-by land uses also has to be considered.

National Policy Statements:

- 5.17 Renewable and low carbon development over 50 megawatts capacity are currently considered by the Secretary of State for Energy under the Planning Act 2008 as part of a Development Consent Order (as opposed to being considered by the local planning authority).
- 5.18 The Secretary of State must make decisions in line with the framework provided by National Policy Statements (NPSs) which are produced by the government.
- 5.19 The energy National Policy Statements (NPSs), set out the government’s policy for the delivery of energy infrastructure. Although the proposed development is under the threshold for national significance, in England, the Overarching National Policy Statement

(NPS) for Energy (EN-1), in combination with any relevant technology specific NPS, may be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended). NPS EN-3 covers renewable electricity generation. The National Policy Statement, 2023 revisions are coming into force in early 2024. The 2011 versions of the National Policy Statements remain in force until the revised NPS are designated in early 2024.

- 5.20 Solar (together with wind) is recognised specifically in NPS EN-1 (para 3.3.20) as being the lowest cost way of generating electricity. It explains that by 2050, secure, reliable, affordable, net zero energy systems are ‘likely to be composed predominantly of wind and solar’. NPS EN-1 encourages good design of energy projects which should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.
- 5.21 NPS EN-3 states that solar is a key part of the government’s strategy for low-cost decarbonisation of the energy sector. Solar farms are one of the most established renewable electricity technologies in the UK and the cheapest form of electricity generation.
- 5.22 Along with associated infrastructure, a solar farm requires between 2 to 4 acres for each MW of output, albeit this is expected to change over time as the technology continues to evolve to become more efficient. Nevertheless, NPS EN-3 recognises that large scale solar farms will inevitably have impacts, particularly if sited in rural areas.
- 5.23 NPS EN-3 advises that “While land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land (avoiding the use of “Best and Most Versatile” agricultural land where possible). Applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.”
- 5.24 Applicants are encouraged to design the layout and appearance of the site to ensure continued recreational use of public rights of way, where possible during construction, and in particular during operation of the site. Applicants are encouraged where possible to minimise the visual outlook from existing public rights of way, considering the impacts this may have on any other visual amenities in the surrounding landscape, for example, by screening along public right-of-way networks to minimise the outlook into the Solar Park.
- 5.25 **British Energy Security Strategy 2022:** The strategy expects a five-fold increase in the deployment of solar energy by 2035. The strategy supports the effective use of land by encouraging large scale solar projects to locate on previously developed or lower value land where possible, and ensure projects are designed to avoid, mitigate and where necessary compensate for the impacts of using greenfield sites.

5.26 **Buckinghamshire Climate Change Motion (July 2020):** In July 2020, the Council passed a motion with the objective to achieve net carbon zero for Buckinghamshire by 2050. Energy provision is also vital to economic prosperity and social well-being, and therefore it is essential to ensure that the UK, including Buckinghamshire, has secure and affordable energy.

Evaluation

5.27 The main issues for consideration area:

- Principle of Development
- Mineral Safeguarding
- Agricultural Land Quality
- Flood Risk and Sustainable Drainage
- Landscape Character and Visual Impact
- Public Rights of Way
- Heritage
- Transport Matters and Parking
- Residential Amenity
- Biodiversity
- Trees
- Infrastructure and Developer Contributions
- Weighing and balancing of issues / Overall Assessment

Principle and Location of Development

5.28 The applicable policies are VALP policies are S1 (Sustainable Development for Aylesbury Vale) and C3 (Renewable Energy).

5.29 VALP policy S1 requires all development to comply with the principles of sustainable development set out in the NPPF. In the context of Aylesbury Vale and for the purposes of the planning application, this means that proposals in accordance with the up-to-date development plan will be approved without delay unless material considerations indicate otherwise. VALP is considered to be an up-to-date local plan. As it was submitted on or before the 24 January 2019, paragraph 220 of the NPPF is applicable which states that policies in the NPPF (2012) will apply for the purpose of examining such plans. Therefore, the starting position is that the VALP, being having been examined and deemed consistent with the NPPF (2012), should be given full weight. Where there is any conflict with a later version of the NPPF, these are addressed in this report and considered as a material consideration.

5.30 VALP policy C3 encourages renewable energy developments provided that there is no unacceptable impact, including cumulative impact on local landscapes, biodiversity, historic

assets and their setting, highway and access, residential amenity, and aviation activities. VALP policy C3 is consistent with the NPPF, which is a material consideration of significant weight, and sets out the need to plan positively for renewable energy while ensuring that adverse impacts are addressed satisfactorily.

- 5.31 Of note, national policy contained in NPSs makes it clear that large scale solar farms should be assessed on the basis that the government has already established an urgent need for renewable energy, including solar. Nevertheless, national guidance contained in the NPPG and national policy contained in the NPSs recognise that large scale solar farms will inevitably have environmental impacts, particularly if sited in rural areas. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. A full assessment of the environmental impacts associated with the proposed solar farm is set out below.
- 5.32 In this case, the proposed development is for a solar farm (a renewable energy development) that would generate around 33MW. The applicant has provided confirmation from Western Power Distribution that the proposed solar farm at the application site has a connection agreement to distribution system, with transmission works completed by Autumn of 2026 (subject to upgrade works to the National Grid). As a result, the proposal would make a significant and timely contribution towards the targets set out in Climate Change Act 2008 (as amended 2019) and associated Carbon Budget and British Energy Security Strategy 2022. Furthermore, the proposal for a solar farm would increase the provision of secure electricity supply in compliance with the NPPG, EN-1 and Buckinghamshire Council's Climate Change Motion.
- 5.33 Officers consider that the need and benefits of renewable energy sources are material considerations that weigh strongly in favour of the proposed development. As such, the solar farm is supported in principle. A full assessment the remaining criteria set out in VALP policy C3 in in terms of the potential impacts associated with the proposed development is set out below.

Safeguarding Mineral Resources

- 5.34 The applicable policy is MWLP is Policy 1 (Safeguarding Mineral Resources).
- 5.35 MWLP Policy 1 states that Mineral Safeguarding Areas have been defined to prevent mineral resources from being needlessly sterilised by non-mineral development. This in accordance with the NPPF, which requires planning policy to safeguard mineral resources from sterilisation by non-mineral development.
- 5.36 In this case, approximately 5.3ha of the site to the west is safeguarded for alluvium while 6.9ha to the east is safeguarded for white limestone. Contrary to MWLP Policy 1, the applicant has not submitted a Minerals assessment in support of the planning application. However, the proposed development is of a temporary nature (40 years), after which it would be restored to agricultural land. The restoration of the of the land after the expiration of the lifetime of the development can be secured by condition 23. Therefore, the proposed development would not permanently inhibit extraction of any mineral resource in the long-

term which is the overall aim of MSAs and MWLP Policy 1.

- 5.37 On this basis, refusal of the proposed development against MWLP Policy 1 is not considered to be justified, but a degree of conflict with MWLP Policy 1 is considered further in the overall Planning Balance.

Agricultural Land Quality

- 5.38 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale) and NE7 (Best and Most Versatile Agricultural Land).
- 5.39 VALP Policy NE7 seeks to protect the best and most versatile farmland for the longer term. VALP policy NE7 defines the best and most versatile farmland as Agricultural Land Classification (ALC) Grades 1, 2 and 3a and directs development towards land of lower grades (3b and 4). Where development involving best and most versatile agricultural land is proposed, those areas should be preferentially used as green open space and built structures avoided. Where development would result in the loss of BMV, planning consent will not be granted unless there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development and the benefits of the proposed development outweigh the harms resulting from the significant loss of BMV.
- 5.40 Paragraph 174 of the NPPF provides that planning decisions should recognise the wider benefits from natural capital and ecosystem services, including the economic and other benefits of BMV.
- 5.41 The NPPG encourages use of previously developed land and non-agricultural land, provided it is not of high environmental value. Where greenfield land is proposed to be used as a solar farm, consideration should be given to the justification for such, whether poorer agricultural land has been used in preference to higher quality land and whether the proposal allows for continued agricultural use with biodiversity enhancements around arrays.
- 5.42 EN-3 advises that “While land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise previously developed land, brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land (avoiding the use of “Best and Most Versatile” agricultural land where possible). Applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.”
- 5.43 Objections have been received about the loss of and damage to BMV agricultural land. The LPA is aware of and has reviewed an appeal decision dated 21 July 2023 (APP/F1040/W/22/3313316), in which the inspector dismissed a proposal for a solar farm which included just under 50% of BMV land. While that decision is noted, the circumstances of that case are not considered to be directly comparable and notwithstanding the importance of consistency in the planning process, the Council is not bound to reach the same conclusion as the Inspector at that appeal.
- 5.44 The application has been submitted with Agricultural Land Classification that reports that there are two areas, one to the north and one to the south of the site as shown on Drawing

1 of the Agricultural Land Classification report, which are Grade 3a. Combined together, the Grade 3a land within the site measures approximately 5ha (11.1%), however, the majority of the site (40ha, 88.9%) is classified as Grade 3b.

- 5.45 The loss of 5.6 ha of grade 3a agricultural land to the proposed solar farm is not considered to be significant. Consistent with the aims of VALP policy NE7 to protect BMV land for the longer term, no permanent built structures are proposed on the land (the area of grade 3a is proposed to be covered by solar arrays which would be removed after 40 years).
- 5.46 Nevertheless, as the applicant has not undertaken an assessment of agricultural land quality beyond the application site, it cannot be confirmed that there are no otherwise suitable sites of poorer agricultural quality that can accommodate the development. As a result, the proposal conflicts with part (a) of VALP Policy NE7. This conflict with the development plan is weighed in the planning balance against the scheme. However, having regard to the temporary nature of the proposed development; the fact that national policy in EN-3 (which is considered to be a material consideration) makes clear that loss of BMV should be avoided, but should not be a predominating factor in determining the suitability of the site location; the weight afforded to this conflict is limited.

Flood Risk and Sustainable Drainage

- 5.47 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale) and I4 (Flooding).
- 5.48 VALP policy I4 requires planning decisions to minimise the impacts of and from all forms of flood risk and sets out the criteria for assessment including the application of the Sequential Test and, if necessary, the Exception Test and a site-specific flood risk assessment. This is in accordance with the NPPF which requires the development to be safe from flood risk for the lifetime of the development without increasing flood risk elsewhere.
- 5.49 A site-specific Flood Risk Assessment (FRA) (May 2023) has been submitted to support the application, in compliance with VALP Policy I4. To ensure that inappropriate development in areas at risk of flooding is avoided and to ensure where development is necessary in areas of flood risk that it is safe for its lifetime without increasing flood risk elsewhere, VALP Policy I4 goes on to state that all development proposals must clearly demonstrate that the Sequential Test has been passed, and if the Sequential Test has been satisfied then the development proposal must also pass the Exception Test if applicable.
- 5.50 With reference to the Environment Agency's Flood Map for Planning, the site comprises of Flood Zone 1 (low Probability of river and sea flooding) and at low risk of surface water flooding. With reference to the Multi-Agency Geographical Information for the Countryside (MAGIC) Map managed by Natural England, the site is located in an area classified as having a 'low and unproductive' risk of groundwater vulnerability. In this context, the proposal is considered to pass the Sequential Test which aims to steer new development to areas with the lowest risk of flooding. Turning to the Exception Test, Annex 3: Flood Risk Vulnerability Classification of the NPPF classifies solar farms as essential infrastructure. With reference to Table 2: Flood Risk Vulnerability and Flood Zone Compatibility of the NPPG, the Exception

Test is not required for essential infrastructure located in Flood Zone 1. As such, the proposed development is considered to be safe for the lifetime of the development in terms of flood risk without increasing flood risk elsewhere.

