



STATERA
BALANCING THE GRID

APPEAL ON LAND AT ROOKERY FARM, GRANBOROUGH, BUCKINGHAMSHIRE, MK18 3NU

APPELLANT'S STATEMENT OF COMMON GROUND

FEBRUARY 2025

APPELLANT: EAST CLAYDON STORAGE LIMITED

LPA REF: 23/03875/APP

Document Control

Company:	East Claydon Storage Limited
Project:	Rookery Farm East Claydon BESS
Document:	Appeal Statement of Common Ground
Status:	Final Version V4 17.02.25
Prepared by:	Nirali Vekaria
Checked by:	Chris Palmer
Approved by:	Chris Palmer

Contents

1	Introduction	4
2	The appeal site and surrounding context.....	5
2.1	The Site	5
2.2	Description of the Surrounding Area	6
3	The Application Process	7
3.1	Key dates	7
3.2	Pre-application	7
3.3	Post submission.....	7
4	Proposed development	16
5	Development Plan and Material Considerations.....	19
5.1	Adopted Development Plan	19
5.2	Material Planning Considerations.....	19
6	Areas of Agreement	22
7	Area of Disagreement	25
8	Agreement.....	29

1 INTRODUCTION

- 1.1.1 This Statement of Common Ground (SoCG) comprises matters which East Claydon Storage Limited ('the Appellant') believes can be agreed with Buckinghamshire County Council ('the Council') in relation to the appeal against the decision of the Council to refuse Planning Application Ref: 23/03875/APP (the "Proposed Development"), for the following:

"Development of a battery energy storage system (BESS), connected directly to the national Grid with associated infrastructure including access, drainage and landscaping (amended plans received)".

- 1.1.2 In due course, the Appellant will seek to agree matters with any statutory organisation participating in this hearing.

- 1.1.3 An application seeking full planning permission was submitted to the Council on 12th December 2023, which was subsequently validated on 15th December 2023.

- 1.1.4 The application was refused planning permission at Buckinghamshire Council's Strategic Planning Committee on 19th December 2024, where members resolved to reject the Proposed Development on a single ground for refusal.

- 1.1.5 The reason for refusal as set out in the Decision Notice, issued on 20th December 2024, is:

"The proposal which is a large-scale energy development will be introduced into a strongly agricultural landscape and would be significantly incongruous. It will have, despite the proposed mitigation, significant adverse impact on visual amenity and on the landscape character at the site, local and landscape character area levels. Furthermore, the cumulative effects of the proposal with Tuckey Farm (consented permission) and the existing East Claydon sub-station would lead to cumulative visual and landscape character effects which would be significantly adverse. Together this would change the existing predominantly pastoral landscape to one defined by energy development. The proposal is contrary to Policy C3, BE2 and NE4 of the Vale of Aylesbury Local Plan (VALP) 2021 and RC2 and RC3 of the Granborough Neighbourhood Plan (GNP) 2022 and paragraph 187 of the National Planning Policy Framework (NPPF) 2024."

2 THE APPEAL SITE AND SURROUNDING CONTEXT

2.1 The Site

- 2.1.1 The Proposed Development is located on land at Rookery Farm, Granborough, Buckinghamshire, MK18 3NU (the "Appeal Site") (LPA Ref: 23/03875/APP).
- 2.1.2 The Proposed Development is located entirely within the administrative boundary of Buckinghamshire County Council, within the Aylesbury Vale area.
- 2.1.3 The Appeal Site, including land required for the underground electrical connection to the National Grid substation and temporary haul road, measures approximately 33 hectares in total, comprising mainly flat and level land located to the south of East Claydon National Grid substation and between the settlements of Granborough and East Claydon.
- 2.1.4 The Appeal Site is located south of the Claydon Brook and is irregularly shaped, consisting of four separate fields predominantly in arable use. It extends from the Claydon Brook, which forms the northern and western boundary of the Appeal Site and rises toward neighbouring fields to the south and east with Hogshaw Road beyond, from which operational access is proposed. Electricity infrastructure forms a characteristic feature of the location with the nearby National Grid substation to the north of the site and overhead electricity lines connected to this and crossing the application site, supported by numerous pylons.
- 2.1.5 The Appeal Site is not an allocated site and is not in the Green Belt. It is a greenfield, countryside site.
- 2.1.6 The Appeal Site does not contain any nationally designated (protected) heritage assets. There are two Grade II Listed Buildings within 1km of the Site: Rookery Farmhouse and 17 Winslow Road which are situated to the east of the site.
- 2.1.7 The Appeal Site does not lie within a Conservation Area. The nearest Conservation Areas are Winslow Conservation Area located c. 1.7km away, and Botolph Claydon Conservation Area located c.1.65km away. Within one of the fields on the site there are two Archaeological Notification Areas designated by Buckinghamshire County Council, one related to a Roman road, the other a Roman pottery scatter.
- 2.1.8 The Appeal Site lies within Natural England's Impact Risk Zone of two statutorily designated sites (Sheephouse Wood Site of Special Scientific Interest (SSSI), and Finmere Wood (SSSI). These sites are located 4.6km and 4.3km south-east, respectively.

