



Appeal Decision

Hearing held on 22 July 2025

Site visit made on 21 July 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 September 2025

Appeal Ref: APP/J0405/W/25/3360815

Rookery Farm, Granborough, Buckinghamshire MK18 3NJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by East Claydon Storage Limited against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 23/03875/APP.
 - The development proposed is the development of a Battery Energy Storage System (BESS), connected directly to the National Grid, with associated infrastructure including access, drainage and landscaping.
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Decision

1. The appeal is allowed, and planning permission is granted for the development of a Battery Energy Storage System (BESS), connected directly to the National Grid, with associated infrastructure including access, drainage and landscaping at Rookery Farm, Granborough, Buckinghamshire MK18 3NJ in accordance with the terms of the application, Ref 23/03875/APP, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was accompanied by an Environmental Statement (ES), following a screening and scoping process undertaken by the Council. I am satisfied that the ES meets the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. I have had regard to it in deciding the appeal. Furthermore, all other environmental information submitted in connection with the appeal including that arising from questioning at the hearing has also been taken into account. This material contributes to the totality of the environmental information before me.
3. A Statement of Common Ground has been provided. This identifies the key areas of dispute between main parties with respect to landscape and visual effects.
4. Before the hearing I undertook an extensive site visit. I observed the site from a range of residential properties, in Granborough, East Claydon and Botolph Claydon. I then walked along a number of footpaths that pass close to the appeal site and from some more distant points. This visit was attended by representatives of the Council, the appellant and a number of interested parties. As such, I have gained a good understanding of the site and its surroundings.
5. In advance of the hearing the appellant submitted a Statement on Landscape Matters (document A) and an updated NatureSpace Report (document B). At the

start of the hearing the appellant explained that this landscape submission was provided in response to comments raised by interested parties and the Council. It was also explained that the updated NatureSpace Report was submitted to refer to the appeal reference. After inviting comments from the Council, I decided to accept these as I found these documents would not change the substance of the proposal and by doing so would not cause prejudice to any party.

6. Furthermore, in addition to the comment of 'no objection' made by Buckinghamshire Fire and Rescue Service during the application consideration process, further comments have since been received (13 June 2025) from the service. These explain that there are discrepancies between the appellant's NFCC Compliance Statement and the site master plan requiring two access routes into the site. An email was provided by the Council seeking clarification on this matter with the Fire Service, resulting in a further email from the service (dated 24 June 2025). This explained that the new comments do not change the initial views of the Fire Service, of no objection, but reiterates that the acceptability of the single access route into the site is not evidenced.
7. Finally, an email (dated 10 July) was forwarded by the Council with further comments from the Fire Service. This explains that the Fire Service understand that plume analysis has recently been undertaken demonstrating why one access would be suitable, but this has not been made available to the service. However, this concludes that the Fire Service is confident that any outstanding matters could be satisfied by the Council's suggested planning conditions. I have decided to accept these three late comments (document C) from the fire service as they provide useful information with respect to the fire related matters raised by interested parties and my doing so would not prejudice any party.
8. Correspondence has also been provided by East Claydon Parish Council from the National Grid, dated 31 July 2024 (document D). This draws attention to the agreed connection date between the appeal scheme and East Claydon Substation for 2026, based on customers connecting to the existing substation. It identifies that the existing substation is reaching the end of its useful life and will not meet future capacity. These documents have been accepted as part of the evidence without causing prejudice to any party.
9. Also, a submission was made by Dr Christopher Ford, on behalf of local residents, considering the role of BESS in terms of national policy and guidance (document E). As this was submitted the day before the hearing, the appellants and Council were given an opportunity to consider this document prior to my accepting it as a late submission. During the hearing main parties were given an opportunity to respond to the issues raised by the document and raised no objection to my acceptance of the document. As a result, I am satisfied that parties would not be prejudiced by my consideration of this submission which I have therefore accepted.

Main Issues

10. The main issues are:

- The effect of the proposal on the landscape character and the visual effects of the proposal, taking into consideration cumulative effects, and
- Whether material considerations would be of sufficient magnitude to outweigh any conflict found with the development plan.

Reasons

Character and appearance

11. There is a distinction to be made between impact on landscape, which should be treated as a resource, and impact on visual amenity, which is the effect on people (receptors) observing the development in places where it can be viewed, such as from roads, public rights of way and individual dwellings.

Landscape character

12. The appeal site includes four fields currently mostly used for arable farming and has overhead lines, connected by pylons, running through the site. The site is bound partly by Clayton Brook and surrounded by fields. The access to the site is proposed to use Hogshaw Road with a separate access from East Claydon Road proposed for construction vehicles. The site is within the open countryside between Granborough and East Claydon. It is relatively flat, within a valley floor. The site is also close to the East Claydon National Grid Substation and is undeveloped other than a line of pylons that run through it.

13. The proposed BESS would consist of the installation of around 518 battery containers, 19 battery inverter stations and would be enclosed by a fence. The adjacent associated substation is proposed to consist of equipment that would range up to 12 metres high, but most components would be substantially lower and this would also be enclosed by a fence. Whilst the site consists of 4 fields, only two would include operational equipment, with part of field 3 and most of field 4 containing planting areas, woodlands and ponds. Field boundary hedging and boundary trees of the existing fields would be largely retained.

14. The appellant's Landscape and Visual Impact Assessment¹ (LVIA) identifies that at a national level the site falls within National Character Area 108: Upper Thames Clay Vales. This is characterised as containing gently undulating farmland. The site is within the Council's Landscape Character Area (LCA) of 'Hogshaw Claylands' as defined by its Landscape Character Assessment [2008]. This LCA consists of a gently sloping bowl of low ground in mixed agricultural use, with a scattering of ponds and small woodlands. The Council's Assessment [2008] explains that the area has few settlements, and access is via narrow lanes and a good network of Public Rights of Way (PRoW). Similar to the appeal site, the LCA

¹ ES Landscape and Visual Amenity, Stratera, June 2024

is located within the open countryside between Granborough, Botolph Claydon and Conduit Hill. The site is close to the LCAs of Claydon Valley, Quainton Hill and North Marston, these are markedly different being typically consisting of elevated ground and two of these areas are regarded by the Council's Assessment as being of high sensitivity to change.

15. The assessment recognises that the two pylons that run through the area are visually intrusive, although it also notes that despite this, the rural integrity of the landscape is maintained. The area is regarded as having a good sense of historic continuity, a moderate sense of place and moderate sensitivity to change. The appeal site, being in arable use and set within the gently rolling rural landscape, is reflective of the area's character and as such the site makes a positive contribution to the landscape characteristics of the area.
16. The proposed BESS would cover two distinct areas in two fields with a sizeable presence. The proposal would substantially alter the appearance of the site creating an engineered landscape of electrical infrastructure that would erode the existing pastoral landscape. The site includes fields that are open and typical of arable land within the local agricultural landscape but have minimal valued features within them. Nonetheless, the proposal would introduce a dense and visually intrusive array of structures and electrical equipment that would diminish the rural setting of the site.
17. However, the local area includes a range of existing electrical infrastructure, consisting of both the nearby substation and the array of power lines that link to the substation and provide connections to the local power network. These features make a prominent and strong contribution to the appearance of the area that inevitably diminish the rural character of the valley.
18. The site is on flat land and enclosed by a strong hedgerow network that contributes to the landscape character and scenic quality of the landscape. The existing electricity related context of the site lowers the sensitivity of the landscape to accommodate further man-made interventions. Also, whilst the Council identifies that the site's tranquillity would be eroded due to noise and light effects, I am unconvinced that such effects would be overt. Consequently, the adverse effect of noise and light pollution could be adequately mitigated through the imposition of planning conditions.
19. The proposal would include a broad range of environmental enhancements, including new hedge and tree planting and new water features, attenuation ponds and wildlife ponds. Some of these features would assist in screening the development, whilst others would also enhance the biodiversity of the site. For either purpose, or in combination of both, these measures would complement the existing verdant character of the area. New woodland planting would be largely focussed around the meandering line of the brook and follow existing hedgerows. As such, the landscape scheme would introduce green infrastructure that would complement the existing landscape character rather than contrast sharply with it. Accordingly, due to the relatively low-lying nature of the proposed buildings and equipment, and the retention of existing boundary hedging, the effect of the proposed development on the wider landscape would be modest.
20. Consequently, the proposed scheme, would result in a moderate level of harm to the character of the site, its immediate surroundings and to the wider landscape.