- 5.51 VALP policy I4 also requires all development proposals to design and use sustainable drainage systems (SuDS) for the effective management of surface water run-off. In this case, the applicant proposes to manage surface water using a network of swales to attenuate runoff and promote infiltration into the underlying geology prior to the discharge to ordinary watercourses.
- 5.52 As shown on the Conceptual Surface Water Strategy (FRA: Appendix B, May 2023) the site would be separated into three catchments. Calculations have been provided of the estimated greenfield runoff rates for each catchment area, and each catchment is proposed to discharge at these rates. For each catchment an attenuation pond is proposed, and calculations have been provided to demonstrate each attenuation pond has sufficient capacity for the total impermeant area within the catchment for the 1 in 100 year (+40% climate change allowance) storm event. Areas 1 and 2 are proposed to discharge into an ordinary watercourse towards the centre of the site, while area 3 will discharge to a new swale located along the southern boundary of the site. Prior to the commencement of development, the encountered blockage within the watercourse downstream of the site, as shown on drawing ref: 372.4_Blockage Plan_03.07.2023, must be undertaken and this can be secured by condition 11. Implementation and whole-life maintenance plan for the approved SuDS can be secured by conditions 12 and 13.
- 5.53 On this basis, the proposal is not considered to result in undue harm to residential amenity of existing residents and in compliance with VALP policies S1 and I4.

Landscape Character and Visual Impact

- 5.54 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale), C3 (Renewable Energy), BE2 (Design of New Development) and NE4 (Landscape Character and Locally Important Landscape).
- 5.55 VALP policy C3 states that renewable energy development will be encouraged provided that there is no unacceptable impact on the visual impacts on local landscapes. VALP policy BE2 requires all new development to respect and complement the physical characteristics of the site and surrounds, local distinctiveness of the locality, natural qualities and features of the site, and the effect on important public views and skylines. VALP policy NE4 requires all development to recognise the individual character and distinctiveness of landscape character areas set out in the Landscape Character Assessment (LCA) by avoiding any identified significant adverse impact. Where it is accepted that there will be harm to the landscape character, specific on-site mitigation will be required to minimise that harm.
- 5.56 As a material consideration of significant weight, the overarching aim set out in EN-1 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.

- 5.57 Large scale solar development can result in negative impacts on the rural landscape where landscape is open or undulating. In the context of the above local and national policies, it is essential that the solar farm reduces its impact where possible.
- 5.58 A Landscape and Visual Impact Assessment (LVIA) with an Addendum, and Landscape Masterplan rev. C has been submitted to support the application. The assessment within the LVIA follows guidance set out in the 'Guidelines for Landscape and Visual Impact Assessment' (Third Edition) by the Landscape Institute and Institute of Environmental Assessment. This is widely accepted as industry standard guidance, and the Council's Landscape Officer has raised no objections to the methodology.

Landscape Character

- 5.59 The application site is not located within or near a locally or nationally designated landscape. However, the site is within the Thornborough-Beachampton Great Ouse Tributaries landscape character area, as defined in the Aylesbury Vale Landscape Character Assessment (AVLCA). The main characteristics are:
- Undulating landform
 - Mixed farming, predominantly arable
 - Pre-18th century field pattern and parliamentary enclosure
 - Strong hedgerow pattern
 - Linear settlements, widely spaced
 - Earthwork remains of medieval settlement and open fields
- 5.60 The AVLCA also sets out the sense of place is assessed in the AVLCA as being moderate and the condition of the landscape is very good with few visual distractions. Given the coherent pattern of elements and moderate levels of visibility, the AVLCA assessed the sensitivity of the landscape to change as moderate. From representations received following public consultation, the local landscape is valued by many residents.
- 5.61 Notably there is an existing solar farm at Potash Farm, planning ref: 11/00179/APP and 18/04004/APP. The solar farm at Potash Farm is located relatively close, approximately 337m to the south-east of the application site. An extension to the solar farm at Potash Farm, approximately 400m to the south, has also been recently approved, ref: 20/04311/APP. The applicant and planning officers have considered both individual and cumulative impacts upon landscape character.
- 5.62 There is also a proposed solar farm to approximately 2.2km to the north-west at Wicken Farm, planning ref: 21/04925/APP which is pending a planning decision. However, given the separation distance, the extent of their visibility together would be negligible.
- 5.63 In this case, the solar arrays would utilise modern materials that would be readily distinguishable from the natural background of a greenfield site. Taken together with the

existing solar farm at Potash Farm and its extension, the proposal would create a large area of solar arrays within the historic open and rural landscape between Beachampton and Nash. This would inevitably have an adverse effect on the landscape character by changing the appearance of the site and landscape in which it sits from an open rural landscape to an engineered landscape.

- 5.64 The inevitability of harm is acknowledged in the approach of both national and local policies, set out above, which are generally supportive of such renewable energy schemes subject to recognition of individual character and distinctiveness of particular landscape character and, where harm is unavoidable, on-site mitigation to minimise the harm.
- 5.65 On this basis, for the purposes of this application, it is considered that the test is not whether there is a material change and resultant adverse impact, but the extent of the adverse impact and the approach taken to minimising such effects, and then the balance to be taken against any benefits that would arise.
- 5.66 In this case, the applicant's LVIA concludes that the *'proposed development will substantially alter the character of the field in which it is situated, establishing an area of electrical infrastructure which will be similar in character to the existing solar farms in the vicinity. The sensitivity of the Site has been assessed as Medium, which combined with a high magnitude of change will result in a Moderate to Major adverse effect on the character of the fields which comprise the Site.'* (LVIA, Paragraph 6.13). The Council's Landscape Officer has reviewed the LVIA and considers that the effect on the landscape character of the site and wider area would result in significant harm. While the terminology differs, it is considered that the level of harm identified by both parties are similar in magnitude.
- 5.67 Turning to potential mitigation, the LIVA confirms that full mitigation is not possible due to the undulating landscape, which would result in the elevated position of some viewers. The Council's Landscape Officer also concludes that there are no obvious measures that could wholly mitigate harm. However, to minimise the visual impact of the proposal, the applicant proposes to increase hedgerow and woodland planting that would reduce the visibility of the solar arrays within the site.
- 5.68 In terms of a planning judgement and with reference to criteria (c) of VALP policy NE4, the maintenance of many individual landscape elements of the application site identified in the AVLCA, such as the landform, trees and hedgerows, would help to reduce the effect of the proposal on the landscape character. In this case, while there is some levelling within the site to create flat platforms for the inverter stations and DNO substation, changes to the topography would be limited and the landform would essentially be remained. Existing trees and hedgerows would also be retained with new planting, the specification and management of which are set out in the Landscape Masterplan rev. C and Landscape and Ecological and Management Plan. Furthermore, it is considered that new hedgerow and tree planting to enhance existing boundaries, would enhance screening that would reduce the visibility of the solar panels within the site to a degree over time. The timeframe over 4 years for new planting, and thereby enhancement to landscape character and effective screening, to become established is taken into account. Therefore, on balance, it is considered that with

mitigation in place the impact on landscape character would have a moderate adverse effect.

- 5.69 The moderate adverse effect on landscape character is consequently afforded moderate weight against the development. This is considered further in the Planning Balance.

Visual Impact

- 5.70 EN-1 advises that all proposed energy infrastructure during the construction and operational phase is likely to have visual effects for many receptors around proposed sites. It is for the decision maker to judge whether the visual effects on sensitive receptors, such as local residents and other receptors, such as visitors to the local area, outweigh the benefits of the project.
- 5.71 The visual effect on sensitive receptors from 21 key viewpoints, have been assessed in the submitted LVIA and LVIA addendum. These include close-range, medium range and long-range viewpoints from residential properties, public rights of way, local roads, and surrounding villages including Nash and Whaddon. The Council's Landscape and Urban Design Officer has reviewed the identified viewpoints and raised no objections to the selection.
- 5.72 The main visual impact arising from the construction phase would be from vehicles delivering to the site and plant working, which are considered to be of moderate scale, and the gradual increase of arrays as more panels are installed to reach the maximum landscape visual impact once operational. However, the construction activities would be for the short term and will have no greater effect than the completed scheme.
- 5.73 For the operation phase, a summary table of the LVIA conclusions of visual effects from the identified key viewpoints is set out in Appendix C. It should be noted that the assessment includes cumulative effects where people moving through a landscape will come across several areas of electrical infrastructure.
- 5.74 In relation to close-range views (0m-500m), the closest views would be experienced by users of public right of way BCH/2/1 that passes near the northeast boundary of the site (LVIA, Figure 10, views 3-6) and BCH/9/1 that passes alongside the eastern boundary and partly enters the site (LVIA, Figure 10, views 1 and 8). In assessing the level of adverse effect, while mitigation would wholly or partly screen the proposed development in part, there would be some, albeit limited sections of the footpath where the users would be aware of travelling alongside a solar farm, with panels along with other infrastructure, enclosing fences and CCTV clearly perceived. However, also of consideration, while the routes are used and valued locally, the footpaths are not identified as national or regional scale routes that are destination in themselves generally. Overall, the adverse effect is considered to be moderate in the winter and minor in the summer.
- 5.75 Turning to medium-range views (500m – 1.5km), there would be views from the rural public bridleway BCH 14/2 and public footpath BCH/7/1 both of which joins into BCH/7/2. The views would be across the valley from the east towards the application site (LVIA, Figure 10, views 10-12). There would also be views from public footpath BCH/8/1 (the Ouse Valley Way) to the north-east (LVIA, Figure 10, view 13). Due to the topography, it is considered that the

clearest view of the site (field 3, and part of field 2 and 4) would be from viewpoint 11. Having regard that the panels would be viewed at an oblique angle and largely from the rear, together with the sensitivity of the users, distance, foreground tree cover and intervening vegetation, it is considered that the proposed development would result in a moderate adverse effect in the winter and minor adverse effect in the summer, overall.

- 5.76 In terms of longer-range views (1.5km-2km), Nash Neighbourhood Plan (2019) Policy NNP4 identifies important views and vistas (Neighbour Plan Policy Map) which includes 'vista 2' at the junction of Thornton, Whaddon and Stratford Road, looking northwards towards Beachampton. However, the explanatory text states that this single point could be expended anywhere along Thornton and Whaddon Road. The submitted LVIA Addendum identifies that the site is most visible at the junction of Thornton Road and Stratford Road and from the nearby allotments (LVIA Addendum, Figure 1, view 16), The solar farm at Potash farm can also be seen in conjunction with the application site from view 16, however, view 19 would afford the clearest view of the sites together.
- 5.77 Public views towards the site from Whaddon are limited due to the existing houses along the High Street, which block views, although there is a view to the northern end of the village where the houses end (LVIA Addendum, Figure 1, view 22). There will also be similar views from the upper windows of these houses.
- 5.78 Having regard to the sensitivity of the viewer, distance, foreground tree cover and intervening vegetation, it is considered that in relation to long-range views, overall, the proposed development would result in a moderate adverse effect in the winter and minor adverse effect in the summer.
- 5.79 In summary, there would be moderate adverse effects on landscape, moderate adverse effect in the winter and minor adverse effect in the summer for long, medium and close-range views. These adverse effects should be weighed against the benefits of the proposed development, which is considered further in the Planning Balance.