The Appeal Site does not lie within a nationally designated landscape area. The landscape character within the immediate area of the Appeal Site is dominated by existing electrical infrastructure associated with the nearby National Grid substation, including overhead lines and pylons.
- 2.1.9 The agricultural land classification of the site is 3b: Moderate Quality Agricultural Land and therefore does not comprise best and most versatile agricultural land.
- 2.1.10 The majority of the Appeal Site is located within Flood Zone 1, including the entirety of the developable BESS area. The western and southern portions of the site are located in Flood Zone 2 and 3, comprising mainly planting and biodiversity net gain areas.
- 2.1.11 The Appeal Site is located within a Minerals and Waste Safeguarding Area.
- 2.1.12 There are no relevant planning history records relating to the Appeal Site.

2.2 Description of the Surrounding Area

- 2.2.1 The Appeal Site is located to the south of East Claydon National Grid substation and between the settlements of Granborough and East Claydon. The proposed customer substation and BESS compounds sit within existing field boundaries and, as such, hedgerow loss is confined to very short sections to create points of access. The field pattern remains intact, retaining the landscape structure of perimeter hedges and trees along the Claydon Brook.
- 2.2.2 The site lies within the northern part of the Hogshaw Claylands Landscape Character Area, a gently sloping bowl of low ground in mixed agricultural use, sparsely settled. The immediate area surrounding the site comprises mainly of agricultural land, with the exception of the National Grid Substation.
- 2.2.3 There are two public rights of way (PRoW) which sit adjacent to the site (GRA2/1 and GRA 2/2), one bounding the site to the north and the other running to the east of the Appeal Site. The two PRoW intersect near the northeastern corner of the Appeal Site.
- 2.2.4 The surrounding area is characterised by countryside between villages, including arable and pastoral farmland with farms and associated buildings located in the wider vicinity. Electricity infrastructure forms characteristic features of the location with the nearby National Grid substation to the north of the site and overhead electricity lines connected to this and crossing the application site, supported by numerous pylons.
- 2.2.5 Located further west of the site is the HS2 railway line running through Calvert. An approved solar farm is located to the north of East Claydon Road (Tuckey Farm, Ref: 19/00983/APP), HS2 railway line located further west of the Appeal Site and approved prison in Grendon (LPA Ref: 21/02851/AOP, PINS Appeal Ref: APP/J0405/W/22/3307860). A recent application for a battery scheme was submitted to the Council for a 99MW BESS, located further east of the Appeal Site off Hogshaw Road (LPA Ref: 24/03262/APP). Given the early stage of development, limited weight for this proposal has been considered. There are also several solar and battery development proposals at the pre-application stage.

3 THE APPLICATION PROCESS

3.1 Key dates

3.1.1 The key dates relating to the planning application are as follows:

- Application submitted: 12th December 2023
- Application Validated: 15th December 2023
- Council's Consultation Period: 23rd December 2023
- Scheme revisions issued to the Council: 26th July 2023
- Scheme revisions consultation commencement date: 20th August 2024
- Council's re-consultation period closed: 10th September 2024
- Buckinghamshire Strategic Development Committee: 19th December 2024
- Decision Notice issued: 20th December 2024

3.1.2 The application was accompanied by an Environmental Impact Assessment (EIA) and should have been subject to a sixteen-week target determination period, however an extension of time was agreed to enable the Council to assess the scheme revisions on 12th June 2024 (CD5.1.8) and 4th December 2024 (CD5.1.9).

3.2 Pre-application

3.2.1 The Appellant undertook a pre-application consultation with the Council on 20th April 2023 with a response received on 14th June 2023.

3.2.2 An Environmental Impact Assessment (EIA) Scoping Request (CD2.2.1) was made to the Council on 4th May 2023, with the Council's Scoping Opinion dated 8th June 2023 (Ref: 23/01438/SO) (CD2.2.2) confirming that an EIA would be required and the assessments required to be scoped in.

3.3 Post submission

3.3.1 The Appellant and the Case Officer liaised post submission to discuss the application and statutory consultee responses. This included the following:

- 30th January 2024: Site visit to Statera's Minety BESS Facility with Case Officer and Landscape Officer;
- 21st February 2024: Site visit with Case Officer; and
- 20th May 2024: Meeting to discuss Landscape Officer comments and attempt to resolve.

3.3.2 Prior to a meeting held on Monday 20th May 2024 with the Appellant, their Landscape Consultant, the Case Officer and Landscape Officer, the Appellant shared a response to Landscape Officer comments, in order to inform the conversation with the Landscape Officer (CD 5.1.3). Agreement on the level of impact at the viewpoints was not achieved, nor was a resolution on matters not agreed.

3.3.3 Following this meeting, the Appellant revised the scheme and sought to address outstanding consultee comments through this process. This included a number of changes which are listed below:

- Removal of the compound containing BESS equipment from Field 3. Field 3 will remain under agricultural production.
- Doubling the length of the inverter houses within Field 1 so that the number of inverters for the whole scheme remains unchanged.
- Field 4 remains as a landscaped field to provide BNG, screening and permissive open space but the ponds are all now small wildlife ponds and the orchard has been replaced by woodland.
- Minor changes to the layout in Field 1 to accommodate the larger inverter houses.
- Replacement of the previously included biodiverse inverter house roofs with shallow pitched roofs. The inverter houses will be painted in three different shades of receive greens to create a disruptive colour pattern (note: only one of each of these shades will be used for each inverter house – it is not proposed to mix colour or provide a camouflage pattern).
- Creating a more random distribution of trees within hedgerows to create a more naturalistic effect.
- Proposed planting has been set back at least 10m from the tributary of Claydon Brook and footbridges across side ditches are upgraded to allow crossing by maintenance vehicles to maintain the watercourse (following comments by the drainage authority). All permanent development, including proposed tree planting, will now not sit within the 9m easement of the drainage board.