Nonetheless, the scheme would retain the site's field boundaries within and adjacent to the site and thus maintain the field pattern and distribution of boundaries in the area. Despite the new planting conveying some landscape benefits to the areas character, the scheme would result in a significant magnitude of change that would cause a 'moderate adverse' effect on the site, the surrounding area and the 'Hogshaw Claylands' LCA. It would also result in a 'minor adverse' effect on the LCAs of 'Claydon Valley' and 'Quainton Hill'.

21. Although the adverse landscape effects of the proposal on the site, its immediate surroundings and the 'Hogshaw Claylands' LCA, would be reduced once planting becomes established after 10 years, the effects would remain 'moderate adverse'. Whereas the residual landscape effect would be neutral for 'Claydon Valley' LCA and 'Quainton Hill' LCA.

Visual effects

22. Visual amenity relates to the direct visual impacts on receptors (people) rather than on the landscape. The area surrounding the site includes a range of PRoWs. Most notable are the footpaths of GRA/2/1 (to the north of the site) and GRA 2/2 (to the site's eastern boundary). The village of Granborough is close to the eastern part of the site, most parts of which are separated from the site by several fields and Hogshaw Road. Public views of the proposal could be obtained from several PRoWs including those adjacent to the site, several other local PRoW including HOG 9/3 on Conduit Hill, 2.7kms south of the site. The general topography of the site, being mostly flat but enclosed by tree and hedge boundaries, provide screening from many wider views forming a degree of enclosure around the affected fields.
23. The appellant's LVIA has selected Viewpoints (VPs) within the surrounding area where the proposal is likely to be visible, identifying 24 VPs around the site. The selected VPs are shown on figures 5.11 and 5.13 of the LVIA, with VPs selected along the adjacent and nearby PRoWs, and some long-distance views from key points. I have used the 'magnitude of change' and 'sensitivity to viewer' descriptors found in the LVIA in my consideration of the proposal.
24. The selected VPs are mostly from PRoWs, where it is recognised that walkers using the footpaths would be highly sensitive to change. The viewpoints have been accepted by the Council as being the most significant and useful in understanding the visual effects of the proposal. I am cognisant that these selected viewpoints provide only a snapshot of the site, and these would not necessarily fully reflect the experience of people walking alongside and past the site with sequential views.
25. Associated photomontages within the LVIA consider the effect on views in both summer and winter periods and at both years 1 and 10. I am satisfied, following my observations on site, that the images provide a fair and accurate indication of the appearance of the site, the proposed development and the degree of change likely to be observed from the selected VPs. Following the removal of proposed equipment from field 3 and the submission of amended plans, the LVIA was updated providing revised considerations with respect to landscape and visual effects.
26. Viewpoints 1, 2, 3, 5, 6 and 7 (along both footpath GRA2/2 and where it becomes footpath ECL 4/2) would pass the northern boundary of the site. VP1 takes in a

relatively distant view of the site from an elevated position, upon leaving Granborough. Walkers would experience partially open and direct views of the site, but these would be obscured in part by boundary hedge and tree screening. In both summer and winter, views of the upper part of the battery containers and the proposed substation would be evident. Views of the proposed substation would be especially prominent. Despite this view already including the existing overhead cables and substation, the proposal would result in receptors experiencing a 'moderate/major adverse' visual effect in winter and 'moderate adverse' effect in summer at year one.

27. Considering VP2, from the PRow GRA 2/2 as it joins Hogshaw Road, this view is at a lower point than VP1. From this vantage, the eastern boundary hedge of the site would largely obscure views of the containers where only the topmost parts would be seen. Nonetheless, the upper parts of the substation equipment would remain strident in views. The view from VP3, closer to the site, is at the corner of the adjacent field to the site. Here the land is slightly elevated to the site but provides no view of the fields that form the site. The view of the proposal would be similar to that observed from VP2 causing a 'moderate adverse' visual effect in both summer and winter, at year one.
28. The view from VP4 is from PRow GRA 1/1, approaching the site from elevated land to the north. Here, views over a hedge boundary in the foreground would take in a close and wide view of both the battery containers and proposed substation. In this view, whilst the lower parts of the containers and substation would be obscured by hedge boundaries, a large area of the scheme would be evident. As such, the view would result in a 'major/moderate adverse' visual effect in the winter and 'moderate adverse' in the summer, at year one.
29. The view from VP5 is alongside the northern boundary of field 1 of the site. As users of the footpath would be close to the boundary hedge, views would be screened of the containers and most of the proposed development, causing a 'minor adverse' effect in both summer and winter, at year one.
30. At VP6, also alongside the boundary hedge but alongside field 2, the containers would not be visible, but views of the proposed substation would be strident and obtrusive. The substation equipment would be close to the boundary and as this area includes tall structures the higher parts of the associated equipment would be readily apparent. As a result, the proposal would have a 'moderate/major adverse' effect in both the winter and summer periods, at year one.
31. Viewpoints 7, 8, 9 and 10 would be along PRow ECL 4/1. Moving from VP 10 towards the site the land falls from a high elevation upon leaving East Claydon. The effect on walkers approaching the site would increase as they approach the site, changing from no effect (VP10), to 'moderate adverse' in winter and 'minor adverse' in summer at year one (VPs 8) and moderate adverse in winter and summer (VP9). VP7 takes in views of the site but is partly obscured by trees that follow the brook, resulting in a 'moderate adverse' effect in the winter and 'minor adverse' in the summer, at year one.
32. Viewpoints 14, 15, 16 and 17 follow the PRow GRA 1/2. From the furthest point at VP14, hedging would obscure both views of the site and of the proposal. VP 15 would reveal parts of the proposed substation in winter, resulting in a 'minor adverse' effect in the winter and a 'negligible' effect in the summer at year one.

From VP16, neither the battery containers nor the proposed substation would be visible over the boundary hedges, resulting in no change to the view. The nearest Viewpoint of this group, VP17 is located at the southern corner of field 1, taking in the access track and the containers through a field access gate, providing walkers with a glimpsed view of the site while passing the access. This view would result in a 'moderate adverse' effect in summer and winter, at year one.