Public Rights of Way

- 5.80 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale) and C4 (Protection of Public Rights of Way).
- 5.81 VALP policy C4 states that the council will enhance and protect public rights of way to ensure the integrity and connectivity of this resource is maintained. Planning permission would not be granted where the proposed development would cause unacceptable harm to the safe and efficient operation of public rights of way.
- 5.82 The perimeter fence as shown on site layout plan ref: OPL004-PL-01 Rev. 06 would have obstructed the definitive line of footpath Beachampton 9 – BCH/9/1 which lie adjacent to the site to the east and provides a walking route into the village of Beachampton. An amended layout, ref: OPL004-PL-01 Rev. 12, was subsequently submitted that moved the perimeter fence of the alignment of Beachampton 9 – BCH/9/1.
- 5.83 NPS EN-3 recognises that due to their size, solar sites may affect the provision of local footpath networks and PRoW. However, it notes that it should be the applicant's intention

to keep all PRowWs that cross the site open and to minimise as much as possible the visual outlook from existing footpaths.

- 5.84 It is recognised that PRow users would experience some adverse visual effects, but these will be localised. Solar farms are becoming a more common sight within open landscapes and are a temporary form of development (conditions secure restoration of the site after the 40 year lifespan of the proposal. Given the amendments to the scheme which ensures that the PRow is obstructed and the temporary nature of the development the proposal is considered to comply with Policy C4.

Heritage

- 5.85 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale) and BE1 (Heritage Assets).
- 5.86 VALP policy C3 states that renewable energy development will be encouraged provided that there is no unacceptable impact on the historic environment and their setting. VALP policy BE1 states that the proposal which causes substantial harm to or loss of a designated heritage asset and its significance, the Local Planning Authority should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm, or the four circumstances set out in paragraph 201 of the NPPF. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.87 VALP policy BE1 goes on to state that where a proposal would lead to harm to a non-designated heritage asset, this should be properly considered, weighing the direct and indirect impacts upon the asset and its setting. Of relevance, paragraph 203 of the NPPF states that a balanced judgement would be required having regard to the scale of any harm or loss and the significance of the asset.
- 5.88 As a material consideration of significant weight, paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Listed Buildings and Beachampton Conservation Area

- 5.89 The Local Planning Authority has a duty under the Planning (Listed Buildings and Conservations Areas) Act 1990 to pay special regard to the desirability of preserving nearby listed building(s) or its setting, or any features or special architectural or historic interest which it possesses. With respect to any building or other land in a conservation area, under the same legislation, the Local Planning Authority has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 5.90 There are no listed buildings within the site, however within the surrounding locality is Beachampton Hall (Grade II*), Manor Farm and cottage 20m to the south-west of Manor Farm (Grade II), St Marys Church (Grade II*), Red House Farm (Grade II), Old Latin School

(Grade II), and Grange Farm and Barn to the south-east of Grange Farm (Grade II). Red House Farm is the nearest Listed Buildings, measuring approximately 310m away from main part of application site where the solar arrays are located, with Grange Farm and Barn to the south-east of Grange Farm sited approximately 320m away. Due to the separation distance, height of the solar panels and associated structures, topography and screening, it is not considered that the proposed development would harm the special interest of these designated heritage assets, including their setting.

- 5.91 The site falls outside of Beachampton Conservation area, which is sited approximately 250m, at its nearest point, to the north-east and east of the site. Due to the separation distance, height of the solar panels and associated structures, topography and screening, the Council's Conservation Officer has identified no views of the solar farm from within Beachampton Conservation Area and immediate surrounds. Conversely, the LVIA identifies parts of the application site that would be glimpsed during the winter months due to reduced screening at viewpoints 1, 2 and 3. However, the LVIA goes on to conclude that with proposed mitigation (additional planting) the proposed development would result in a minor adverse effect in winter. Given that such views do not encompass the entirety of the conservation area and the adverse effect of these views is minor in the winter months, and therefore would not unduly detract from the experience of the conservation area as a whole, the harm would be on the lesser end of less than substantial harm to the significance of the designated heritage asset.
- 5.92 In accordance with VALP Policy BE1 and paragraph 202 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Great weight is given to the conservation of heritage assets. This is a matter which will be addressed at the end of this report in the Planning Balance.

Archaeology

- 5.93 The proposed development is within a Planning Notification Area for medieval/post-medieval ridge and furrow, in the vicinity of the Roman villa site at Foscott, and Iron Age and Roman period finds have been recorded within the area.
- 5.94 A Heritage Impact Assessment has been submitted to support the application, which confirms that medieval ridge and furrow in this area is of archaeological and historic interest, providing information on the historic farming methods and contributing to the historic character of the village of Beachampton. The medieval ridge and furrow are non-designated heritage assets, and the proposed development would potentially result in the erosion or the total loss of the ridge and furrow earthworks within the site.
- 5.95 With reference to Historic Environment Records (HERs) from Historic England (Figure 3, Heritage Impact Assessment) while historically large parts of the site comprise of ridge and furrow, HERs indicates that the ridge and furrow now likely to be present at the site is contained towards the south-east corner. With reference to aerial photographs and LiDAR imagery (Figure 5, Heritage Impact Assessment), the ridge and furrow to the south-east is

shown to be significantly eroded and not highly prominent or visible in the landscape, and any such remains is fragmented from the wider area of medieval ridge and furrow. This is most likely caused by modern agricultural activity. This does not detract from the relevance of the historic landscape as a whole but given the extent and quality of the remaining medieval ridge and furrow within the site, and its lack of connection, it is considered that the significance of the non-designated heritage asset within the site is limited.

- 5.96 It is noted that Figure 5 of the Heritage Impact Assessment show intact ridge and furrow to the north of the site, but through a review of the morphology and appearance on available data sources, these are likely to be post-medieval due to their narrow, linear character set out in straight lines. This would correlate with Buckinghamshire Historic Environmental Records.
- 5.97 In this context, while great weight is given to the asset's conservation, it is considered that the harm arising to the non-designated heritage asset of limited significance through the part or total loss of the remaining medieval earthworks within this site would be limited. Given the balancing exercise required by VALP policy BE1 and giving due regard to the scale of any harm or loss and the significance of the non-designated heritage asset, the proposal is considered to be acceptable this respect.
- 5.98 Nevertheless, there is a limited degree of potential for buried remains of archaeological interest to be present on the site that would require preservation or recording. Therefore, to mitigate against any residual risk, conditions 14 and 15 are recommended to secure appropriate archaeological investigations and methodology for preservation or recording.

Transport Matters and Parking

- 5.99 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale), C3 (Renewable Energy), T1 (Delivering the Sustainable Transport Vision), T4 (Capacity of the Transport Network to Deliver Development) and T5 (Delivering Transport in New Development).
- 5.100 VALP policy C3 states that planning applications involving renewable energy will be encouraged provided that there is no unacceptable impact on highway and access issues. VALP policy T1 seeks to ensure that development does not create a severe impact on the highway network and encourages a modal shift to more sustainable forms of transport, while VALP policy T4 states that development will be permitted where there is evidence that there is sufficient capacity in the transport network to accommodate the increased in travel demand as a result of the development. VALP policy T5 states that development will only be permitted if the necessary mitigation is provided against any unacceptable transport impacts which arise directly from that development. These policies are consistent with the NPPF which seeks to promote sustainable transport modes, ensure that any significant impacts from the development on the transport network or on highway safety can be mitigated to an acceptable degree, and safe and suitable access to site are provided.

Trip Generation

- 5.101 A Transport Statement has been submitted to support the planning application, which

indicates that the construction of the solar farm is likely to generate an average of 12 x 2-way HGV movements per day for a 24-week period. With reference to Figure 5.1 in the Transport Statement, a route has been identified with construction traffic accessing the site via the A421 which would reduce the length over which two-way large vehicle movements would occur. The applicant has also confirmed (Applicant Response to Highway Consultation Response (December 2022)) that for the most part, the width of the route would be sufficient for a large vehicle and car to pass (4.8m). While there are limited instances where the width of the route would be insufficient for a large vehicle and car to pass, given that low number of large vehicles in absolute terms, the potential to manage the timing of the movement large vehicles to/from the site, and the temporary nature of the construction phase, this is not considered to result in a severe impact on highway safety or flow. The route and the timing can be secured by condition 8.

- 5.102 Up to 50 construction workers are anticipated to be on site during the peak construction period. The applicant has proposed to provide mini-buses, which can be secured by condition 8, and therefore as a worst-case scenario it is predicted that 50% of workers would arrive by private car. At this level, the quantum of vehicular trips generated during the construction phase will have a nominal impact on traffic levels on the highway network in the vicinity of the site.
- 5.103 The provision of sufficient HGV on-site turning and manoeuvring space, site contractor parking and wheel-washing facilities can be secured by condition 8.
- 5.104 Once operational, the Thornton Road access will be used by maintenance vehicles approximately once or twice a week, and the Stratford Road access will be used approximately once or twice a month. The low level of activity during the operational phase of the development, which is comparable to the levels of traffic generated by agricultural use, is not considered to have a material impact on the capacity of highway network.
- 5.105 The decommissioning stage is expected to involve a similar level of traffic generation associated with the construction period. However, as the decommissioning stage would occur 40 years after operation has started, an appropriate traffic management plan should be developed at a suitable time for this period, and this can be secured by condition 23.

Access

- 5.106 As shown on the Thornton Road Site Access plan ref: SK22264-003-A, a construction access is proposed off Thornton Road, utilising an existing field access that would be widened. Visibility splays of at least 2.4m by 107m can be achieved in either direction within highway land which is acceptable. Vehicle tracking has been provided which shows that a 15.4m articulated lorry can turn right in and left out of the access (Transport Statement, plan ref: SK22264-004). As an articulated lorry can take up the entire road, which could result in conflict, it is also proposed that a temporary 30mph speed limit is implemented in the vicinity of the construction access along Thornton Road, temporary warning signage, and the use of banksmen to control the timing of vehicle departures.
- 5.107 During operation, the modified Thornton Road and existing Stratford Road accesses would

be utilised. This arrangement is considered to be acceptable given that they will be used by a minimum level of traffic at a similar level as the existing agricultural use, and the Transport Statement confirms that there have been no accidents at the existing field accesses during 1999-2021 (verified by Crash Map, which is published by Department of Transport).

- 5.108 Within the site, an internal 4m wide access road of permeable crushed stone is proposed. The width is considered sufficiently to accommodate a transit vehicle. It is not considered that the level of traffic within the site would require a 2-way internal road to allow to vehicles to pass, and therefore the proposed width is acceptable.
- 5.109 Overall, it is considered that there is sufficient capacity within the transport network to accommodate the level of traffic generated by the proposal for all phases, subject to conditions. The proposed accesses are also considered to be acceptable to serve the development and avoid any undue impact on highway flow and highway safety. The proposal therefore complies with VAL Policies S1, C3, T1 and T5 in this respect.