- 3.3.4 This amendment sought to comprehensively address all consultee comments, including landscape comments. As such, an addendum ES chapter on Landscape and Visual impact was submitted, as well as other updated documents to assess the revised scheme.
- 3.3.5 An extension of time for determination of the application was requested by the Council from the Appellant on 04/12/24 and on 12/06/24. These requests were agreed by the Appellant (CD5.1.9 and CD5.1.10).
- 3.3.6 No further comments were received from the Landscape Officer following the submission of the revised scheme. A statement clarifying the Landscape Officer's position was uploaded to the online portal following the issue of the Decision Notice on 20th January 2025. The statement confirmed there was no change to the Landscape Officer's overall assessment of the landscape impacts by the revised scheme. The response does confirm an improvement to impact as a result of the revisions made to the Proposed Development.
- 3.3.7 Table 3.1 sets out the list and summary of formal consultation responses from main consultees.

Table 3.1 List of formal statutory consultation responses received

Consultee	Date Received	Objection?
Buckinghamshire Fire and Rescue Service	19/12/23	Additional information requested.

Buckinghamshire Fire and Rescue Service	03/10/24	No Objections.
Rights of Way	02/01/24	Additional information requested.
Rights of Way	24/09/24	<p>The PRow officer considers that pedestrian access is improved overall by the permissive paths provided. This will be secured for the lifetime of the development to ensure access is not restricted. Conditions will also be secured for ensuring that the surrounding ground to be flush with the emergency vehicle track to improve the transition for walkers.</p> <p>The officer comments that a shortcut, desire line link for walkers would be beneficial at the northern boundary of the site onto GRA2/1 or ECL 4/2. In response the Appellant confirmed that the land required for this is outside of the project redline and on land not within the Appellant's control – and, as such, this short cut cannot be included.</p>
Environmental Health	03/01/24	No Objections, subject to conditions.
Environmental Health	03/09/24	No further comments.
Archaeologist	05/01/24	No Objections, subject to conditions.
Archaeologist	05/09/24	No further comments.
Sustainable Drainage Team Buckinghamshire Council	08/01/24	No Objections, subject to conditions.
Sustainable Drainage Team Buckinghamshire Council	10/09/24	No Objections, subject to conditions.
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT)	08/01/24	No Objections, subject to conditions and consideration of cumulative development. Existing and consented developments have been considered through the ES assessment.

Crime Prevention Design Advisor for Wycombe, Aylesbury, South Bucks and Chiltern Districts (CPDA)	10/01/24	No Objections, subject to conditions.
East Claydon Parish Council	10/01/24	Additional information requested to address a number of matters raised
East Claydon Parish Council	07/02/24	Objection raised. See CD2.3.14.
East Claydon Parish Council	09/09/24	Objections maintained.
East Claydon Parish Council	28/10/24	Objections maintained.
Natural England	12/01/24	No Objections.
Natural England	19/09/24	No Objections.
Granborough Parish Council	22/01/24	Objection raised. See CD2.3.19.
Granborough Parish Council	11/09/24	Objections maintained.
Anglian Water	20/02/24	No Objections.
Highways Officer	22/02/24	No Objections, subject to conditions.
Highways Officer	03/10/24	No Objections, subject to conditions.
Environment Agency	07/03/24	<p>Objection on 3 grounds, further details required.</p> <ul style="list-style-type: none"> • Manage the risks of pollution to controlled waters, further detail required • Risks to groundwater unacceptable, further detail required to demonstrate groundwater can be satisfactorily managed

		<ul style="list-style-type: none"> FRA does not comply for the requirements for a site specific FRA Assessment as set out in the PPG.
Environment Agency	05/06/24	Objections maintained and additional information requested.
Environment Agency	17/09/24	Objections maintained and additional information requested.
Environment Agency	30/10/24	No Objections, subject to conditions.
Tree Officer	09/04/24	Additional information requested.
Tree Officer	14/05/24	Additional information requested.
Tree Officer	24/09/24	No Objections, subject to conditions.
Buckingham and River Ouzel Internal Drainage	05/01/24	Additional information requested.
Buckingham and River Ouzel Internal Drainage	15/04/24	Additional information requested.
Buckingham and River Ouzel Internal Drainage	30/08/24	Additional information requested.
Buckingham and River Ouzel Internal Drainage	02/09/24	<p>Objection.</p> <p>Requirement for Land Drainage Consent for all structures within 9m of the Board's watercourse. The Board refused the developers Land Drainage Application in April 2024 for non-payment of application cost. Full payment needs to be received in order to grant Land Drainage Consent.</p> <p>It should be noted that Land Drainage Consent sits outside of the planning process and should not impact the determination of the appeal.</p>
Landscape Officer	30/04/24	Objection. See CD2.3.35 for full response.

Landscape Officer	10/12/24	Objection maintained.
Heritage	07/06/24	No Objection.
Ecology	09/12/24	No Objections, subject to conditions.

- 3.3.8 Below is a list of the Plans and Documents upon which the Council's Case Officer considered the Application and provided its recommendation for approval to the Strategic Development Committee made its decision.