33. The view from VP 21, from Conduit Hill is around 2.7kms south of the site. Views here take in a wide and broad panoramic view of the wide and flat valley floor. From this vantage the broad tapestry of fields can be seen, demonstrating the extent of boundaries separated by tree and hedge lines. This view also demonstrates clusters of woodland that whilst limited, contributes to this view, nonetheless. The existing substation is well screened in this view and is largely only able to be found by following the path of the various pylons which are also notably within the view. The proposed BESS would be difficult to identify from this vantage, due to the distance and being largely obscured by intervening plant screening. This view, from the PRoW of HOG 9/3, would result in a 'minor/moderate adverse' effect in summer and winter, at year one.
34. The view of the site from VP22 from a field gate within Botolph Claydon provides a brief view towards the site across the valley. Although some distance from the site, the battery containers and the proposed substation would be clearly visible. This would lead to a 'moderate adverse' effect in the winter and summer, at year one.
35. VP24 is from Bracknall House on Hogshaw Road, looking towards the proposed access to the site and the site beyond. Views are largely obscured towards the battery containers by intervening planting, including a tree located within the front garden of the property. This would result in a 'moderate adverse' effect in winter and a minor adverse effect in summer for year one.
36. In summary, at year one, walkers viewing the site from a range of VPs would experience adverse visual effects. Where minor adverse effects have been identified for some views, these are not considered significant. Furthermore, those VPs not specifically discussed above cause only 'minor adverse' or 'negligible' visual effects. However, 'moderate adverse' effects would occur at VPs 2, 3, 6-9, 17, 21 and 24 'moderate/major adverse' effects at VPs 1 and 4.
37. In terms of mitigation, the proposed development includes an extensive landscaping scheme that would contain wide-ranging tree and hedge planting to the southeast and northeast edges of the site. New woodlands and planting areas would be created alongside the brook with new hedging in field 3 and an enhanced linear woodland in-between fields 3 and 4. New hedgerow and woodland planting would expand and reflect adjacent field boundaries. The proposed woodland areas would connect to existing woodland groups beyond the site.
38. Accordingly, the proposed planting would provide an effective screen to the proposed development that would largely appear as natural extensions of existing plant forms. The new planting would both enhance the area's landscape character, to a modest extent, and provide screening. New planting would visually soften and help integrate the proposal into its surroundings, reducing most visual effects to either neutral, negligible or no effect at year ten. Therefore, whilst a 'minor adverse' visual effect would remain for some viewpoints, most views would experience a negligible effect. The views that would experience 'minor adverse'

effects are either local to the site or would be diminished due to the separation distance and by the intervisibility of proposed and existing planting (such as at VPs 21 and 22) and these are not regarded as significant effects.

39. Consequently, the topography and extent of existing and proposed planting would limit the adverse visual effects of the proposal on the wider area and lessen the overall adverse effects in this regard.
40. The proposal would be visible from some residential properties within Granborough, Winslow and Botolph Claydon. However, such views would be filtered by intervening planting causing 'moderate/major adverse' effects in the winter and minor adverse in the summer at year one. These effects would decline to 'minor adverse' once planting would mature by year 10.
41. Furthermore, during construction the proposal would result in 'moderate/major adverse' visual effects from several VPs and 'moderate adverse' effects from around seven more VPs, but most effects would be 'minor adverse'. These 'major and moderate adverse' effects would be significant and would continue through the construction process, albeit being temporary in nature.

Cumulative visual and landscape effects

42. Nearby large-scale development in the area includes a solar farm which is under construction at Tuckley Farm and a BESS facility submitted by Statkraft Uk which is subject to a planning application. The Statkraft site is to the northwest of the appeal site, beyond the existing substation. Due to topography and field boundaries there is limited to no visibility between the appeal site and the Statkraft site, but these would create a sequential cumulative effect for walkers using local PRoWs.
43. The development of a solar farm at Tuckley Farm would be north of East Claydon Road, around 700 metres to the north of the site. Combined views of both the approved solar farm and the proposal would be extremely limited. Views would be most likely to be obtained from PRoW ECL 4/1 at VP 8 and 9 and possibly from VP4. In these views a receptor would need to turn from looking towards the proposal (southeast) towards Tuckley Farm (northeast and north), resulting in a 'minor adverse' cumulative visual effect from both schemes.
44. In terms of landscape character, the combined effect of the solar farm, the Statkraft scheme and the proposal would increase the range and scale of electrical related infrastructure within the local area, for the 40-year duration of the proposed development. The combined effect of the development on the landscape, in combination with the approved solar farm, would be greater. Nevertheless, the combined effect would only have a further limited adverse impact on the landscape character. Accordingly, the overall effect on the landscape character would remain as a 'moderate adverse' effect in this geographic context.
45. Also, a 500WM solar farm is proposed near to the site as Rosewood Solar Farm. I understand that the first round of consultation has been undertaken, and the proposal will be submitted as a Nationally Significant Infrastructure Project (NSIP) but has not yet been submitted for consideration. Due to its early stage, it has not been assessed in consideration of cumulative effects.

Summary of landscape and visual effects

46. In summary, once landscape planting has become established in 10 years the effect of the proposal on the landscape character would be 'moderate adverse' for the site, its immediate surroundings and the 'Hogshaw Claylands' LCA. In terms of visual effects, the proposal would result in limited visual effects. Although, a 'minor adverse' visual effect would remain for some viewpoints, these are either only localised views or far distant and would be diminished due to distance and proposed and existing planting. This would limit the adverse visual effects of the proposal on the wider area and lessen the overall adverse effects in this regard.
47. Consequently, the proposal would result in a 'moderate adverse' effect on the landscape character causing modest harm. However, it would only result in 'minor adverse' visual effects once planting has become established, which is not regarded as a significant effect. In identifying harm to the landscape character of the area, the proposal would conflict with policies C3, BE2 and NE4 of the Vale of Aylesbury Local Plan [2021] (LP), albeit to a modest extent. These seek development, among other matters, to prevent adverse impacts on landscape, respect the local distinctiveness and vernacular character of a locality and respect the natural qualities and features of an area.
48. Policy RC2 of the Granborough Neighbourhood Plan [2022](NP) requires new development to be in keeping with adjacent development, to not introduce over-dominant features and to require mitigation where necessary to off-set any impacts. This also requires development to respect field patterns and to incorporate landscape design schemes. Also, NP policy RC3 requires development to be good quality. The proposed buildings and associated equipment could be regarded as utilitarian but are not regarded as poor-quality or would be indicative of poor-quality design. Also, the scheme includes a comprehensive landscape planting scheme that would enhance the area's landscape character. Consequently, the proposal would comply with NP policies RC2 and RC3.

Benefits of the scheme - renewable energy

49. The appellant identifies a national need for BESS. This both ensures energy security and assists the Country in achieving a net zero economy. The proposed BESS would store power from the National Grid at times of excess supply and feed this back into the grid at times of high demand. There is a clear linear relationship between the amount of renewable energy generation and energy storage. The appellant explains that the proposed BESS would store sufficient energy to serve around 540,000 households.
50. The provision of new renewable energy projects is required to meet legal obligations and policy objectives relating to climate change and in supporting greater levels of national energy security. It is especially important to accommodate the fluctuating nature of energy generated from renewable sources which is dependent on time of day and the weather, to support non-renewable sources of energy generation.
51. Therefore, whilst the proposal itself is not a renewable energy project *per se* it would provide enhanced energy resilience in the National Grid. As such, the energy to the proposed BESS would be generated by both renewable and non-

renewable energy but over time it would provide greater support for renewable energy production.

52. A material consideration in the determination of planning proposals for renewable energy and associated facilities, are the National Policy Statements (NPS) for the delivery of major energy infrastructure. This application is not an energy development which would be regarded as a NSIP scheme under the Planning Act 2008. Nonetheless, the Overarching NPS for energy (EN-1) may be a material consideration for applications under the Town and Country Planning Act 1990 (as amended). This sets out the national policy for energy infrastructure and establishes the Government's approach to meeting its net zero objectives. It recognises that to meet the Government's objectives and targets for net zero by 2050, significant large and small-scale energy infrastructure will be required.
53. The NPS (EN-1) states that:
54. *"There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation²"* and that *"storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply³"*
55. Furthermore, the NPS for Renewable Energy Infrastructure (EN-3) sets out national policy in respect of renewable energy and identifies 'an urgent need for new electricity generating capacity to meet our energy objectives' which would clearly also require storage. Accordingly, I am satisfied that the proposal would directly support the development of new energy generating facilities which will increasingly be delivered from renewable energy sources and therefore the proposal can reasonably be regarded as low carbon energy associated infrastructure.
56. The UK Government has declared a climate emergency and set a statutory target of achieving net zero emissions by 2050, and this is also a material consideration. Since the declaration, the Sixth Assessment Report of the Intergovernmental Panel on Climate Change has indicated that there is a greater than 50% chance that global temperature increases will exceed 1.5 degrees Celsius above pre-industrial levels. The report indicates that delay in global action to address climate change will miss a rapidly narrowing window of opportunity to secure a liveable and sustainable future for all⁴.
57. The NPSs recognise that to meet the Government's objectives and targets for net zero by 2050, significant large and small scale energy infrastructure is required. This identifies that *"Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated⁵"*. It seeks solutions that include *"maximising the usable output from intermittent low carbon generation⁶"*.