Amenity of Existing Residents

- 5.110 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale), BE3 (Protection of the Amenity of Residents) and C3 (Renewable Energy).
- 5.111 VALP policy C3 states that planning applications involving renewable energy will be encouraged provided that there is no unacceptable adverse impact on residential amenity, while BE3 states that planning permission will not be granted where a proposed development would harm the amenity of existing residents. These policies are given full weight.
- 5.112 With reference to the Site Location Plan ref: OPL004-SP-01 Rev.05, the nearest dwelling would be Field Cottage, Thornton Road, to the north-east of the site. There would be a separation distance of approximately 70m from site boundary to site boundary, and approximately 250m from the subject site boundary to the dwelling at Field Cottage. In terms of dwellings on Main Street and Stratford Road to the east, the nearest dwelling is Tylehouse with a site boundary to site boundary distance of approximately 196m, and approximately 205m from the subject site boundary to the dwelling at Tylehouse.
- 5.113 Given the intervening distances, the proposed development is not considered to have an adverse impact on amenity in terms of undue visual overbearing, loss of sunlight or daylight or loss of privacy.
- 5.114 There will be some noise and disturbance during the construction phase of the development, but this would be temporary, and a Construction Traffic and Environmental Management Plan (condition 8) would help to mitigate this impact. Therefore, any impact in terms of noise and disturbance from the construction phase would not be so great as to justify withholding permission.
- 5.115 Condition 16 is recommended to address any unexpected land or groundwater contamination should unexpected land or groundwater contamination be encountered during the development of the site. This is in the interest of reducing risk to human health, property and the wider environment.

5.116 On this basis, the proposal is not considered to result in undue harm to residential amenity of existing residents and in compliance with VALP policies S1, C3 and BE3.

Biodiversity

5.117 Local Planning Authorities have a statutory duty to ensure that 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 (NERC) 2006, and the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010).

5.118 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale), C3 (Renewable Energy), NE1 (Biodiversity and Geodiversity), NE2 (River and Stream Corridors) and NE8 (Trees, Hedgerows and Woodland).

5.119 VALP policy C3 states that planning applications involving renewable energy will be encouraged provided that there is no unacceptable adverse impact on biodiversity including designations, protected habitats and species. VALP policy NE1 requires development to protect internationally and nationally important protected sites and species, and biodiversity net gain will be sought by protecting, managing, enhancing and extending existing biodiversity resources and by creating new biodiversity resources. This is in line with the NPPF which states that planning decisions should protect and enhance site of biodiversity and minimise impacts on and provide net gains for biodiversity.

5.120 A Preliminary Ecology Appraisal, including an extended Phase 1 habitat survey, and Ecological Impact Assessment has been submitted to support the application.

Designated Sites

5.121 There are no statutory sites of natural conservation importance within a 1km radius of the site, and no statutory sites of international conservation importance within 5km of the site. Natural England have returned a consultation response that confirms that they do not consider that the proposed development would have a significant adverse impact on any statutory designated sites.

5.122 There are no non-statutory sites of nature conservation within the site or adjacent sites. There are, however, 4 non-statutory sites of nature conservation importance within a 1km radius. These are:

- Beachampton Grove Local Wildlife Site, which lies approximately 340m north-east of the site boundary. This is designated primarily due to the recently replanted ancient woodland with a relatively high-round flora diversity;
- School Furze and Lake Local Wildlife Site, which lies approximately 950m south-east of the site boundary. This comprises a complex woodland, grassland and wetland habitat;
- River Ouse from Thornton Col to Beachampton Biodiversity Notification Site, which is located approximately 580m to the north of the site boundary. The site is designated due to the presence of a large area of semi-natural river; and

- Ouse Valley Biodiversity Opportunity Area, which located approximately 580m southwest of the site boundary. This designated primary for its river and stream habitats associated with the River Ouse.

Given the separation distances, and the nature of the proposed development and primary reasons for designations, it is not considered that non-statutory sites of nature importance would be affected by the proposal.

Habitats and Species

- 5.123 The primary habitat at the site is currently arable land which is of low ecological value due to the impacts of modern agricultural use and intensive management. As this habitat is species-poor, the proposal to converting the arable land into grassland beneath and around the panel arrays using native species grassland mix, which would be managed as a meadow, would be a benefit to biodiversity.
- 5.124 There are also 5 ponds within the site boundary, the location of which are identified in Figure 1 of the Preliminary Ecological Assessment. Ponds are identified as a priority habitat in the UK Biodiversity Action Plan with a high ecological value, and the NERC Act (2006) provides a legal basis for their conservation. A pond enhancement strategy is proposed to enhance the pond habitat to the benefit of biodiversity, including creation of a buffer zone around each pond, vegetation removal to reduce shading, creation of deadwood features, introduction of more appropriate species mix (e.g., pond edge mixture from Emorsgate Seeds), plug planting, and management plan.
- 5.125 Turning to the established hedges along each field boundary, the location of which are identified in Figure 2 of the Preliminary Ecological Assessment, Hedgerow FB2, FB3, FB6, FB9 are considered to meet the criteria for an 'important' hedgerow under the Hedgerow Regulations 1997 and the criteria as a habitat of 'principle importance' under Section 41 of the NERC Act 2006. Hedgerows FB4, FB5, FB7, FB8, FB10, FB11 are not considered to meet the criteria for an 'important' hedgerow but considered to be habitats of 'principle importance'. All existing hedgerows are proposed to be retained and protected in line with BS 5837:2012 (Trees in relation to Design, Demolition and Construction) and to accord with VALP policy NE8, appropriate buffer zones have been proposed. To enhance the hedgerows the applicant proposes plug planting.
- 5.126 2 new hedgerows are proposed to the northwest of the site and along the southwestern boundary (see Landscape Masterplan rev. C). The lack of a buffer zone for the new hedgerow to the southwest is acceptable as a new hedgerow in this location is not considered necessary to comply with relevant policies in terms of biodiversity gain or visual amenity. However, in the interest of added biodiversity and visual amenity gain, the preference is to have the new hedgerow rather than removing it from the scheme. A management plan for all hedgerows is proposed to manage cutting and general maintenance, although some shrubby areas would be left unmanaged to ensure diverse habitats.
- 5.127 As shown on the Amended Landscape Masterplan rev. C, a 10m buffer would be provided for the watercourse towards the centre of the site to accord with VALP policy NE2. New wet

ditches (swales) would be created, also shown on the proposed Amended Landscape Masterplan rev. C, to aid drainage within the site. The ditches would channel water towards attenuation ponds. The ditches would be sown with an appropriate seed mix (e.g., pond edge mixture from Emorsgate Seeds) and incorporate an appropriate buffer zone. The ditch within FB6 will be partially blocked with a debris damn to trap sediment and increase the water retention of these features and the surrounding land.

Great Crested Newts

- 5.128 Great Crested Newts are a Priority Species and afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). There are also 5 ponds within the site boundary, the location of which are identified in Figure 2 of the Ecological Impact Assessment. Given the potential presence of Great Crested Newts are likely to meet the criteria of habitats of principle importance as listed within section 41 of the Natural Environment and Rural Communities Act 2006.
- 5.129 Where works would harm this species or its habitats, a licence is required with natural England as the licensing authority. Buckinghamshire Council has been granted a 'District Licence', which enables Buckinghamshire Council to issue authorisation to developments for specific parcels of development land. Developments which utilise the District Licensing scheme contribute proportionately depending on the impacts of each development to the conservation strategy comprising compensation delivery, management and monitoring, and annual reporting to Natural England. This is taken on by NatureSpace and the Newts Conservation Partnership.
- 5.130 A NatureSpace Report District Licencing Report has been submitted to support the proposal. The report details the assessment undertaken by NatureSpace on 20 November 2023, which follow the agreed processes and protocols set out in the District (organisational) Licence granted to Buckinghamshire Council (WML—OR112). The report demonstrates that the proposed development can be dealt with under the District License and acts as sufficient evidence of entry into Buckinghamshire Council's District License scheme. As such the proposed development is not considered to result in undue harm to Great Crested Newts, subject to conditions 19, 20 and 21.
- 5.131 It is considered that the enhancement to the ponds and their management (see paragraphs 5.124 of this report) would provide improved habitats for Great Crested Newts.

Reptiles

- 5.132 All six species of British reptiles are Priority Species under the Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended) protects all six species of British reptile against intentional killing or injury.
- 5.133 Arable farmland does not fall under suitable habitat for reptile species. However, a precautionary approach to groundworks is recommended to avoid any impacts on reptile species found at the site. This can be secured by condition 9.

Birds

- 5.134 Breeding birds, their eggs and active nests are protected under the Wildlife and Countryside Act 1981 (as amended). To avoid potential offence under the relevant legislation, an informative is recommended to advise the agent that there should be no clearance of suitable vegetation during bird-nesting season (1 March to 31 August, inclusive).
- 5.135 A Breeding Bird Survey was undertaken, which identified a late-season overwintering bird population typical of intensive farmland. This includes skylarks which are a priority species. The landscaping proposals includes the creation of 8x skylark plots, the location of which are shown in Appendix 4, Ecological Impact Assessment (June 2023). This is considered to be sufficient compensation for the potential displacement of 5-6 breeding pairs as a result of the solar farm. The success of the plots would require the removal of a small area of blackthorn and hawthorn scrub within the southern field to reduce predation threat for skylarks in this area, but the loss of these shrubs will be sufficiently compensated by hedgerow creation elsewhere within the site.
- 5.136 Furthermore, clearance of any vegetation will be undertaken outside of the bird breeding period or if this cannot be achieved, any vegetation to be removed shall be inspected by the suitably qualified ecologist for nesting birds immediately prior to clearance. Overall, it is not considered that there would be undue harm to birds.
- 5.137 Turning to enhancements, the following bird boxes are also proposed, which would target a broad range of bird species and considered suitable for the current and proposed habitats within the site. The location of the boxes shown in Appendix 4 of the Ecological Impact Assessment (June 2023) which are also considered suitable:
- 1 x barn owl box
 - 5 x Schwegler 1B
 - 1 x barn owl box
 - 2 x Schwegler 2H
 - 3 x Schwegler 3S
 - 2 x Schwegler No. 5
- 5.138 The proposed grassland and hedgerow enhancement are also considered to increase invertebrate diversity and berries, increasing food sources for birds.

Badgers

- 5.139 Badgers are protected under the Protection of Badgers Act 1992 (as amended) and there is a badger sett within the site. The applicant proposes to retain the sett, and protect it from destruction, damage and disturbance during construction and operation by providing a 30m buffer zone around all active badger sett entrances. Enhancements including the change from arable land to native grassland, and to the hedgerows are considered to be a benefit to badgers in terms of foraging and commuting corridors. Any proposed securing fencing would have mammal gates to allow passage to/from the wider countryside.

Bats

- 5.140 All British bats and their roosts are afforded full protection under the Conservation of Habitats and Species Regulations 2017 and Wildlife and Countryside Act 1981 (as amended). There are no buildings or structures within the site that roosting bats could use for shelter, and trees were assessed as having low potential for roosting bats due to their relative age and potential for concealed features. However, the ponds and hedgerows are potentially of high value for foraging and commuting bats. As these are proposed to be retained and enhanced, it is not considered that there would be undue harm to bats.
- 5.141 In terms of further enhancements, the landscaping proposals also include the erection of 10 bat boxes, that target a broad range of bat species and able to support maternity colonies of pertinent bat species.

Biodiversity Net Gain (BNG)

- 5.142 A Biodiversity Net Gain Assessment including a copy of the biodiversity metric has been submitted to support the application. This is in line with Buckinghamshire Council's interim BNG guidelines and demonstrates that the following gains can be achieved:
- 241.94 habitat units (240.63%)
 - 27.87 hedgerow units (54.41%)
 - 7.40 watercourse units (164.08%)

These gains would more than exceed the minimum requirements anticipated in national legislation and these gains can be secured through a construction and environmental management plan (CEMP) and habitat management plan (HMP) (condition 9).