Table 3.2 Full list of documents submitted and considered as part of the Proposed Development

Title	Final Revision
ES Non-technical summary (Nov 2023)	ES Non-technical summary (Dec 2023)
Fire and Plume Study (v2)	
Glossary of Technical Terms	
ES Vol 1 Chapter 4 Appendix 2.3 EIA Scoping Opinion	
ES Vol 2 Figure 1	
ES Vol 2 Chapter	
ES Vol 2 Appendix D Block Plan	Replaced by SL261_L_X_GA_1 – Block plan Rev C
ES Vol 2 Appendix C Noise Measurements	
ES Vol 3 Appendix 5 Water vole and otter survey	
ES Vol 3 Appendix 7 pt 2 Landscape specification	
ES Vol 3 Appendix 8 Habit creation calculations	No longer relevant (new document issued in July 2024)
ES Vol 3 Chapter	
ES Vol 3 Appendix 7 BNG Assessment and Reasoning	No longer relevant (new document issued in July 2024)
ES Vol 3 Appendix 6	
ES Vol 3 Appendix 4	
ES Vol 3 Appendix 3 Bat activity survey	Updated in June 2024 (Spring Static Bat Detector Survey)
ES Vol 3 Appendix 2 Preliminary Ecological Appraisal	
ES Vol 11 Chapter	
ES Vol 11 Appendix 11.1 ALC Report	
ES Vol 10 Chapter	
ES Vol 9 Chapter	

ES Vol 9 Appendix 9.3 GHG Calculations	
ES Vol 9 Appendix 9.2 Climate Risk	
ES Vol 9 Appendix 9.1 Policy Review	
ES Vol 8 Appendix 8.3 AIL Access Report	
SD_25 – Temporary haul route stream crossing	N/A
SD_1 – Box culvert access track ditch crossing	Rev A
Stock proof fence (SD_21)	Rev A
SD_20 – EHS Tree pit detail in soft landscaping areas	
D19 – Footbridge across ditches on the permissive path	
SD_18 (Dated 29/06/23) – Permissive path way marker post	
SD_18 – Ditch A bridge crossing	
SD_17 – Kissing gate detail	
SD_16 – Tree planting along existing hedges	
ES Vol 1 Chapter 5 November 2023	ES Vol 1 Chapter 5 December 2023
ES Vol 1 Chapter 4 Appendix 2.5 Author profiles	
ES Vol 1 Chapter 3	
Planning Design and Access Statement (Nov 2023)	Planning Design and Access Statement (Dec 2023)
Addendum to Planning Design and Access Statement	
Addendum 2 to Planning Design and Access Statement	
ES Vol 1 Chapter 4	
ES Vol 1 Chapter 4 Appendix 2.4 EIA Scoping Request	
ES Vol 1 Chapter 2	
ES Vol 1 Chapter 2 Appendix 2.1 Block Plan	Replaced by SL261_L_X_GA_1 – Block plan Rev C
ES Vol 1 Chapter 2 Appendix 2.2 Site selection process	
ES Vol 1 Chapter 1	
Fire Liaison Framework (May 2023)	
SD_12 – Fire water tank	
SD_11 – Pole mounted security camera	
SD_10 – Temporary haul route stream crossing	
SD9 - Inverter House with a biodiverse 'Green' roof	SD_9_ Rev A – Inverter house
SD_8 – Welfare module	
SD_7 – Spare parts container	
SD_6 – Container housing batteries	

SD_5 – External transformer detail	
SD_4 – Palisade fence to the substation compound	
SD_3 – Weld mesh fence to battery compounds	
SD_2 – Temporary construction track route	
SD_1 (Dated 10/5/23) – Vehicle tracks external to compound	
MP23042–11 Orchard Planting Plan	No longer relevant (orchard not proposed)
MP23042-10 Landscape details	
MP23042-9 Planting details	
MP23042-8 Pond layout NP6	
MP23042-4 Pond layout NP2	
MP23042-3 Pond layout NP1	
East Claydon - HDD – 231124 Rev A – Underground cable HDD Detail	
502_PP_05 – Hogshaw Road access planting plan	
502_PP_04 – Remediation works along the route of the temporary haul road	
ES Vol 8 Chapter	
ES Vol 8 Appendix 8.2 Construction traffic management plan	
ES Vol 8 Appendix 8.1 Access technical note	
ES Vol 7 Chapter	
ES Vol 7 Appendix 7.3 Written Scheme of Investigation	
ES Vol 7 Appendix 7.2 Geophysical survey	
ES Vol 7 Appendix 7.1 Archaeological desk-based heritage assessment	
ES Vol 6 Chapter	
ES Vol 5 Chapter	Rev A
ES Vol 5 Appendix 5.1 Landscape and Visual Amenity Figures	Rev A
ES Vol 5 Appendix 5B (Dec 2023) Visualisations	Rev B
ES Vol 4 Appendix 4.1 Flood Risk Assessment and Conceptual Drainage Strategy	Version 2 - Flood Risk Assessment Sep 2024 (part update from 4.1)
Flood Risk Assessment Sep 2024 (part update from 4.1) Rev 2	
Conceptual Drainage Strategy (part update from 4.1) Rev D	
ES Vol 4 Chapter	
DL261_L_X_PP – Planting plan (Sheet 1 and 2)	Rev A
SL261_L_X_LP_01 – Location plan	