² National Policy Statement-EN1, paragraph 3.3.4

³ National Policy Statement-EN1, paragraph 3.3.6

⁴ IPCC Sixth Assessment Report - Summary for Policymakers, figure SPM.6

⁵ National Policy Statement-EN1, paragraph 3.3.25

⁶ National Policy Statement-EN1, paragraph 3.3.27

58. The LP seeks to mitigate the impact of climate change by minimising greenhouse gas emissions and adapt to the potential impacts of climate change by managing and reducing risks. The Council made a motion in 2020 to work alongside the Government to achieve net carbon zero for Buckinghamshire by 2050. This objective is supported by LP policy C3 which encourages the provision of renewable energy projects, provided that these would result in no unacceptable adverse impacts. The Council acknowledges that energy provision is 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.
59. Planning Practice Guidance (PPG), on renewable and low carbon energy, states that ‘there are no hard and fast rules about how suitable areas for renewable energy should be identified, but in considering locations, local planning authorities will need to ensure they take into account the requirements of the technology and critically, the potential impacts on the local environment, including from cumulative impacts.’⁷ The PPG also acknowledges that “electricity storage can enable us to use energy more flexibly and de-carbonise our energy system, by helping to balance the system at lower cost, and maximising the useable output from intermittent low carbon generation” identifying a clear national need for BESS.
60. The National Planning Policy Framework (the Framework) explains that when dealing with planning applications, planning authorities should support the transition to a low carbon future, improve resilience and support renewable and low carbon energy and associated infrastructure. Consequently, these benefits, that support the provision of battery storage and assist in the delivery of renewable energy, are of substantial weight in favour of the scheme.

Other benefits

Biodiversity

61. Since 12 February 2024 it has been a requirement of the Town and Country Planning Act 1990 (as amended) for major planning applications to deliver a 10% biodiversity net gain (BNG). The application was made before the statutory provisions came into force and thus the proposal is not subject to these statutory BNG requirements. Nonetheless, the Framework and LP policy NE1 seek development proposals to deliver BNG.
62. The proposed scheme would provide BNG, with a reported 47% gain in habitat units, a 40.95% gain in hedgerow units and a 4.38% increase in watercourse units. A Landscape and Ecological Management Plan could be secured by appropriate condition to detail how these measures would be created and maintained for a 30-year period. The provision and distribution of landscape planting enhancement is demonstrated on the planting plans (sheet 1 and 2), showing new woodland pockets around the battery container compound, the brook alongside hedgerows. Also new wildflower grassland, wildlife ponds and scrub areas are proposed. The proposal would therefore achieve a net gain to biodiversity as sought by LP policy NE1 and C3 and the Framework, which do not set minimum thresholds to measure suitable gain. Accordingly, the provision of BNG, substantially in excess of 10%, would be a benefit of significant weight in favour of the proposal.

⁷ PPG, Paragraph: 005 Reference ID: 5-005-20150618

Permissive path

63. The proposal would include the provision of pedestrian access into and through the site. This would create a permissive path across the site, providing a corridor of a minimum width of 5 metres. This would create a loop route through the site, linking to PRowS to the south and east of the site. This would assist in the expansion of the wider public rights of way network, further opening up the countryside, and broadening accessibility to walkers. This benefit would attract moderate weight in support of the scheme.

Economic benefits

64. The appellant explains that the proposal would deliver new investment and employment, during both construction and operation. Nonetheless, the construction phase would be relatively short and provide employment over only a limited period of time, and it is expected that the servicing and maintenance of the equipment on site would be relatively infrequent. As such, whilst recognising there are economic benefits of the proposal this attracts only limited weight in favour of the proposal.

Other Matters

Transport Issues

65. Chapter 8 of the appellant's ES is concerned with Transport and Access. The construction period is likely to take place over an 18 month period. Access to the site, for construction vehicles, is intended to mostly take place from East Claydon Road and into the site via a temporary access drive (the haul route). For Abnormal Indivisible Loads (AIL) movements, and when the haul route is unpassable, construction vehicles would access the site from Hogshaw Road. East Claydon Road is a country road with a 60mph speed restriction, it has no footways or streetlights. Hogshaw Road is a narrow country road where vehicles can pass at slow speeds, with no footways or streetlights, nonetheless it has a 60mph speed restriction.
66. The haul route would provide a safe and convenient route from the highway network into the site, avoiding Hogshaw Road. It would require the construction of a temporary bridge over the brook alongside the main site to facilitate access. It is recognised that the haul route may occasionally flood necessitating the provision of an alternative access, via Hogshaw Road, although the appellant states that is not anticipated to be required.
67. The Construction Traffic Management Plan (CTMP), agreed between the Council and appellant, requires all construction vehicles larger than a car or van to approach the site by an agreed route via the A421 and A413. This also restricts the movement of construction vehicles to daytime only and with a greater restriction during school term times. The construction phase of development would result in a maximum number of 104 two-way movements daily, consisting of around 56 cars/vans and 48 Heavy Goods Vehicles (HGV). This scale of traffic increase, between existing and proposed, would be around 5% on both Winslow and East Claydon Road and would therefore result in a limited increase.
68. Although most construction traffic would avoid Granborough, if traffic needs to be temporarily diverted to Hogshaw Road, the percentage increase between existing

and proposed traffic would be around 25%. This would result in a major change to traffic activity on this road. However, as this route would only be used on a short-term basis, the overall effect on other uses of Hogshaw Road would be minimal. Therefore, the low percentage change of construction traffic on local roads, in combination with the temporary nature of the construction period and the mitigation proposed in the CTMP, would result in an overall traffic effect that would not be regarded as significant.

69. Furthermore, the appellant has submitted an AIL Access Report. This refers to the proposed movement of the 4 transformers onto the site, requiring a lorry capable of carrying the 112 tonnes nett device. The report illustrates that the route for the AIL's from Tilbury Docks to the site is feasible on the highway network. This includes assessment of the Granborough bridge over Claybrook. The Council also confirmed at the hearing that it was satisfied that the use of this bridge was deemed to be feasible for AIL access.
70. Traffic associated with the operational use of the facility would be negligible. Furthermore, the cumulative effects have also been considered through the appellants traffic assessment. This found that whilst East Claydon Road is to be used to access the Tuckley Farm solar scheme, the combined HGV traffic would amount to only 10 HGV movements an hour, on average, during any cross-over construction period. As a result, the cumulative traffic effects would be adequately mitigated through the application of both respective CTMPs.
71. Accordingly, the construction and operational traffic effects of the proposal on local roads would result in a limited change to existing traffic levels, resulting in no adverse effect on highway safety. Moreover, there is also no substantive evidence before me that demonstrates that properties that are close to affected roads would experience undue vibration from passing vehicles to cause any materially greater disturbance than currently experienced.
72. Furthermore, a condition could be imposed to ensure that the effected highways approaching the site are subject to a condition survey. This would be to ensure that any damage to the roads, occurring during the construction period, are repaired to a suitable standard. As such, whilst recognising the concerns of interested parties with respect to the effect of additional construction vehicles on rural roads, the predicted overall increase of construction traffic attending the site would be limited. This would therefore result in no material harm to highway safety and would not have a severe impact on the highway network, a conclusion shared by the Highway Authority.