- 5.143 On this basis, the proposal is considered to comply with VALP policies S1, C3, NE1, NE2 and NE8.

Trees

- 5.144 The applicable VALP policies are S1 (Sustainable Development for Aylesbury Vale) and NE8 (Trees, Hedgerows and Woodlands).
- 5.145 An Arboricultural Impact Assessment, including a Tree Survey, has been submitted to support the application in accordance with VALP policy NE8. VALP policy NE8 goes on to state that development that would result in the unacceptable loss of or damage to the continued well-being of trees which make an important contribution to the character and amenities of the area will be resisted. Where the loss of trees is considered acceptable, adequate replacement provision will be required.
- 5.146 With reference to the Tree Removal and Protection Plan within the Arboricultural Impact Assessment, no trees are proposed to be removed and all proposed development would be located outside of the root protection areas of retained trees. Details of appropriate tree protection during construction can be secured by condition 7.
- 5.147 With reference to the Landscape Masterplan rev. C, new tree planting is proposed along the boundary facing the village as part of the mitigation proposed in relation to visual amenity. Details, including specification, implementation, establishment and management can be

secured by condition 5.

5.148 The proposal is therefore considered to comply with VALP Policies S1 and NE8

Infrastructure and Developer Contributions

5.149 Planning obligations may only be agreed and secured via a S106 legal agreement between the applicant and the Council if they meet the 3 tests to ensure that they are necessary to make the development acceptable in planning terms, directly relate to the development, and are fairly and reasonably related in scale and kind. These tests are set out as statutory tests in Regulation 122 in the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in the NPPF. In this case, no S106 planning obligations are sought in connection with this application.

6.0 Weighing and Balancing of Issues / Overall Assessment

This section brings together the assessment that has so far been set out in order to weigh and balance relevant planning considerations in order to reach a conclusion on the application.

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 other 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 consideration.

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 a balancing exercise be made to weight in this instance on the benefits of the development against the identified harm.

6.3 In terms of benefits, the proposed solar farm would have a capacity of around 33MK and a connection to distribution system by Autumn 2026 has been secured (subject to upgrade works to the National Grid). The proposal, which will generate clean electricity that is capable of off-setting the use of electricity generated from fossil fuel powered station, will therefore make a significant and timely contribution to the government's legally binding target of reaching net zero emissions by 2050, which requires a five-fold increase of solar energy by 2035. The proposal would also contribute towards the aims of the Buckinghamshire Climate Change Motion (July 2020) in which the Council has committed to work alongside national Government with the objective to achieve net carbon zero for Buckinghamshire by 2050. Greenhouse gas emissions are known to cause global warming and the Sixth Assessment Report of the Intergovernmental Panel on Climate Change identifies as "a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on

adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a liveable and sustainable future for all”. This benefit attracts very significant positive weight for the proposed development.

- 6.4 The proposal will also make a positive contribution towards UK energy security. In order to provide energy security (in addition to reducing emissions) the government is committed to the UK being powered entirely by clean electricity through, amongst other things, the accelerated deployment of low-cost renewable energy generation such as solar. UK energy security would also help stabilise energy prices for consumers. This benefit attracts very significant positive weight for the proposed development.
- 6.5 In addition, the proposal will contribute to the local economy via the construction process as the scheme would provide employment opportunities. However, as this is a temporary and short-term benefit, this is afforded limited weight for the proposal.
- 6.6 The proposal would deliver a significant net gain in biodiversity (subject to a condition securing a CEMP, LEMP and HMP). Given the significant level over and above the minimum BNG requirements anticipated in national legislation, this benefit is given significant weight.
- 6.7 For the reasons set out within this report, it is concluded that the proposed development would lead to moderate adverse effect on landscape character and instances of moderate adverse effect for visual harm across several key viewpoints. The ‘Guidelines for Landscape and Visual Impact Assessment’ (Third Edition) by the Landscape Institute and Institute of Environmental Assessment defines moderate adverse effect as *‘easily noticeable degradation of the landscape character / elements / existing views. These adverse effects may be important but are not likely to be key decision-making factors.’* The definition goes on to state that the cumulative effect of such factors may influence decision-making if they lead to an increase in the overall adverse effect on a particular resource or receptor, however, it is not the case in this instance.
- 6.8 It is also important to consider that the application site is not protected by any landscape designations, neither is it considered to be a “valued landscape” (an area identified as having sufficient landscape qualities to elevate it above other more everyday landscapes).
- 6.9 Therefore, having regard to the proposed mitigation (secured by condition), the level of adverse impact, and the reversibility of the proposal in the long term, moderate weight is afforded to the moderate adverse effect on landscape character and instances of moderate adverse effect for visual harm across several key viewpoints.
- 6.10 Less than substantial harm at the lower end has been identified to Beachampton Conservation Area, a designated heritage asset. To accord with paragraph 199 of the NPPF, great weight is given to the asset’s conservation irrespective of the potential harm. However, to accord with VALP policy BE1 and paragraph 202 of the NPPF it is necessary to weigh the level of harm against the public benefits that may be gained by the proposal. In this case the overarching public benefits of providing a large-scale renewable energy scheme to combat climate change, and to support meeting national energy need and energy security, are afforded significance weight in favour of the development. These public benefits alone

would outweigh the less than substantial harm, at the lower end, to the designated heritage asset. Accordingly, the identified harm to the designated heritage asset is afforded limited weight against the development.

- 6.11 There is conflict with MWLP Policy 1 as the proposal was not accompanied by a Minerals Assessment, as required. However, the proposed development is of a temporary nature (40 years), after which it would be restored to greenfield, agricultural land. Therefore, the proposed development would not permanently inhibit extraction of any mineral resource in the long-term which is the overall aim of MSAs and MWLP Policy 1. Accordingly, limited weight against the development is given for this matter.
- 6.12 There is conflict with VALP Policy NE7. Where development involving Best and Most Versatile agricultural land (Grades 1, 2, and 3a) is proposed, the development does not wholly avoid built structures on areas classed as Grade 3a. However, the solar panels would be secured to the ground by steel piles with limited soil disturbance, and the proposed development is of a temporary nature (40 years), after which it would be restored to greenfield agricultural land. On this basis, Natural England have expressed a view that the proposed development would not result in significant areas of agricultural land that would be permanently affected. Therefore, limited weight against the development is given in his respect.
- 6.13 Neutral weight is given to compliance with relevant planning policy in terms of flood risk and sustainable drainage, public rights of way, transport matters and parking, noise and disturbance, biodiversity and trees.
- 6.14 Overall, when weighted in the planning balance, the level of benefits would significantly outweigh the identified harms as a result of the proposed development. Therefore, the recommendation is for APPROVAL subject to the recommended conditions and any amendments / additional conditions considered necessary.

Time Limit

- 6.15 Section 91(1)(a) of the Town and Country Planning Act, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, requires a condition limiting the life of a full planning permission to 3 years, although section 91(1)(b) of the 1990 Act enables longer or shorter period to be applied provided Local Authorities have considered any material considerations. This can include whether a 3-year period is appropriate to the size and nature of the development proposed and the amount of preparation necessary to enable development to commence.
- 6.16 In this case, implementation within the standard 3-year permission would be sufficient to comply with the connection agreement with Western Power Distribution. However, connection is reliant on timely delivery of National Grid upgrades to enable connection of renewable energy projects to the grid. Evidence has been provided by the applicant on national wide delays for these works and thereby delays in connections. Mindful of having non-operational infrastructure in place before it can operate, and having regard to condition 24 which requires the removal of the solar farm if it does not generate any electricity to the National Grid for more than 6 months in a continuous period of twelve months, it is

considered that a 5-year permission instead of a 3-year permission would be reasonable to accommodate the preparation necessary to enable this development to commence and operate as intended.

Equality and Human Rights

- 6.17 Local Planning Authorities, when making decisions of a strategic nature, must have due regard, through the Equalities Act and is subject to the Public Sector Equality Duty (PSED) imposed by S149. This requires public sector authorities to have due regard to the need to advance 'equality of opportunity' between a person who shares a relevant protected characteristics and persons who do not share it. In this instance, it is not considered that this proposal would impact on any of the protected characteristics nor cause direct discrimination.
- 6.18 The protection of property and the peaceful enjoyment of possession under Article 1 of the Human Rights Act 1998 (as amended), and the right to respect for private and family life under Article 8 of the Human Rights Act have been taken into account in considering any impact of the development on residential amenity and the measures to avoid and mitigate impacts. It is considered that the proposed development would not infringe on these rights.

7 Working with the Applicant / Agent

- 7.1 In accordance with 38 of the NPPF (2021) the Council approach decision-taking in a positive and creative way taking a proactive approach to development proposals focused on solutions and work proactively with applicants to secure developments.
- 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.
- 7.3 In this instance, the applicant was informed / advised how the proposal did not accord with the development plan and was provided the opportunity to submit additional information / amendments to the scheme to address issues.

8. Recommendation

The recommendation is to approve the full planning application subject to the following conditions, and any amended and/or additional conditions considered necessary:

Conditions

1. The development hereby permitted shall be commenced within five years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended) and Section 512 of the Planning and Compulsory Purchase Act 2004 (as amended)
2. The grant of planning permission shall expire no later than 40 years from the date of when electricity is first exported from any of the solar panels to the electricity grid ("First Export Date"). Written notification of the First Export Date shall be given to the Local Planning Authority within 1 month of its occurrence.
Reason: This is a time limited permission given the nature and lifespan of the

development, and to ensure the long-term protection of the character and appearance of the rural areas in accordance with VALP Policies S1, C3, NE1, NE4, NE8, BE1 and BE2.

3. The development hereby approved shall be carried out in accordance with the approved plans and details:
 - Site Location Plan ref: OPL004-SP-01 Rev. 05
 - Site Layout Plan ref: OPL004-PL-01 Rev. 12
 - Landscape Masterplan rev. C
 - Untitled, Badger 30m Buffer Zone Plan
 - Standard Drawing: 40ft Customer Switchgear ref: OPL004-SD-01 Rev. 02
 - Standard Drawing: Inverted/Transformer Building ref: OPL004-SD-02 Rev. 02
 - Standard Drawing: GRP Substation ref: OPL004-SD-03 Rev.02
 - Standard Drawing: Access Track ref: OPL004-SD-04 Rev. 02
 - Standard Drawing: Security Deer Fence ref: OPL004-SD-05 Rev.02
 - Standard Drawing: CCTV Camera and Post ref: OPL004-SD-06 Rev.02
 - Standard Drawing: PV Detail ref: OPL004-SD-07 Rev. 03
 - Standard Drawing: Storage Container ref: OPL008-SD-08 Rev. 01
 - Watercourse Blockage Location Plan ref: 372.4_Blockage Plan_03.07.2023

Reason: To ensure that the development is carried out in accordance with the principles agreed in the approved plans and in the interest of proper planning.

4. Notwithstanding the plans and details approved in condition 3, no development shall take place until full details of the final locations, design, finishes and materials including details of non-chrome, non-reflective material to be used for the panel arrays, substation and inverted/transformer buildings control building, CCTV post and cameras, fencing and any other structure required for the operation of the site as a solar farm, shall be submitted to and approved in writing by the Local Planning Authority. The plans approved in condition 3 represents the maximum parameters of the proposal, and the proposed locations of the panel arrays or any other structure required for the operation of the site as a solar farm shall not extend any further than as shown on the site layout plan ref: OPL004-PL-01 Rev. 12. The development shall be carried out and maintained in accordance with the approved details.