SL261_L_X_GA_1 – Block plan	Rev C
502_LSPEC_01 Landscape specification	Rev A
502_East Claydon BESS LEMP	Rev A
SL261_L_X_CS_1 – Cross sections	Rev A
SL261_L_D_ELEV_1 – Substation elevations	
SD_15 – Compound Surface Finishes	
SD_14 – Temporary haul route surface	
SD_13 – Control room building	
Application Form	
BNG Calculator (Dec 2023)	No longer relevant (new document issued in July 2024)
Biodiversity Net Gain Assessment & Reasoning for Proposed Habitat Creation and Enhancement at East Claydon BESS (Version 3)	
Arboricultural Impact Assessment (Version 1)	
Arb Method Statement & Tree Protection Plan (Version 1)	
Wintering Bird Survey Report	
SD_24 – Ditch B bridge crossing	
Landscape and Visual Addendum	
Preliminary Ecological Appraisal (Version 2)	
Ecology Technical Note: Spring Static Bat Detector Survey	
National Fire Chiefs Council Compliance Statement (July 2024)	

4 PROPOSED DEVELOPMENT

- 4.1.1 The Proposed Development seeks temporary planning permission for a 500MW Battery Energy Storage System (BESS), an underground connection to East Claydon Substation, drainage and landscaping, for a period of up to 40 years from the first exportation of electricity from the site.
- 4.1.2 The Proposed Development comprises sound insulated lithium-ion battery units housed within shipping containers which have been modified to accommodate batteries.
- 4.1.3 The Proposed Development previously comprised 888 containers and was redesigned during determination to address consultee comments, including the Landscape Officer's comments (see CD2.3.35 for further detail). The revised Proposed Development comprises:
- 518 shipping containers modified to house sound insulated, lithium-ion battery units (12 metres long, 2.4 metres wide and 2.9 metres high, typically spaced 3 metres apart);
 - 19 inverter buildings (previously 37, design changes as mentioned above);
 - 3 no. storage containers;
 - 7 no. control room buildings;
 - 4 no. water tanks;
 - Underground connection from the Appeal Site into the East Claydon Sub Station;
 - 2.5m security fencing surrounding the perimeter of the battery compound,
 - Infrared CCTV cameras mounted on 4m poles;
 - Hedgerows, semi-mature trees, woodland and species rich grassland;
 - An internal access track; and,
 - Other associated infrastructure.
- 4.1.4 The proposed containers are approximately 12 metres long, 2.4 metres wide and 2.9 metres high, typically spaced 3 metres apart. Each inverter building would be designed to have the characteristics of small agricultural building, approximately 24 metres long, 9.5 metres wide and 4 metres high. Supporting equipment includes a customer substation, with elements up to 12 metres in height. An underground cable connection is proposed into the National Grid East Claydon substation to the north of the site. The proposal also includes three storage containers, seven control room buildings and four water tanks alongside other infrastructure and associated works. The battery units are arranged in rows across the site in a north east to south west orientation, with boundary landscaping, fencing, access and habitat creation included.
- 4.1.5 Based on a 4-hour BESS discharge (there will be two charge / discharge cycles a day) the BESS would be able to provide equivalent daily electricity to serve more than 540,000 households. The supply from the BESS is also instant, and discharges onto the grid as demand requires.
- 4.1.6 Operational access will be provided through a 5.5metres wide access track from Hogshaw Road is proposed which would be an access created to serve this development, with a second emergency access track taken from this around the western perimeter of the battery compound. Internal tracks are proposed across the site, for circulatory access around battery rows with passing places to allow vehicles ease of access across the site and turning areas at the end of each battery row.

- 4.1.7 A temporary construction access is proposed for use during the construction phase of the project. This is into the north of the site from East Claydon Road which is subject to the National Speed Limit. Following the construction period, this access will be removed and land will be reinstated. Once the site is operational, access will be from Hogshaw Road to the south which is subject to the National Speed Limit.
- 4.1.8 Two public rights of way (PRoW) sit adjacent to the site (GRA/2/1 and GRA 2/2), one bounding the site to the north and the other running to the east of the proposal site boundary and these two PRoW routes intersect near the northeastern corner of the proposal site. These PRoWs are not planned to be altered by the development albeit new permissive access routes are proposed across the application site, with access to these proposed from the existing PRoW network to the south and east of the application site.
- 4.1.9 A 2.5metre high security fence will be installed around the perimeter of the battery compound and substation areas with infrared CCTV security cameras mounted on 4metre high poles.
- 4.1.10 To facilitate the development, some short sections of hedgerow will be removed, mainly to provide access points into and between fields. The application proposes extensive tree and hedgerow planting as part of the landscape planting proposals for the wider site as detailed in the proposed landscape strategy.
- 4.1.11 The Proposed Development is intended to function for a maximum of 40 years. Following this 40-year lifespan, the development will be dismantled and the land will be returned to its original state for agricultural purposes. This means that all equipment, buildings, concrete foundations, fencing, underground cables, drainage pipes, gravel and hard standings will be removed at the end of the operational life of the facility. The area would be topsoiled and returned to agriculture. The tree planting provided as part of the landscaping scheme will have matured into woodland and will be retained. The biodiversity enhancements provided as part of the scheme will similarly be retained.
- 4.1.12 The Proposed Development will be developed in accordance with the following drawings:
- SL261_L_X_LP_01 – Location plan
 - SL261_L_X_CS_1 Rev A – Cross sections
 - SL261_L_X_GA_1 Rev C – Block plan
 - SL261_L_D_ELEV_1 – Substation elevations
 - 502_LSPEC_01 Rev A – Landscape specification
 - 502_PP_04 – Remediation works along the route of the temporary haul road
 - 502_PP_05 – Hogshaw Road access planting plan
 - SD_1 Rev A – Box culvert access track ditch crossing
 - SD_1 (Dated 10/5/23) – Vehicle tracks external to compound
 - SD_2 – Temporary construction track route
 - SD_3 – Weld mesh fence to battery compounds
 - SD_4 – Palisade fence to the substation compound
 - SD_5 – External transformer detail
 - SD_6 – Container housing batteries
 - SD_7 – Spare parts container
 - SD_8 – Welfare module