Fire related concerns and impacts

73. Interested parties have raised concerns with respect to the perceived fire risks associated with BESS. This includes concerns of the batteries catching fire causing a thermal runaway and the effects of water to manage any fire resulting in off-site water contamination from fire water. As a result, questions have been posed as to the proposed fire suppressions systems and site's access for emergency vehicles.
74. The effects of fire and associated risks to human health and the local environment can be material considerations. A BESS creates a heightened risk of fire due to the materials used in the construction of the batteries and due to the concentration of battery units within the proposed facility. The PPG highlights the importance of

collaboration with the fire service on safety measures and the use of the National Fire Chief Council's (NFCC) guidance to address potential risks and to inform decisions on applications. The aim is to ensure that the fire service can provide views on potential hazards and recommend, where necessary, risk mitigation measures in the event of an incident. Applicants are also encouraged, by the PPG, to consider NFCC guidance when preparing an application.

75. NFCC Guidance for Grid Scale Battery Energy Storage Systems (November 2022) provides planning guidance to aid the development sector. This identifies 12 key principles to minimise fire risk and provide suitable emergency measures that include the identification and management of hazards, consideration of the effect on surrounding communities and to enable safe access for emergency responders in the event of a fire. In terms of safe access, this requires at least two separate points of access into the site to account for wind direction. It also recommends that bespoke Emergency Plans, both a Risk Management Plan and an Emergency Response Plan, should be prepared in coordination with the Fire and Rescue Service.
76. The appellant's 'National Fire Chiefs Council Compliance Statement' identifies that Buckinghamshire Fire and Resue Service (BFRS) were initially consulted in March 2023, where a liaison framework was established. The Statement explains that the selected batteries would have overtemperature protection and fire suppression initiation, which would activate well below thermal runaway temperatures. The containers would be designed to ensure that any fire would be contained and self-combust within the individual BESS units. The containers would be spaced to prevent fire spreading between units in accordance with spacing requirements of the guidance. In terms of site access the Statement reports that two access points would be provided for emergency access.
77. Mr Blunden, a Fire Safety Expert speaking on behalf of the appellant, explained that whilst the appeal site has only one access onto the public highway, the access route through the site splits at the corner of the site providing two access routes for emergency vehicles around the main BESS compound. He also explained that recent plume analysis, using 16 months of analysis, considered a worst-case scenario to test the effect of a smoke plume effecting access to the site. This found that, based on prevailing wind direction, the proposed access would not be significantly affected in the event of a fire. The Council has also confirmed at the hearing that the two access sites through the site would be acceptable, with one access onto the highway, from a fire access perspective.
78. During the consideration of the planning application BFRS were reported as having no objection to the scheme. This was on the provision that the applicant complied with the NFCC guidance, or an equivalent alternative, and the scheme was subject to a Risk Management Plan and Emergency Response Plan. However, ongoing discussions between interested parties, the Council and the Fire Service resulted in further comments and a concern from the Service centred around whether a second access would be required to satisfy NFCC guidance.
79. Most recent correspondence from the Fire Service⁸ explains that since offering its additional comments and observations further discussion has taken place with Mr Blunden. The Fire Service was informed that recent further plume analysis

⁸ Email from Jonathon James, Buckinghamshire Fire and Rescue Service, 10 July 2025

provides justification for a singular emergency access route and concludes that all outstanding matters for fire safety management of the site could be satisfied by planning conditions relating to hard landscaping, drainage, an Emergency Response Plan, a lighting scheme, a Safety Management Plan and the provision of suitable visibility splays at the entrance to the site.

80. Furthermore, Fire and Plume analysis has been undertaken by the appellant to explore the effect of adverse fumes on the surrounding area in the event of a fire. This has demonstrated that any (hydrogen fluoride) plumes would be limited to the proximity of the site and would have no impact on the surrounding area. As a result, the evidence is clear that the risk of fumes from any fire effecting local residents, wildlife or livestock would be negligible.
81. Accordingly, there is no compelling evidence to demonstrate that the facility would be hazardous or incompatible with its location within the open countryside. In the unlikely event of a fire, the facility would be readily accessible by a fire tender and BFRS has raised no concerns in this regard. As such, I see no clear reason within the submitted evidence that illustrates why the facility would be especially vulnerable to the risk of fire or would not comply with the NFCC guidance.

Effect on living conditions

82. The appeal site is located in the open countryside but close to the villages of Granborough, East Claydon and Botolph Claydon. A small number of isolated dwellings are also found closer to the site. However, these are still some distance from the operational parts of the scheme and are set away from the site by a generous separation distance, topography and vegetation. The appellant's Noise and Vibration Assessment identifies five noise and vibration sensitive receptors (dwellings) between 420 and 880 metres of the site. The baseline assessment found that noise levels ranged from 31 to 33dB LA90,15min in the daytime and 25 to 30 dB LA90,15min in the night-time, although the higher figures were collected at location LT3, close to the existing substation, and was not therefore used for baseline consideration.
83. The Assessment identifies that construction noise would largely not exceed Significant Effect Thresholds for daytime, evening and weekends and during the night-time, and cause minor adverse or negligible effects only. A noise sensitive receptor (Location D - 420m southeast of site) would experience an exceedance of 8dB during the night from the use of the haul route. However, the assessment states that most work would occur further from this receptor, causing a significantly reduced noise impact, which would be highly unlikely to occur during the night-time period. Furthermore, it states that even if these operations were to occur, the receptor is of medium sensitivity, having a medium magnitude of impact and a moderate overall effect. In terms of vibration, the assessment found that piling works are only expected to take place for the formation of the substation, which would be likely to result in insignificant vibration effects to surrounding receptors.
84. In terms of operational noise, the assessment identifies that on site equipment will range from 87 to 63 (Lw dBA), with the greatest noise emitted by the Grid Transformer, battery containers and inverter buildings at 87, 85 and 82 (Lw dBA) respectively. The predicted sound levels received at the five sensitive receptors would be significantly below baseline levels, resulting in a low risk of an adverse impact causing minor adverse and negligible effects only. Furthermore, the

assessment finds no adverse cumulative effects in consideration of local projects on noise sensitive receptors.

85. Consequently, the proposal would not result in significant harmful noise effects to local noise sensitive receptors. As a result, the proposal would result in no material effect to occupiers of nearby settlements, subject to the imposition of a condition requiring the submission of a noise mitigation report. Accordingly, the noise and vibration effects would not be significant for occupiers of nearby dwellings, a conclusion shared by the Council's Environmental Health Officer.
86. Also, the scheme proposes the use of lighting within the site. The effect of external lighting could affect local wildlife, especially bats, and erode the character and appearance of the area in reducing the dark nature of the site at night. Nonetheless, a condition could be imposed to ensure lighting is provided in a sensitive manner with respect to the site's countryside location preventing disturbance to bats, other wildlife and local residential occupiers.

Effect on agricultural land

87. Interested parties raise concerns that the appeal site consists of productive agricultural land, which is needed to maintain national food security. Paragraph 187(b), of the Framework, places value on recognising the intrinsic character and beauty of the countryside including the economic benefits of best and most versatile (BMV) agricultural land. The Framework's Glossary defines BMV land as being land of Grades 1, 2 and 3a of the Agricultural Land Classification. Footnote 65 of the Framework states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
88. The appellant identifies that the site is classed as Grade 3b Agricultural Land. As a result, the proposal would avoid the use of BMV land and which deemed to be of poorer quality. The proposal would therefore comply with the Framework and LP policy NE7 which seek to protect the BMV farmland for the longer term. Furthermore, there is no compelling evidence that the site makes a strong contribution to local food industries or that its temporary loss would have a material adverse effect on food security.