Reason: This is a pre-commencement condition which is required to ensure an acceptable development is carried out in a manner which minimises the visual impact on the character of the area and to comply with VALP policies S1, BE2, BE3, NE1, NE2, NE4 and NE8.

5. Notwithstanding the plans and details approved in condition 3, prior to commencement of development, full details of the proposed hard and soft landscaping scheme including a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The proposals for hard and soft landscaping shall include the

following:

- a) A planting plan, including identification of existing hedgerow gaps and details of proposed infill / replacement planting, to include mixed, native hedgerow and tree species.
- b) Written specifications (including cultivation and other operations associated with plant and grass establishment)
- c) Schedule of plants noting species, plant supply sizes and proposed numbers / densities and location where appropriate
- d) Implementation programme (including phasing of work where relevant)

The hard and soft landscape scheme shall be implemented in accordance with the approved scheme no later than the end of the first planting season following the First Export Date. In the event of any tree, shrub, hedge or plant so planted dying or being seriously damaged or destroyed within 5 years of the implementation of the approved hard and soft landscape scheme, a new tree, shrub, hedge or plant equivalent to the tree, shrub, hedge or plant shall be planted in the same location and properly maintained unless otherwise agreed in writing by the Local.

The Landscape Management Plan shall include:

- a) Details of long-term design principles and objectives
- b) Management responsibilities
- c) Programme for establishment of new planting
- d) Summary plan detailing maintenance and management procedures
- e) Replacement provisions for existing retained landscape features and any landscape to be implemented as part of the approved landscape scheme.

The approved hard and soft landscape scheme shall be maintained in accordance with the approved Landscape Management Plan.

Reason: This is a pre-commencement condition to ensure appropriate mitigation is achieved on site to minimise the visual impact of the character of the rural area and to comply with VAL policies S1, BE2, NE1, NE2, NE3, NE4 and NE8.

6. Notwithstanding the plans and details approved in condition 3, prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following.
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of how work schedules will be reviewed on a five yearly basis for at least 30 years (to ensure long term biodiversity net gain is achieved).
 - h) Details of the timing and structure of Biodiversity Net Gain Audit Reporting.

- i) Details of the body or organisation responsible for implementation of the plan.
- j) Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
- k) Where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, the plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: A pre-commencement condition is required to ensure that measures including the appropriate protection and enhancement of important species and habitats, and to a reliable process for implementation and aftercare in accordance with the Wildlife and Countryside Act 1981 (as amended) and VALP policies S1 and NE1.

7. Prior to the commencement of development (including demolition, ground works, vegetation clearance) full details of means of protection of all retained trees, shrubs and hedges, including trees located outside but adjacent to the site boundary, from damage during the carrying out of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with current British Standard 5837. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: A pre-commencement condition is required to ensure that the crowns, boles and root systems of trees, shrubs and hedgerows are not damaged during the period of construction in the interest of local amenities, including visual amenity and landscape character in accordance with VALP policies S1 and NE8 .

8. Prior to the commencement of development, a Construction Traffic and Environment Management Plan (CTEMP) 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:

- a) The routing of construction traffic, including temporary directional signage (where appropriate) and communication methods and enforcement measures to ensure the HGV construction traffic route is adhered to.
- b) The co-ordination and management of deliveries to avoid multiple deliveries at the same time and spread HGV movements.
- c) Delivery hours outside of highway network peak periods.
- d) Demolition and construction working hours.
- e) That the construction access will be upgraded as indicated on plan ref: SK22264-003-A prior to the commencement of development.
- f) The proposed temporary 30mph speed limit in the vicinity of the construction access along Thornton Road, and temporary warning signage.
- g) Traffic management within the site to include signate, speed limits, banksmen and internal access track widths.
- h) The targets for the proportion of staff employment at the site during construction

period to travel to and from mini-bus, and measures designed to achieve these targets together with monitoring and continuous improvements.

- i) The parking of vehicles of site personnel, operatives and visitors off the highway.
- j) Construction Staff Travel Plan.
- k) Loading and unloading of plant and materials, and storage of plant and materials used in constructing the development off the highway.
- l) Storage of plant and materials used in constructing the development.
- m) The erection and maintenance of security hording.
- n) Wheel-washing facilities.
- o) Measures to control the emissions of dust and dirt during construction.
- p) Before and after construction condition surveys of the highway and a commitment to rectify and repair any damage cause.

Reason: This is a pre-commencement condition to ensure construction traffic would minimise danger, obstruction and inconvenience to users of the highway and of the development in accordance with VALP policies S1, T1, T4, T5 and T6.

9. Prior to commencement of development, a Construction Environment Management Plan (CEMP) and Habitat Management Plan (HMP) detailing measures to protect existing habitat and protected species during construction works and the formation of new habitat to secure a habitat compensation and biodiversity net gain (as well as species specific enhancement features) as detailed within the Ecological Impact Assessment (June 2023), shall be submitted to and approved in writing by the Local Planning Authority. Within the CEMP document the following information shall be provided where appropriate:

- a) Risk assessment of potentially damaging construction activities;
- b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce the impacts during construction
- c) The location and timing of sensitive works to avoid harm to biodiversity features
- d) Details of a pre-commencement badger survey
- e) Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation; to also include badger exclusion zone
- f) Responsible persons and lines of communication

Within the HMP document the following information shall be provided:

- a) Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
- b) Details of both species composition and abundance where planting is to occur;
- c) Details of Skylark plots and mitigation
- d) Details of species specific enhancement features (e.g. Bat, bird boxes etc) as identified within ecological impact assessment (Windrush, June 2023)

- e) Proposed management prescriptions for all habitats for a period of no less than 30 years
- f) Assurances of achievability;
- g) Timetable of delivery for all habitats; and
- h) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken and thereafter maintained in accordance with the approved CEMP and HMP.

Reason: A pre-commencement condition is required to identify and secure appropriate measures to achieve a net gain in biodiversity measured against existing baselines in accordance with VALP policy S1, NE1 and NE2.

10. All temporary construction yards and access tracks required to provide temporary storage of materials, parking and access in conjunction with the construction of the approved development shall be removed within 3 months of the completion of the construction works of development hereby approved.

Reason: In the interest of the character, appearance and quality of the countryside in accordance with VALP policies S1, C3, NE1, NE4, NE8, BE1, BE3 and T5.

11. Prior to commencement of the development, evidence of one of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) Agreement from 3rd party landowners that they will clear the watercourse identified in plan ref: 372.4_Blockage Plan_03.7.2023, and the timeframe for these works; or
 - b) Permission from 3rd party landowner for the developer to undertake clearance works for the watercourse identified in plan ref: 372.4_Blockage Plan_03.7.2023 on their behalf, and timeframe for these works; or
 - c) Correspondence to Flood Management (Buckinghamshire Council) to request that the 3rd party landowner is sent a formal reminder of riparian responsibilities for the watercourse identified in plan ref: 372.4_Blockage Plan_03.7.2023.

For option 1 and 2, the clearance works for the watercourse identified in plan ref: 372.4_Blockage Plan_03.7.2023 shall be carried out in accordance with the agreed timeframe set out. If the evidence set out in option 1 to 3 cannot be provided or if the submitted evidence is not approved by the Local Planning Authority than prior to commencement of development a revised site-specific Flood Risk Assessment and Drainage Strategy shall be submitted to and approved in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition is to ensure that the operation of an acceptable SuDS can be achieved on site to minimise the impact of and from flood risk and to accord with VALP policies S1, I1 and I4.

12. Prior to first use of the development, the approved Flood Risk Assessment and Drainage Strategy by Nijhuis Industries (May 2023), or the Flood Risk Assessment and Drainage

Strategy approved under condition 11 shall be implemented in full.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to ensure that surface water is managed in a sustainable manner in accordance with VALP policies S1 and I1.

13. Prior to the operation of the development, a whole-life SuDS maintenance plan for the site must be submitted to and approved in writing by the Local Planning Authority. The plan shall include how and when to maintain the full drainage system (e.g., a maintenance schedule for each drainage / SuDS component) and details of who is to be responsible for carrying out the maintenance. The whole-life maintenance plan shall also include as-built drawings and photographic evidence of the cleared watercourse and drainage scheme carried out by a suitable qualified person. The whole-life maintenance plan shall subsequently be implemented in accordance with the approved details.

Reason: To minimise the impact of and from flood risk and to accord with VALP policies S1, I1 and I4.

14. Prior to the commencement of development (including demolition, ground works, vegetation clearance) an archaeological evaluation in form of a geophysical survey and trial trenching shall take place in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. Where significant archaeology remains are confirmed these will be preserved in situ.

Reason: A pre-commencement condition is required to record or safeguard any archaeological evidence that may be present at the site and to comply VALP policy BE1.

15. Prior to commencement of development, a methodology statement to preserve any confirmed significant archaeological remains in situ or, where archaeological remains are not of sufficient significance to warrant preservation in situ but are worthy of recording by evaluation, a programme of archaeological works in accordance with the approved written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: A pre-commencement condition is required to record or safeguard any archaeological evidence that may be present at the site and to comply with VALP policy BE1.

16. 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 phase or part therefore should be temporarily suspended until a procedure for addressing any such unexpected contamination within that phase or part therefore is agreed with the Local Planning Authority.

Reason: In the interest of human health in accordance with VAL policy NE5.

17. Prior to the installation of any external lighting within the development site, an external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The external lighting plan should include details of siting design (luminaire type and profiles, mounting height, aiming angles and energy efficiency measures) and beam orientation, taking into account sensitive receptors and good practice measures to minimise the use of lights light spill, and measures for reviewing any unforeseen

impacts. The external lighting shall thereafter be implemented and maintained in accordance with the approved details.

Reason: In the interest of the character of the area, residential amenity and biodiversity and to demonstrate that the external lighting will not adversely impact upon wildlife in accordance with VALP policies S1, C3, BE3, BE2, NE1, NE2, NE4 and NE8.

18. The PV panels shall not exceed a height of 3m above ground level.

Reason: In the interest of visual amenity and sure that proposed mitigation planting is effective in accordance with VAL policies S1, BE2 and NE4.

19. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Land at Manor Farm, Beachampton: Impact plan for great crested newt District Licensing (Version 4)", dated 30th November 2023.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WMLOR112, or a 'Further Licence') to accord with VALP policies S1, C3 and NE1, the Natural Environment and Rural Communities Act 2006, section 15 of the National Planning Policy Framework, and Circular 06/2005.

20. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts to accord with VALP policies S1, C3 and NE1, the Natural Environment and Rural Communities Act 2006, section 15 of the National Planning Policy Framework, and Circular 06/2005.

21. No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a 'Further Licence') and in addition in compliance with the following:

- Works to existing ponds onsite may only be undertaken during autumn/winter, unless otherwise in accordance with the Great Crested Newt Mitigation Principles.
- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- - Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats

and features, prior to commencement of the development.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence') to accord with VALP policies S1, C3 and NE1, the Natural Environment and Rural Communities Act 2006, section 15 of the National Planning Policy Framework and Circular 06/2005.

22. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no fixed plant or machinery, cabling (over ground), building structures, fences or private ways shall be erected, extended, installed or re-arranged without prior permission from the Local Planning Authority.

Reason: To maintain control of development proposals that may have an impact on the visual amenities or landscape, and ecological interests of the countryside in accordance with VALP policies S1, C3, NE1, NE4, NE8, BE1, BE2 and T5.