- SD_9_ Rev A – Inverter house
- SD_10 – Temporary haul route stream crossing
- SD_11 – Pole mounted security camera
- SD_12 – Fire water tank
- SD_13 – Control room building
- SD_14 – Temporary haul route surface
- SD_15 – Compound Surface Finishes
- SD_16 – Tree planting along existing hedges
- SD_17 – Kissing gate detail
- SD_18 (Dated 29/06/23) – Permissive path way marker post
- SD_18 – Ditch A bridge crossing
- D19 – Footbridge across ditches on the permissive path
- SD_20 – EHS Tree pit detail in soft landscaping areas
- SD_21 Rev A – Stock proof fence
- SD_24 – Ditch B bridge crossing
- SD_25 – Temporary haul route stream crossing
- DL261_L_X_PP Rev A – Planting plan (Sheet 1 and 2)
- East Claydon - HDD – 231124 Rev A – Underground cable HDD Detail

5 DEVELOPMENT PLAN AND MATERIAL CONSIDERATIONS

5.1 Adopted Development Plan

5.1.1 Both parties agree the Development Plan for the Appeal Site comprises the following:

- Vale of Aylesbury Local Plan (VALP, September 2021);
- Buckinghamshire Minerals and Waste Local Plan 2016-2036 (July 2019);
- Granborough Neighbourhood Plan 2020-2035 (June 2022); and
- Various Supplementary Documents and other 'Material Considerations' Documents (including the Vale of Aylesbury Design SPD 2023, Biodiversity Net Gain SPD July 2022 and Aylesbury Vale Landscape Character Assessment May 2008).

5.1.2 Both parties agree that the following policies of the Local Plan are relevant to the determination of the appeal:

- Policy C3 (Renewable Energy)
- Policy C4 (Protection of public rights of way)
- Policy BE1 (Heritage Assets)
- Policy BE2 (Design of new development)
- Policy BE3 (Protection of the amenity of residents)
- Policy NE1 (Biodiversity and geodiversity)
- Policy NE3 (The Chilterns AONB and setting)
- Policy NE4 (Landscape character and locally important landscape)
- Policy NE8 (Trees, hedgerows and Woodlands)
- Policy T4 (Capacity of the transport network to deliver development)
- Policy T5 (Delivering transport in new development)
- Policy T6 (Vehicle Parking)
- Policy I4 (Flooding)

5.1.3 The Proposed Development sits within the Granborough Neighbourhood Plan. The following policies from the neighbourhood plan are considered relevant:

- Policy RC2 (Protecting the Landscape)
- Policy RC3 (High Quality Design)
- Policy HSAT1 (Highway Safety and Access)

5.2 Material Planning Considerations

5.2.1 Both parties agree that the National Planning Policy Framework (December 2024) ('NPPF') is a material planning consideration in relation to the determination of this appeal.

- 5.2.2 The Development Plan and policies set out above are considered to be up-to-date and generally consistent with the aims and objectives of the NPPF. As such, full weight should be attached to them.
- 5.2.3 Other material considerations of relevance to the Appeal include:

Legislation

- The Climate Change Act 2008 (as amended) (CD3.1.1)
- Infrastructure Planning (Electricity Storage Facilities) Order 2020 (CD3.1.2)
- Five Year Review of the Energy Act 2013 (May 2022) (CD3.1.3)

National Planning Policy

- National Planning Practice Guidance (CD3.2.1)
- Overarching National Policy Statement for Energy (EN-1) (CD3.2.3)
- National Policy Statement for Renewable Energy Infrastructure (EN-3) (CD3.2.4)

National Energy Policy and related documents

- Clean Power 2030 Action Plan: A new era of clean electricity (December 2024) (CD3.3.1)
- Secretary of State for Energy Security and Net Zero Statement (8 July 2024) (CD3.3.2)
- Invest 2035: the UK's modern industrial strategy (14 October 2024) (CD3.3.3)
- UK Battery Strategy (November 2023) (CD3.3.4)
- National Infrastructure Assessment (October 2023) (CD3.3.5)
- British Energy Security Strategy (April 2022) (CD3.3.6)
- Transitioning to a net zero energy system: smart systems and flexibility plan 2021 (July 2021) (CD3.3.7)
- Industrial Decarbonisation Strategy (March 2021) (CD3.3.8)
- Energy White Paper. Powering our Net Zero Future (December 2020) (CD3.3.9)
- The Committee on Climate Change: The Sixth Carbon Budget. The UK's Path to Net Zero (December 2020) (CD3.3.10)
- National Infrastructure Strategy Fairer, Faster, Greener (November 2020) (CD3.3.11)
- Progress in reducing emissions: 2023 Report to Parliament (June 2023) (CD3.3.12)
- Net Zero – Opportunities for the power sector (March 2020) (CD3.3.13)
- Committee on Climate Change Net Zero Publications (May 2019) (CD3.3.14)
- Net Zero – The UK's Contribution to Stopping Global Warming (May 2019) (CD3.3.15)
- Technical Annex: Integrating Variable Renewables (May 2019) (CD3.3.16)
- National Infrastructure Commission's Smart Power Report (March 2016) (CD3.3.17)

Local Evidence Base and Guidance

- Vale of Aylesbury Design SPD (2023) (CD3.4.6)

Local energy policy and related documents

- Buckinghamshire Local Energy Strategy 2018-2030 (CD3.4.7)

Infrastructure operator related documents

- 2024 NESO FES (July 2024) (CD3.3.19)
- National Grid ESO: The Electricity Ten Year Statement 2023 (CD3.3.24)
- National Grid ESO: Day in the Life 2035 Second Edition (October 2022) (CD3.3.25).