Flooding issues

89. Part 4 of the ES consists of a Flood Risk Assessment (FRA) and Conceptual Drainage Strategy. The FRA identifies that the site is largely within flood zone 1, the least likely to flood. However, the northwest and southwest boundaries are alongside the Claydon Brook and within flood zones 2 and 3. As a result, small parts of the site are subject to fluvial flooding. The flood map at figure 2 also demonstrates that the proposed haul route is within flood zone 3 and will therefore be unavailable for construction vehicles at times of flooding. Furthermore, the Environment Agency's (EA) Flood Map for surface water shows that parts of the site are subject to surface water flooding. These findings have been confirmed by East Claydon Parish Council providing photographic evidence of flooding events on site.
90. The revised FRA (24 September 2024) was submitted to address the concerns of EA following consultation as part of the application consideration process, addressing matters including a reliable baseline for fluvial flood risk and surface

water flood risk and to assess the impacts of the proposal on flood risk. The FRA identifies that the site would not be subject to fluvial flood risks for the baseline scenario and when accounting for climate change. The submitted surface water map indicates that flows are well contained to the ditches across the site and there is minimal surface water flooding on site. The modelling also demonstrates that the proposed development would include a suitable access and egress up to an including the 1% Annual Exceedance Probability (AEP) plus Climate Change via the proposed access.

91. The PPG regards the proposed development, in flood type terms as essential infrastructure. On this basis, the Flood Risk Vulnerability Classification at table 2 of the PPG, notes that 'essential infrastructure' is suitable in flood zone areas 2 and 3 without the need for an exception test. Nonetheless, due to the proximity of the site to flood zone 3 a sequential test and exception test has been undertaken. The sequential test aims to steer new development away to areas with the lowest probability to flood. The site is located in the eastern parcel of the site, which is set away from the area of the site that floods and therefore would pass the Sequential Test. In terms of the exception test, the FRA demonstrates that the proposal would be safe for the duration of the development, without increasing flood risk elsewhere. The vulnerability of the development would not increase because of the proposed works. The revised FRA has been deemed to be acceptable to the EA and I see no compelling reason to disagree with the conclusions reached in this document.
92. In terms of surface water, the Conceptual Drainage Strategy (Rev D) shows surface water run-off captured and directed to an attenuation basin of 5553m³ and a flow control manhole with a 22.1l/s restriction regulating flow into the brook to greenfield rates. The Lead Local Flood Authority (LLFA), notes that whilst the site has a medium to high risk of flooding to its boundaries it has a very low risk of surface flooding. It also notes that the attenuation basin includes pollution mitigation measures, that would capture potentially contaminated runoff water from fire and includes fire prevention plans within the design of the Drainage Strategy. Consequently, the LLFA raised no objection to the proposal subject to the imposition of suitable conditions.
93. Accordingly, I am satisfied that the proposal would not result in an adverse flood effect either on site or in consideration of the risk of flooding downstream.

Heritage effects

94. The Framework states that when considering the impact of development on the significance of designated heritage asset, great weight should be given to the asset's conservation. There are a number of heritage assets within the local landscape. These include two Grade II* listed building and seven Grade II listed buildings, the Grade II Registered Park of Clayton Park and conservation areas (CA) in Botolph Claydon and Middle Claydon. Also, archaeological evidence shows that a Roman Road and two Roman pottery scatters have been identified within fields 3 and 4. Furthermore, the site contains some ridge and furrow features.
95. The Church of St Mary, in East Claydon, is a Grade II* listed building. It is at the eastern edge of the village. It includes a C14 chancel, with a C15-C16 tower. It consists of rubble stone, with large, coursed blocks to the tower and chancel. Its

significance derives from its architectural and historic interest. The building is largely hidden from the site by planting and topography, but the top of the tower is visible from parts of the site. The appeal site is within the setting of the building and would materially alter landscape character. However, this is just one part of the wider landscape within which the church sits and therefore the proposed scheme would not have a material effect on the significance of the building.

96. Boltolph House, a Grade II* listed building, is located within Botolph Claydon. This C18 building is of red header brick with gauged heads to windows, hipped tile roof and brick chimneys. The significance of this building derives from both its architectural and historic interest. The façade of the house is evident from parts of the site, albeit over a significant distance.
97. Rookery Farmhouse, on the west side of Granborough, is a Grade II listed building. It is a late C16 dwelling and consists of a timber frame with a white-washed brick infill to end bays and rear. It has a setting that is visible within views of the site. Its significance derives from its age and architectural interest.
98. The Grade II Listed buildings of the Stable Block at Botolph House, Botolph Farmhouse, Botyl Cottage- 57 Botyl Road, Hickwell House- 40 Botyl Road are within the Boltoph Claydon CA. Parts of these buildings, such as chimney stacks and some gables, are visible from parts of the appeal site.
99. Although the appeal site is within the setting of these listed buildings, it contributes very little to their significance, other than allowing an appreciation of the buildings from a significant distance. The proposal would not therefore materially harm the significance of these buildings due to the separation distance and limited extent of intervisibility due to topography and existing and proposed vegetative planting.
100. The Grade II listed buildings of Beech House and Tuckley Farmhouse would not be visible in views of the site. Furthermore, views of the Middle Claydon CA and Claydon Park would also not be visible from the site. As such, there would be no effect on the setting and significance of these listed buildings, the CA and the Registered Park.
101. Furthermore, Sionhill Farmhouse is part of an isolated farmstead to the east of East Claydon and is of historic interest but of low significance. It is relatively enclosed by its associated farmyard and trees but appears in views of the site. Due to the separation distance to the site and intervening features the proposal would have no effect on the significance of this building.
102. The medieval and post-medieval remains evident on site, in the form of ridge and furrow features. These could be suitably preserved through the imposition of a condition requiring a written scheme of investigation, including investigation along the haul route. As such there would be no material harm to these heritage assets.
103. In conclusion the significance of the surrounding heritage assets would be preserved, a view shared by the Council's conservation officer.

Wildlife impacts

104. The appeal site consists of four fields mainly used for arable purposes. These are bound by field hedge boundaries that include some tree groups. A brook runs alongside the northwest boundary of the site, bound by tree and hedging. The

appellant's Preliminary Ecological Appraisal⁹ identified that the site has the potential to support several protected and notable species and recommended further surveys for Great Crested Newt (GCN), reptiles, breeding birds, bats and water vole. A static bat detector survey identified three bat species within the area with 15 passes recorded. Due to the low levels of activity this identified the bat activity to be only of local importance where mitigation measures would be suitable.