23. At the end of the period of 40 years from the First Export Date, the use hereby approved shall cease and all materials and equipment brought onto the land in connection with the use permitted shall be removed and the land restored to its previous state (greenfield, agricultural land) or as otherwise agreed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority prior to the decommissioning works taking place. Decommissioning and restoration details shall include:

- a method statement and timetable for the dismantling and removal of the solar pv development including all associated above groundworks, infrastructure, equipment, buildings and access points, and foundations to a depth of at least one (1) metre below ground;
- details of a decommissioning and restoration traffic management plan; and
- a timetable for restoration works following removal of the solar pv development.

The scheme shall be implemented in accordance with the approved details as required by this condition.

Reason: To protect the visual amenity and character of the surrounding countryside in accordance with VALP Policies S1, C3, NE1, NE4, NE8, BE1 and BE2.

24. If the approved development does not generate any electricity to the National Grid for more than 6 months in a continuous period of 12 months, than details of a scheme to repair or remove the solar pv development including all associated above groundworks, infrastructure, equipment, buildings and access points, and foundations to a depth of at least one (1) metre below ground, and restoration of the site to its previous state (greenfield, agricultural land) shall be submitted to and approved in writing by the Local Planning Authority within 3 months from the end of that 12 month period. The scheme shall be implemented in accordance with the approved details as required by this condition.

Reason: To protect the visual amenity and character of the surrounding countryside in accordance with VALP Policies S1, C3, NE1, NE4, NE8, BE1 and BE2.

25. Once operational, the development hereby permitted shall have an export capacity of not more than 49.9MW (AC).

Reason: To define the development hereby permitted and ensure that a satisfactory

form of development is obtained in compliance with VALP Policy C3

Informatives

1. Under the terms of the Land Drainage Act 1991 and the Floods and Water Management Act 2010, the prior consent of the Lead Local Flood Authority is required for any proposed works or structures in the watercourse. After planning permission has been granted by the Local Planning Authority, the applicant must apply for Land Drainage Consent from the Lead Local Flood Authority. Please be aware that this process can take up to two months.
2. It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate. I
3. It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site
4. It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.
5. It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those detailed in the planning condition above which refers to the NatureSpace great crested newt mitigation principles would give rise to separate criminal liability under the District Licence, requiring authorised developers to comply with the District Licence and (in certain cases) with the GCN Mitigation Principles (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (as amended) (for which the Police would be the enforcing authority).
6. Highway works for the construction access will need to be constructed under a Section 184 of the Highway Act legal agreement. This agreement must be obtained from the Local Highway Authority before any highway works are carried out. Please contact Highways Development Management via highwaysdm@buckinghamshire.gov.uk
7. Please contact the Council's Street-Works Team regarding the temporary speed limit which is likely to require a temporary traffic regulation order (TTRO), for highway licences to undertake works to repair and rectify highway damage, and for any temporary signage on the highway via streetworklicences@buckinghamshire.gov.uk

APPENDIX B: Consultation Responses and Representations

Councillor Comments

Councillor John Chilver

As a Buckinghamshire Councillor for Beachampton I wish to call in this application to the Planning Committee under the Three Member Rule in the event of anything other than officer refusal on the following grounds: There is significant local resident opposition to this application, including from the Parish Council, as evidenced by the submissions on the planning website. The concerns include: loss of greenfield and productive agricultural land

- the cumulative impact on the village of existing solar farms and those with planning approval, including Potash Farm (2 sites), Dagnal Farm and Sparrow Lodge Farm
- Impact on local wildlife and ecology
- Increased risk of flooding in the village, already a regular occurrence due to topography
- Traffic impact on very narrow rural roads (the proposed access route Thornton Road is unsuitable for construction traffic)

This call in request is supported by the other 2 members for Beachampton, Cllr David Goss and Cllr Sir Beville Stanier.

Councillor David Goss

As one of the three Buckinghamshire Council members for this Ward, I wish formally to confirm that this application should be called in under the three member rule. My ward colleague, Cllr John Chilver has already on 9th December 2022 stated in his response that we as the three ward councillors wish this to be called in. His comments, submitted on behalf of all three of us are again stated below. As a Buckinghamshire Councillor for Beachampton I wish to call in this application to the Planning Committee under the Three Member Rule in the event of anything other than officer refusal on the following grounds: There is significant local resident opposition to this application, including from the Parish Council, as evidenced by the submissions on the planning website. The concerns include:

- loss of greenfield and productive agricultural land
- the cumulative impact on the village of existing solar farms and those with planning approval, including Potash Farm (2 sites), Dagnal Farm and Sparrow Lodge Farm
- Impact on local wildlife and ecology - Increased risk of flooding in the village, already a regular occurrence due to topography
- Traffic impact on very narrow rural roads (the proposed access route Thornton Road is unsuitable for construction traffic)

This call in request is supported by the other 2 members for Beachampton, Cllr Sir Billy Stanier and Cllr John Chilvers.

Councillor Beville Stanier

You will have seen Councillor Goss's comments requesting Call In for this application in which he says "This call in request is supported by the other 2 members for Beachampton, Cllr Sir Billy Stanier and Cllr John Chilver." I confirm that.

Parish/Town Council Comments

Beachampton Parish Council

Beachampton Parish Council object to planning application 22/03492/APP, for the following reasons

1. The current land owners state that the fields are low grade farmland. However, in recent years the fields appeared to be very productive. Guidance from the Government's Renewable and low carbon energy <https://www.gov.uk/guidance/renewable-and-low-carbon-energy> say brownfield sites and low-grade farmland must be considered first. Part of the land submitted to be used in this scheme is grade 3A land. Government guidance to planning authorities calls for a "strong presumption" against solar farms on the best and most versatile (BMV) land – land that is classified in law as Grade 1, Grade 2 or Grade 3a. The grade 3a land proposed to be used within this scheme amounts to 12.36 acres of the overall site, there is no doubt that planning policy clearly states that this area should not be eligible for the gaining of a planning consent. Furthermore, the inclusion and admission by the developer that some of the proposed scheme is placed on ineligible land also calls in to question the eligibility of the remainder of the land within the proposed scheme.

2. The guidance also states that councils must consider the cumulative effects on the landscape of solar energy parks. The geographical location of the village of Beachampton places it as a rural village. There has been a level of acceptance of the need to modernise the rural landscape from local residents as well as long standing acceptances of national infrastructure such as the electricity substation. However, the local vernacular is increasingly becoming one of industrialisation. A solar park has been constructed at Potash Farm, Nash Road. A second scheme at Potash Farm has been granted consent, a third solar park located on the opposite side of the valley to the village at Dagnal Farm was constructed in 2015 and a fourth solar park is beginning construction at Sparrow lodge farm. To add to this a battery storage plant is being constructed next to the electricity substation and Manor Farm is being converted into industrial units. Access to the village is via three roads, and with the granting of this scheme all three access roads to the village will have a view of industrialisation not in keeping with that of a rural village. Furthermore, every single bridleway, footpath and byway which accesses the village will have a view of a solar park and in some cases views of multiple solar parks. (see picture)



3. The ecological report fails to mention the large flocks of mixed finches (chaffinch, brambling, greenfinch and goldfinch) which congregate in these fields over winter along with flocks of redwing, starling and fieldfare. Throughout summer greater spotted and green woodpecker are often seen. Moorhens and duck frequent the ponds. The report mentions a single badger sett though the evidence is there are more. Groups of Roe Deer (see picture) and individual Muntjac are often seen in those fields along with hare and rabbit. Most of the bird species mentioned are in decline. Also, rare orchids grow in this area. The scale and size of this development will cause a severe habitat degradation.



4. The current owners of Manor Farm, and subsequently the applicants for this planning application have always involved the village in their plans. Holding public consultations, meeting with the Parish council and with individual concerned residents. However, in implementation and once a planning consent has been granted it is the opinion of the village that concerns are then disregarded with prominent hedgerows being removed, rights of way impeded, traffic movements increased and environmental impacts such as the safe and appropriate removal of waste disregarded. We already have the experience of the existing Solar Farm, where the landowners have not honoured the planning conditions for screening / hedging, in hind sight the Parish and the Council as part of that planning consent should have demanded the need to have a bursary for screening maintenance and that should be managed by the village.

5. The Parish Council is not convinced that the development would not increase the risk of flooding in the village, this is reflected in the letter from the Sustainable drainage team.

6. There is a huge concern from residents of Beachampton and Thornton regarding the traffic increase / use of large lorries during construction. The proposed access to the site is from the Thornton Road which is single track in places and has failed at many points along its route. It is barely capable of taking normal traffic and any increase in heavier traffic will not only be a significant danger to the many users, but could lead to the road being unusable in the future. The traffic survey was completed during school holidays and therefore was not reflective of normal use. The letter

from Andrew Cooper, Senior Management Development Officer reflects some of the concerns / matters to be addressed

7. The village already has more than a fair share of Solar Farms (circa 100 acres of existing and newly approved ones), another 100 acres of a Solar farm will have a huge impact on the value of property in the village. Remembering that the Grid/Power station and its associated plant around it has more than quadrupled in the last decade. The view of local estate agents with a project of this size will have a negative impact on property valuations.

8. We as a parish are extremely disappointed with the way the Potash Solar Farm approval has been granted - planning ref 20/04311/APP, when the council knew that the Parish had objected strongly to this application. No consultation with the Parish took place at all, the Council's Charter which is attached as a reminder to all, states that the Council should work very closely with the Parishes on local developments etc. it is our genuine hope that this time round you deliver against the Charter and consult with us at all stages.

Thornton Parish Council

Thornton Parish Meeting is concerned about the traffic implications of the proposed development where it will impact on Thornton's infrastructure.

First, the proposed route from the A421 for HGVs involves rural roads already suffering from disrepair and being narrow in places, the latter not easily allowing two HGVs to pass each other. A prime example of this is the sharp bend outside Tyrrelcote farm.

Second, this development represents a significant increase in traffic on the roads involved in the proposed route. The traffic survey was undertaken on just one part of the route (Thornton Road) on an untypical day for traffic to/from Thornton College. Indeed, the route uses much of the Ouse Valley way from the A421 to almost the A422. Not only is this road very busy with traffic for Thornton College (approximately 400 pupils) it is also used as a "cut through" route for many other vehicles between the A421 and A422. This includes traffic to/from Akeley Wood school, also situated close to the A422. Traffic on this route is far greater than on the Thornton Road.

Third, the proposed entrance to this development off the Thornton Road looks inadequate to allow traffic to both enter and leave the development safely on to the Thornton Road and to minimise the disruption to other traffic.

Fourth, the increased HGV traffic will most likely lead to even greater disrepair to the roads involved, in particular, road edges. Vehicles that stray onto the verges may also damage these and bring mud on to the road (which is of particular concern at the entrance to the development).

Fifth, we are not convinced that there is a watertight system for ensuring that HGVs do not use this route. A previous solar farm development in Thornborough had conditions placed on their designated route as well as strict time restraints for access to the development site, and yet many vehicles did not keep to these conditions. For example, one HGV jack-knifed and blocked the Leckhampsted road for a day. Many HGVs did not use the designated route and arrived before the specified "after 10am" condition.