5.2.4 Again, full weight should be attached to the material considerations set out above.

6 AREAS OF AGREEMENT

- 6.1.1 The parties agree that the following topics set out within table 6.1 have been assessed against the Development Plan and have been considered acceptable by the Council. There is agreement in relation to the following topics:

Table 6.1: Areas of Agreement

Topic	Agreement
The principle and location of Proposed Development	Yes
Transport matters	Yes
Amenity of existing and future residents (including noise)	Yes
Flooding and Drainage	Yes
Ecology	Yes
Historic Environment	Yes
Archaeology	Yes
Public Rights of Way	Yes
Trees	Yes
Agricultural Land Quality	Yes
Health and Safety	Yes

Landscape Character and Visual Impacts

- 6.1.2 Table 6.2 sets out the matters agreed in respect of the Landscape Character and Visual Impacts.

Table 6.2 Landscape Character and Visual Impacts agreed

Topic	Agreement
Viewpoints assessed	The Representative Viewpoints used in the Landscape and Visual Impact Assessment (LVIA) were agreed.
Methodology	The parties agree that the LVIA was undertaken in accordance with the correct methodology, namely, the 'Guidelines for Landscape and Visual Impact Assessments' by The Landscape Institute and the Institute of Environmental Management and Assessment, 3rd Edition published April 2013.
Landscape Character	<p>It was agreed that some of the proposed landscape enhancements will offer benefits to landscape character, such as the proposed hedgerow management, woodland and tree planting.</p> <p>The Aylesbury Vale District Council & Buckinghamshire County Council Aylesbury Vale Landscape Character Assessment assesses the Hogshaw Claylands as having Moderate sensitivity and states:</p> <p><i>"The Hogshaw Claylands LCA comprises a gently sloping bowl of low ground in mixed agricultural use. There is very little settlement and access is via narrow lanes and a good network of Public Rights of Way. Hedgerows are good and often have mature oak trees. The main meandering watercourses tend to have trees and shrubs along their banks. Small plantations of mature poplars in a grid are a feature of the area. Views tend to focus on the surrounding higher ground. The two pylon lines through the area are visually intrusive. There is an electricity grid sub-station just to the north of the area, within Claydon Valley LCA 5.6, which these lines join. The sub-station and other pylon lines are visually intrusive in the very north of the area. The area is quiet but not wild or remote."</i></p>
Agreed level of impact on visual effects at each viewpoint in the winter	<ul style="list-style-type: none"> • Viewpoint1 Year 1 Major adverse • Viewpoints 5&6 Year 1 Moderate – Major adverse • Viewpoint 10 No effects Years 1 and 10 • Viewpoint 11 No effects Years 1 and 10 • Viewpoint 12 No effects Years 1 and 10

	<ul style="list-style-type: none"> • Viewpoint 14 Year 10 Neutral • Viewpoint 15 Year 1 Minor adverse, Year 10 Minor beneficial • Viewpoint 17 Year 1 Moderate adverse • Viewpoint 18 Year 1 and 10 Minor adverse • Viewpoint 19 Year 1 and 10 Minor adverse • Viewpoint 20 Year 1 and 10 Minor/no effect • Viewpoint 22 Year 1 and 10 Minor adverse • Viewpoint 23 Year 1 and 10 Minor adverse • Viewpoint 24 Year 1 Minor adverse, Year 10 Neutral • Viewpoint 21 (Year 10) Minor
--	---

Weight

6.1.3 In the planning balance, the following matters attract positive weight with the scale of weight identified below:

- Renewable and low carbon energy (great)
- Security of Supply (significant)
- Grid Connection (significant)
- Timing of Grid Connection (significant)
- Construction and operation jobs (moderate)
- BNG (significant)
- PRow (moderate)

7 AREA OF DISAGREEMENT

- 7.1.1 There was a single reason for refusal for this appeal which relates to landscape. The landscape topics not agreed between the parties are set out within table 7.1

Table 7.1: Matters not agreed between parties

Topic	Disagreement
Hedgerow coppicing	The Appellant does not agree with the Council's comments on hedgerow coppicing, the Landscape Officer seeks to increase level of impact by assuming that hedges should be periodically coppiced and laid in accordance with the Hedgelink website ¹ , thereby opening up views of the electrical infrastructure. While there might be some benefits in periodically coppicing and laying hedges, it is far from common practice in the Hogshaw Claylands. The hedges around the Site are substantial and in good condition and have been managed year after year in the same way, without the need for coppicing and laying. Hedgelink guidance sets out other management techniques other than layering and coppicing such as cutting at different heights annually or cutting on three year cycles to maintain hedge condition, vitality and provide maximum benefit to wildlife, these can be adopted.
Existing Landscape Character Area	The Appellant maintains their position that the existing landscape character context is rural but strongly influenced by electrical infrastructure, as a result the Proposed Development is not wholly incongruous. Therefore, the perceived change of the Proposed Development will not be 'Significant'. The Appellant maintains their position that the sensitivity of the Site should be considered to be Medium, not Medium - High.
Significant Cumulative Effect	The Appellant maintains their position that proposed mitigation will integrate the Proposed Development into the landscape to such a degree that it will not have a Significant cumulative effect with the existing electrical infrastructure
Small woodland blocks	The Appellant considers that small woodland blocks of a variety of sizes are a feature of the local landscape and do not accept that the proposed blocks are out of keeping.
Ponds	The Appellant considers the ponds and in keeping with the characteristics of the LCA, whilst meeting drainage requirements. The Ponds are designed to attenuate storm water runoff from the Proposed Development and so are sized to meet that functional