105. A wintering bird survey found 35 species within the site. This found that the line of trees along the stream supported the greatest number of species, followed by the hedgerows. The arable fields were found to only support skylarks and wood pigeons. The survey found 15 species of birds using the site, that are of conservation concern. Four of the species are listed under Schedule 1 of the Wildlife and Countryside Act 1981 as rare breeding species in the UK and five species (under Section 41) as Species of Principle Importance. Furthermore, four species were recorded that are on the Birds of Conservation Concern Red List, consisting of the skylark, starling, fieldfare and yellowhammer. The survey finds that the greatest anticipated effect on birds would be during construction through the removal of arable land and the short sections of hedgerow which would have the greatest impact on skylark.
106. The site is within an amber impact zone for GCN. In response, the appellant has provided a NatureSpace Report (document B) which details entry into the Council's District Licence Scheme. The Licence requires the imposition of two conditions to ensure that GCN would not be adversely affected by the proposal.
107. The Reptile survey identified the presence of an exceptional population of grass snake and low population of common lizard. However, predicted impacts were deemed to be limited due to a minimal loss of habitat and a method statement would manage any residual risk of loss of habitat. The water vole and otter survey identified some potential evidence of otter along the brook, although it was found that the scheme would convey a low risk of harm to such habitat. No evidence of water vole was found.
108. The ecological surveys have been undertaken by a suitably qualified professional and the scope and method of these has not been disputed by the Council's ecologist. Mitigation measures have been recommended by the appellant to address the level of wildlife activity found within and around the site consisting of the retention and enhancement of hedgerow habitat and the implementation of a sensitive lighting strategy.
109. Furthermore, enhancement measures are also recommended consisting of the planting of species rich grassland, woodlands and native shrubs, providing a greater foraging resource. Also, for bats a minimum of 20 bat boxes are recommended by the bat survey to be installed. Skylark plots are proposed to provide suitable open foraging within the site. For otters it is recommended, that a 10 metre buffer be provided alongside the brook to minimise harm, which could be secured as part of a Construction Environment Management Plan. Accordingly, and despite the concerns raised by the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust, I am satisfied that the ecological interests would be suitably protected and suitable mitigation measures can be secured through the

⁹ Preliminary Ecological Appraisal, MKA Ecology, November 2023

imposition of suitable conditions. As such, the proposal would not result in adverse effects on local wildlife, a conclusion shared by the Council's ecologist.

The need for BESS

110. Dr Ford, in representing interested parties, has questioned the need for the proposal. He indicates that short-term power storage is not well suited for the energy storage requirements of an intermittent energy storage system. I note that NPS EN-1 recognises that many of the energy storage facilities being deployed provide storage over a period of hours and cannot cover prolonged periods of low output from wind and solar. However, the NPS also notes that storage has a key role to play in achieving net zero and improving flexibility to the system.
111. Also, my attention has been drawn by Dr Ford to the Government's Review of Electricity Market Arrangements [2022] and Clean Power 2030 Action Plan [2024] (AP). These indicate that instead of renewable energy projects being developer-led it is intended that the National Electricity System Operator (NESO) would identify and coordinate where generation is needed.
112. The AP explains it has a high ambition to secure a minimum of 23GW BESS and 4-6GW of long-term storage by 2030. It also seeks to provide a minimum of 24GW of storage by 2035. This shows a steep rise from the current 4.5GW of storage available, but a lesser requirement by the end of 2035. Dr Ford suggests that this indicates that BESS is not considered to be a long-term solution, but this is speculation and may simply indicate that the requirements for storage become harder to predict moving into the future. Furthermore, the AP is clear that clean power by 2030 prepares us for the rapid growth demand expected over the 2030s and 40s.
113. In terms of connection reform, Dr Ford suggests that it is possible that the appellant's current Grid Connection offer would be put in abeyance. The AP seeks to reform the grid connection regime to reduce the queue to connect to address the need identified where we require twice the transmission network in the Grid than has been built in the past decade.
114. The AP indicates the required capacity for power generation and storage region by region. Dr Ford asserts that the AP identifies that the region is already meeting its target for BESS (of 485MW) with 1340MW of storage in the pipeline. This consists of consented schemes (811MW) and those currently being considered for planning permission (528MW). Dr Ford therefore asserts that the provision of BESS consented and proposed exceeds the identified need in the region and there is therefore no need for the proposal.
115. However, it is not known how many of the consented schemes have connection agreements and those that are subject to planning consideration that may not gain consent or have a connection agreement in place. As a result, these figures do not make a compelling case that the provision is already met. Furthermore, whilst a material consideration, the AP does not override established policy on this subject. EN-1 states that "it is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by the NPS" and "the Government does not consider it appropriate for planning policy to set limits on different technologies".

116. Moreover, the appellant has an agreement with National Grid Electricity Transmission to connect to the East Claydon Substation. The agreement includes a connection date in Q3 2026 and requires the appellant to demonstrate it is developing the project, including obtaining planning permission meeting the NGETs “ready to connect” criteria. I have noted correspondence from a representative of National Grid ‘East Claydon Project Team’ that suggests that no new connections would be allowed to be connected to the existing substation. However, it is unlikely that this message would over-ride an established agreement in place with the appellant. Accordingly, in the absence of local or national policy that might place limitations on BESS provision, and in mind of the readiness of the proposal to contribute towards the management of renewable energy systems, I find the question of need (on a case-by-case basis) to be of limited weight in my assessment of the scheme.

Hollow Hill Airstrip

117. The appeal site is adjacent to Hollow Hill Airstrip. This airfield has been in use for around 30 years and enables international flights for small aircraft. I am cognisant that the owner of the airstrip has raised a range of concerns relating to safety. It is noted that the field to the west of the airstrip, and part of the site, currently provides capability for aircraft to land if a pilot should undershoot or overshoot the landing strip. This opportunity would no longer be available. The operator of the airstrip informs that the business would need to be relocated. However, no evidence has been submitted to demonstrate why alternative ways of using the airfield would not enable the airstrip to be used in a different manner and ensure the use could continue. As a result, based on the evidence submitted, I find the direct effects of the proposal on the operation of the airfield to be only limited to moderately adverse.

Security issues

118. The battery container and substation areas would be enclosed by fencing and covered by infrared CCTV and lighting to provide security for the equipment. The cameras would be monitored 24/7 by mobile security staff that can attend the site if required. Therefore, despite noting concerns raised by interested parties as to the potential for the site to attract criminal behaviour I am satisfied that adequate security is proposed to prevent and dissuade such activity.

Legal Agreement

119. A Legal Agreement in the form of a Unilateral Undertaking (UU), dated 22 July 2025, has been submitted. This seeks to secure the permissive footpath through the site, the Skylark mitigation measures, site restoration details post development and provision of the on-site green areas associated with BNG. Nonetheless, the Framework states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

120. Conditions could be imposed to secure the provision of the permissive footpaths through the site, as shown on plan 502_PAC_01, and for it to be kept free of obstructions and be retained for the lifetime of the development. Also, the skylark plots and bird nesting habitats, as identified within the ‘provision of skylark’ plan (November 2024) as the skylark mitigation strategy, would adequately address the requirements of this protected bird species. Furthermore, decommissioning requirements could be adequately addressed through a suitably worded condition

to require the submission of such a plan no later than 6 months from the expiry of any planning permission. The provision of on-site BNG could also be adequately delivered and secured through the imposition of planning conditions to secure details of an Ecological Construction Environmental Management Plan, hard and soft landscaping details, a Landscape Management Plan, and an Ecological Management Plan.

121. As a result, the offered UU would be unnecessary for the proposal to be acceptable in planning terms as the items it seeks to secure can be suitably secured through the imposition of planning conditions. Accordingly, the UU weighs neither for nor against the merits of the proposal.

Planning Balance

122. I have concluded that the appeal scheme would cause moderate adverse harm to the area's landscape character resulting in harm to the character and appearance of the area. Although the scheme is proposed for a temporary 40-year period, this is a long period that represents half a lifetime and therefore whilst the adverse effects would not be permanent, they would be long-term. This therefore causes conflict with policies C3, BE2 and NE4 of the development plan and the Framework. The other matters identified in opposition to the proposal raise issues that either result in no harm or raise technical matters that could be adequately addressed through the imposition of appropriate conditions to negate the harm.
123. Both national and development plan policies recognise the importance of the provision of renewable energy projects. In minimising environmental effects, the proposal would comply with most provisions of LP policy C3 which encourages renewable energy development projects that result in no unacceptable adverse impacts on a range of issues. Where adverse impacts have been identified these have been mitigated, reducing overall impacts to landscape character and visual effects. Whilst this policy lends support for renewable projects in the countryside, it does not confer an automatic approval of such schemes. The effects of such development must take into account a broad range of issues in mind of the general presumption to respect the intrinsic character and beauty of the countryside as sought by the Framework.
124. The proposed BESS would support the ongoing shift of power generation to renewable energy and help combat climate change. The site includes pylons and, with mitigation, the proposal would cause only moderate harm to the areas landscape character. This enables the site, and wider area, to accommodate a degree of change, and the site with mitigation, would be well screened causing only minor adverse visual effects.
125. The proposed BESS would convey substantial public benefits that weigh in favour of the proposal providing benefits that are sought in guidance and national policy in accordance with the Climate Change Act of 2008 (amended 2019), seeking to achieve net zero by 2050. Furthermore, there is also clear support, in Section 14 of the Framework, to increase the use and supply of renewable and low-cost energy and to maximise the potential for suitable such development. The delivery of suitable renewable energy projects, and those that would support them, is fundamental to facilitate the country's transition to a low carbon future in a changing climate. This attracts significant weight in favour of the proposal.