In relation to the Thornborough solar farm development we discovered that:

- Contractors delivering to the Thornborough solar farm were not informed of the conditions
- Many HGV drivers, often starting their journey from mainland Europe, used their Satnav instructions unaware of the designated route or time restrictions (10am - 3pm)

If this proposed solar farm development is approved, we, therefore, would like to see:

- A revised route plan with a new traffic survey that includes the Ouse Valley way
- Clear conditions imposed with a clear commitment plan given to contractors
- Monetary compensation be provided to help reinstate/make good the inevitable damage to the roads involved

Greg Smith MP

I submit this objection to the solar farm proposal in Beachampton; which is in addition to four existing or approved solar farms. This proposal creates a significant cumulative impact on the rural open countryside which is already under significant urbanisation from the existing permitted schemes. Indeed all roads and public footpaths leading in and out of the village what have no uninterrupted open countryside if this was to be permitted. Over twelve acres of the site is grade 3A agricultural land. There are significant concerns regarding surface water run off and note that the Lead Local Flood Authority is not satisfied that this has been dealt with in the application. The council ecologist's holding objection raises as number of major issues that are not resolved by the application. Traffic during the construction phase is of significant concerns, as is noted by Thornton Parish Meeting with their recent experience where conditions were not met or managed properly on narrow rural roads. Together with the many submissions I have seen from constituents, this is the wrong proposal for this rural and agricultural location and would urge the council to refuse this application on a number of planning matters noted above and in other submissions. There are numerous large-scale warehouses and other large buildings which are far better suited to increasing the solar capacity of Buckinghamshire, and losing further agricultural land now is counter to the country's need to improve its food security.

Internal and External Consultation Responses (Summarise)

Arboriculturally Officer

No comments received.

Archaeology Officer

Recommends that any grant of planning permission should be subject to staged conditions to secure archaeological evaluation in the form of geophysical survey and trial trenching in accordance with a written scheme of investigation to be approved by the Local Planning Authority; an appropriate methodology for the preservation in situ of significant archaeological and where significant archaeology remains are confirmed these will be preserved in situ; and implementation of a programme of archaeological works where archaeology are not of sufficient significance to warrant preservation and remains are recorded by evaluation.

Buckingham and River Ouzel Internal Drainage Board

This site is outside of the Boards district. The Board has no comment to make.

Ecology

BNG evidence has been provided along with sufficient evidence of badger, hedgerow and watercourse buffers. BNG and buffers can be secured as part of an appropriate condition for a LEMP, CEMP and HMP.

The applicant has provided proof of entry into the Buckinghamshire Council's District Licence Scheme via provision of NatureSpace Report. All conditions within the report (pages 6-7) must be used in verbatim on the decision notice.

Appropriate skylark plots and mitigation has been provided within the Ecological impact assessment and landscape master plan. These details can be secured through a HMP.

Environment Agency

Does not fall under development requiring statutory consultation with the Environment Agency.

Environmental Health

No comments received.

Heritage Officer

No views identified of the solar farm from within the conservation area (neutral impact) due to existing topography, distance and screening. No objection from heritage team. No recommended heritage conditions. Would have concerns about cumulative impact if there are further additional solar farm proposals.

Highways Officer (Development Management)

The Highway Authority has no objection from a highway perspective. The proposed development would not result in adverse operational and highway safety impacts subject to securing a Construction Traffic Management Plan via a pre-commencement condition, and informatives in relation to S184 agreement(s) and temporary traffic regulation order(s).

Landscape and Urban Design Consultant

The increase in electrical infrastructure would change the landscape from predominantly rural to a more industrialised landscape character. It is not considered that this landscape can absorb the change due to topography and resultant impact on views and perception of viewers. Northern boundary to field 2 is on the crest of a hill and forms part of the skyline, therefore when you view the development from wider surrounds to the south and east, you would see the development as part of the intermediate skyline and would draw your eye to the development, increasing its visual prominence. Because of the topography, views from the east of the valley cannot be screened. This would result in significant harm.

In terms of residents along Thornton Road that there would be a significant impact on views and visual amenity due visual prominence and intrusion.

For users of the public footpaths which lie to the south-east of Trafford Road, as they travel along these footpaths, their experience would be repeated views of solar panels due to the proposed and existing and approved solar farm. This sequential and cumulative impact on the landscape would result in moderate harm to visual amenity for walkers as the footpaths are of medium sensitivity as

receptor. This cannot be mitigated by obvious means.

When viewed from Nash the solar panels of the development would be facing the village due to the topography. Therefore, the development would be prominent from the northern edge of Nash and the surrounding public footpath network within this locality. Vistas from these locations are identified in the Nash Neighbourhood Plan as Important Vistas (policy NNP4: Important Views and Vistas) (Annex 1 Vista – West 2 (x 3 to indicate panoramic views) along Whaddon Road). The Important Vistas makes an important contribution to the defining character of the village. Given the scale and location of the development, along with the cumulative effect with other solar farms within the same locality (see annotated figure 11.14, page. 48 and 49, Appendix A of LVIA), the proposal would result in moderate harm to the vista and character of the village due to visual intrusion. This cannot be mitigated by obvious means.

Ash tree longevity / die back - existence cannot be guarantee and so screening from these trees within the hedgerows along all boundaries cannot be relied on for the lifetime of the development. However, a condition for additional planting and a management scheme for the hedgerows would improve the structure and longer-term viability of the hedgerows. This would result in a beneficial impact for the hedgerows which contribute to the character of the landscape.

If recommended for approval, recommended condition:

Prior to the commencement of development, a Planting and Management Scheme for the hedgerows (need to identify) shall be submitted to and approved by the Local Planning Authority.

The Planting and Management Scheme shall include:

- Location, number, species and size of proposed additional trees and shrubs
- Timetable of additional planting
- Programme for establishment
- Management Plan of the additional planting and existing hedgerows

The Planting and Management Scheme shall be implemented in accordance with the approved details. If a tree or shrub is damaged or dies within 5 years of planting then the tree or shrubs of the same species and size shall be replaced in the same location.

Reason: In the interest of landscape character to accord with VALP policies.

Lead Local Flood Authority

No objections to the proposed development subject to planning conditions to secure the clearance of the watercourse identified in plan ref: 372.4_Blockage Plan_03.7.2023; implementation of an approved Flood Risk Assessment and Drainage Strategy; and submission and approval of a whole-life maintenance plan, and informative in relation to any proposed works or structures in the watercourse.

Natural England

No objection as it not considered that the proposed development would have a significant adverse impact on statutory designated sites.

Do not consider that the Best and Most Versatile agricultural land would be lost in the long-term as the solar panels would be secured by steel piles with limited soil disturbance, and components such

as the sub-station which may permanently affect agricultural land would be limited to small area.

Public Rights of Way Officer

There are two footpaths (Beachampton 2 – BCH/2/1, and Beachampton 9 – BCH/9/1) adjacent to the site, both of which provide walking routes into the village of Beachampton.

With regard to BCH/2/1, the perimeter fence line as proposed by the site layout plan ref: OPL004-PL-01 Rev. 06 obstructs the definitive line of BCH/2/1. There are two relatively straightforward solutions to this, one would be to move the fence off the alignment of BCH/2/1 and the other would be to apply to divert the footpath (s257 TCPA 1990). We would be content with either solution.

Waste and Recycling

No objection as minimal waste production is anticipated. All waste produced in connection with commercial activity is subject to business waste regulations, and any waste management facilities / arrangements must be in accordance with Building Regulations, BS5906: 2005, Manual for Streets, and Council Advice Note for Developments on Recycling and Waste. Where there is overlap or contradictions, the more stringent restriction applies.

Other Representation

1 representation from has been received supporting the proposal:

- Planet and communities need renewable energy solutions.
- Wildlife and flood risk will have been considered and assessed.

29 representatives have been received objection to the proposal:

- Already existing solar farms in the area, Beachampton accommodates more than its fair share of such infrastructure.
- Other solar farms have not been built in accordance / conditions not complied with.
- Harm to rural character and setting of the village through cumulative solar farm development, and urbanisation / industrialisation of the area.
- Harm to local landscape character, including views across the Great Ouse river valley.
- Harm to visual amenity for local residents, footpath users, road users.
- Additional planting / screening does not work as mitigation.
- Harm to nearby listed buildings and conservation area, including their setting.
- Harm to archaeological remains within the site boundary.
- Loss of agricultural land, harm to the country's food security.
- Increase in flood risk.
- Harm to local wildlife and ecology, including loss of greenfield land, trees and hedgerows.
- Brownfield land particular in Milton Keynes / roofs of large buildings should be utilised instead.
- Concerns in relation to traffic flow and safety during construction due to increase in heavy traffic and inappropriate construction traffic route / local roads are not wide enough for passing vehicles.
- Noise and disturbance during construction period
- Noise and disturbance from 'hum' during operation of the solar farm

- Energy produced will not offset energy used in producing solar panels / installing the required infrastructure.
- Solar panels are not as effective in comparison to wind generation
- Solar panels are toxic result in pollution, concerns on impact to human health
- Concerns over power surges
- Reduction in property values
- No direct benefit to the residents of Beachampton

APPENDIX C: Summary Table of the LVIA conclusions of visual effects from key viewpoints

	Receptors	Visual Effect with No Mitigation	Visual Effect with Mitigation
Viewpoint 1	Walkers	Winter: Moderate Adverse Summer: Negligible	Winter: Minor Adverse Summer: Negligible
Viewpoint 2	Residents and Road Users	Winter: Moderate Adverse Summer: Negligible	Winter: Minor Adverse Summer: Negligible
Viewpoint 3	Walkers	Winter: Negligible Summer: No effect	Winter: No effect Summer: No effect
Viewpoint 4	Walkers	Winter: Minor Adverse Summer: Negligible	Winter: Negligible Summer: No effect
Viewpoint 5	Walkers	Winter: Moderate – Major Adverse Summer: Moderate – Major Adverse	Winter: No effect Summer: No effect
Viewpoint 6	Walkers	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Minor Adverse Summer: Negligible
Viewpoint 7	Walkers	Winter: No effect Summer: No effect	Winter: No effect Summer: No effect
Viewpoint 8	Walkers	Winter: Moderate – Major Adverse Summer: Moderate – Major Adverse	Winter: Moderate Adverse Summer: Negligible
Viewpoint 9	Road Users	Winter: No effect Summer: No effect	Winter: No effect Summer: No effect
Viewpoint 10	Walkers and Riders	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Minor Adverse Summer: Minor Adverse
Viewpoint 11	Walkers	Winter: Moderate – Major Adverse Summer: Moderate Adverse	Winter: Moderate Adverse Summer: Minor Adverse

Viewpoint 12	Walkers	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Minor Adverse Summer: Negligible
Viewpoint 13	Walkers	Winter: Moderate Adverse Summer: Moderate Adverse	Winter: Minor Adverse Summer: Minor Adverse
Viewpoint 14	Residents and Walkers	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Minor Adverse Summer: Minor Adverse
Viewpoint 15	Walkers	Winter: Minor Adverse Summer: Negligible	Winter: Minor Adverse Summer: Negligible
Viewpoint 16	Allotment users	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Moderate Adverse Summer: Minor Adverse
Viewpoint 17	Walkers	Winter: No effect Summer: No effect	Winter: No effect Summer: No effect
Viewpoint 18	Residents and Walkers	Winter: No effect Summer: No effect	Winter: No effect Summer: No effect
Viewpoint 19	Walkers	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Moderate Adverse Summer: Minor Adverse
Viewpoint 20	Walkers	Winter: No effect Summer: No effect	Winter: No effect Summer: No effect
Viewpoint 21	Walkers and Riders	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Moderate Adverse Summer: Minor Adverse
Viewpoint 22	Walkers and Road users	Winter: Moderate Adverse Summer: Minor Adverse	Winter: Moderate Adverse Summer: Minor Adverse

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