¹ <https://hedgelink.org.uk/>

	drainage requirement. As such, they comply with policy and meet best practice. While they are shown on plan as large water bodies, they will in practice be shallow, damp grassy basins and will only fill with water during times of high rainfall. Such periodic seasonal flooding is characteristic of the LCA.
Tree planting along hedgerow	Mature hedgerow trees are a defining feature of the hedgerows around the Appeal Site. Such planting does not seek to preserve the character of landscapes which are degraded in terms of their habitat structure but to enrich them. Planting will be of mixed species which are not evenly spaced. The hedgerow trees are a form of advanced planting and there is usually woodland planting close to them. Once all planting has established, the Site will appear as a block of woodland to most viewers in the surrounding landscape and will appear characteristic of woodland within the Hogshaw Claylands.
Cumulative Effects	The Appellant's assessment of projects in the cumulative assessment is to assess only those projects which have been approved planning permission or built as required pursuant to the Town and Country (Environmental Impact Assessment) Regulations 2017. The Appellant's cumulative assessment does not include the Rosefield Solar project given the formative stage that the Rosefield Solar project is at.

With regards to the disagreed visual effects, a summary of these have been set out below. The Appellants assessment set out in blue and the LPA's assessment in black.

Figure 7.2 Analysis of impact at viewpoints disagreed by parties (based on the original scheme since the landscape officer did not reassess the revised scheme)

Visual Receptor		Year 1 Winter	Year 10 Winter
VP1 - PRoW west of Granborough (GRA 10/1)	Council's Conclusion	Major adverse (Agreed)	Moderate-Minor adverse
	Appellants's Conclusion	Major adverse (Agreed)	Minor adverse
VPs 2 & 3 PRoW west of Granborough (GRA 2/2)	Council's Conclusion	Moderate – Moderate/Major adverse	Minor adverse
	Appellant's Conclusion	Moderate adverse	Neutral

VP4 PRoW west of Granborough (GRA 1/1)	Council's Conclusion	Moderate-Major adverse	Moderate adverse
	Appellant's Conclusion	Moderate adverse	Minor adverse
VPs 5 & 6 PRoW west of Granborough (GRA 2/ (adjacent northern site boundary)	Council's Conclusion	Moderate-Major adverse (Agreed)	Moderate adverse
	Appellant's Conclusion	Moderate-Major (Agreed)	Negligible
VP 7 PRoW east of East Claydon (ECL 4/2)	Council's Conclusion	Major adverse	Moderate adverse
	Appellant's Conclusion	Moderate adverse	Neutral
VPs 8, 9 PRoW east of East Claydon (ECL 4/1)	Council's Conclusion	Major adverse	Moderate adverse
	Appellant's Conclusion	Moderate adverse	Neutral
VP 14 PRoW south of site (GRA 1/2)	Council's Conclusion	Minor adverse	Neutral
	Appellant's Conclusion	None	Neutral Agreed
VP 17 PRoW adjacent to east site boundary (GRA 1/2)	Council's Conclusion	Moderate adverse (Agreed)	Minor
	Appellants's Conclusion	Moderate adverse Agreed	Neutral
VP 20 East Claydon Rd, north of site	Council's's Conclusion	Minor adverse	Minor adverse
	Appellants's Conclusion	Minor (Agreed)	Minor adverse (Agreed)

VP 21 Conduit Hill (HOG 9/3)	Council's's Conclusion	Moderate-Major adverse	Minor adverse
	Appellant's Conclusion	Moderate adverse	Minor adverse (Agreed)

- 7.1.2 The landscape officer did not review each viewpoint for the revised scheme but stated in their response (CD 2.3.38) that:

"It's fair to say the revised layout does reduce the harms to some degree but they were very high to start with and they will remain in the significant bracket despite revisions".

- 7.1.3 With regards to the disagreed landscape effects, a summary of these have been set out below. The Appellants assessment set out in blue and the LPA's assessment in black.

Figure 7.3 Analysis of character area disagreed by parties based on the original scheme since the landscape officer did not reassess the revised scheme

Visual Receptor		Year 1 Winter	Year 10 Winter
Site	Council's Conclusions	Major/Moderate adverse	Moderate adverse
	Appellant's Conclusion	Moderate adverse	Minor adverse
LCA. Hogshaw Claylands	Council's Conclusions	Moderate/Major adverse	Moderate adverse
	Appellant's Conclusion	Moderate adverse	Moderate beneficial

8 AGREEMENT

This Statement of Common Ground has been prepared jointly between the Council and the Appellant.

Signed on behalf of the Council (Buckinghamshire Council)

Name/Position

Signature

Date

.....

Signed on behalf of the Appellant (East Claydon Storage Limited)

Name/Position

Signature

Date

.....