126. The BESS requires a point of connection to the national grid. The site provides a grid connection to the East Claydon substation, where there is suitable grid capacity, and a connection agreement exists for connection by 2026. The connection would be obtained on site through the provision of an underground line. The presence of a Grid Connection agreement and an early connection date also weighs significantly in favour of the proposal. Further benefits of the proposal also relate to the provision of significant biodiversity net gain, to which I also apply significant weight.
127. The appellant's Site Selection report¹⁰ explains that the site offers the ability for BESS to connect to the existing substation. This would enable high volumes of megawatts to be transferred directly into the transmission network. This provides a more useful connection than could be achieved connecting to a distribution system, such as via pylons. The report identifies that there is demand in the East Anglia region due to the anticipated growth in renewable power generation, in the Southeast, creating large swings in power transfer which would need to be carefully managed. It also demonstrates that the East Claydon Substation has a 400 kV circuit and can therefore accommodate the transfer of large amounts of electricity, providing valuable support to the grid.
128. The appellant explains that the site offers a range of connection benefits, being located close to the substation, creating limited planning land use objections (by avoiding Green Belt and Best and Most Versatile agricultural land) and being set away from residential properties. Therefore, whilst there is no policy requirement for a site selection exercise to be undertaken, it has been demonstrated that a rational approach was taken to site selection lending further support for the selected site.
129. Accordingly, the benefits of the proposal when taken together are of sufficient magnitude to outweigh the moderate level of harm caused by the landscape and visual effects of the development. Accordingly, the identified significant material considerations would outweigh the conflict found with the development plan as a whole.

Conditions

130. I have considered the use of conditions in line with the guidance set out in the PPG. I shall take into consideration the conditions within the Council's Statement of Case and make adjustment following discussion at the hearing. I have imposed the conditions with respect to approved plans for clarity and certainty and attached a five-year commencement period due to the extent of pre-commencement conditions imposed [conditions 1 and 3]. Also, conditions would be necessary to grant a temporary consent of 40 years and for the submission of a decommissioning/site restoration scheme to limit the long-term adverse impact of the development on the character and appearance of the area [2 and 6].
131. Conditions are necessary with respect to hours of construction and in seeking compliance with the recommendations of the Noise Mitigation Report for activities during construction to protect the living conditions of nearby residents [5 and 33]. Furthermore, conditions to agree to the colour of the water tanks and containers, submit a lighting scheme, return the construction temporary road to fields, implement the landscaping scheme and submit a landscape maintenance

¹⁰ Site Selection Report, Statera, December 2023

schedule would be required in the interests of the character and appearance of the area [4, 13, 14, 21 and 28].

132. It is also necessary for conditions relating to a Construction Method Statement, visibility splays onto both Hogshaw Road and East Claydon Road and the provision of on-site turning would be required in the interests of highway safety [26, 27 and 29]. Moreover, highway related conditions would be required with respect to the state of the highway, for a 2.2km distance at a pre-construction stage, a post construction re-survey and the provision of any required works [8 and 9]. Further conditions requiring compliance with the Construction Traffic Management Plan would also be required [10].
133. Also, conditions are required for details of a surface water drainage strategy and drainage maintenance plan to ensure the proposal would deliver the required sustainable drainage scheme and to prevent contaminated water posing a risk to the local water environment [16 and 17]. Furthermore, conditions are required for the proposal for the submission of a BESS safety management Plan and to be undertaken in compliance with the agreed BESS specifications to maintain the safe operation of the site during construction [22 and 23]. Also, details of any unexpected contamination discovered during construction would be required by condition [19] in the interests of human and wildlife health.
134. With respect to the management of fire risks associated with the proposal, a condition is included that would require the submission of an Emergency Response Plan. This would be required to demonstrate how any fire on site would be approached and establish site familiarisation in collaboration with the fire service [18]. Also, a condition would be necessary for the submission of an Integrated Fire Risk Management Strategy to specify the emergency response implications defining hazards and risks, safe access to and within the facility for emergency vehicles and responders and the adequacy of on-site fire suppression systems [25]. A condition would also be required to ensure that the proposed water tanks would be operational prior to the installation of the battery storage units [20]. These conditions would be necessary in the interests of human and wildlife health and to comply with the NFCC guidance 'Grid Scale Battery Energy Storage System Planning – Guidance for Fire Rescue Services' (2023)
135. In consideration of ecological and wildlife interests, conditions are required for the submission of a Construction Environmental Management Plan and an Ecological Management Plan to ensure important wildlife would not be adversely affected by the proposal in compliance with LP policies NE1, NE2 and S5 and NP policy B1 [11 and 24]. Also, to ensure that tree roots would be unaffected during construction and the submission of an updated Arboricultural Method Statement, would be required to protect trees on site during construction [12 and 15]. It is also necessary for the proposal to comply with the Organisational License and the Certificate for Development Partner to prevent an adverse impact on the Great Crested Newt and ensure full compliance with the District Licence [34 and 35].
136. Conditions would also be required to provide details of the route for the permissive path through the site over the vehicular access track, of the location and style of the kissing gate along footpath GRA 1/2 and to secure the provision of the permissive path for the duration of the development [30, 31 and 32]. These would be required to ensure the connectivity of the public rights of way network is maintained and for the opportunity to maximise links from the development to the

wider footpath network. Finally, a condition would be required for a written scheme of investigation to ensure that the proposal would not adversely affect the archaeological interests found on site [7].

Conclusion

137. For the above reasons, the appeal is allowed, and planning permission is granted subject to the conditions within the attached schedule.

B Plenty

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

- Robert Garden - Legal Partner at CMS
- Chris McDermott - Landscape Consultant at Sightline Landscape
- Chris Palmer - Planning Lead at Statera
- Oliver Troup - Development Lead at Statera
- Martin Blunden - Fire Safety Expert

FOR THE LOCAL PLANNING AUTHORITY:

- Emma Mumby - Senior Planning Officer at Buckinghamshire Council
- Ryan Mills - Landscape Architect of Planscape Consultants
- Laura Pearson - Development Management Team Leader at Buckinghamshire Council
- Emma Foster - Ecology Officer at Buckinghamshire Council

INTERESTED PARTIES:

- Carly Tinkler - Chartered Landscape Architect
- Dr Christopher Ford - Chartered Town Planner specialising in spatial aspects of energy systems and energy policy
- Cllr Frank Mahon - East & Botolph Claydon Parish Councillor
- Cllr Phillip Oakland - Granborough Parish Councillor
- Cllr Phil Gomm - Quainton ward
- Cllr Chris Jordan - Parish Councillor and Resident
- Mark Scholes - Resident
- Stephen Slater - Resident
- Gareth Williams - Local businessman
- Robert Bonnet - Resident

ADDITIONAL EVIDENCE SUBMITTED APPROACHING THE HEARING

- document A - Appellant's Statement on Landscape Matters
- document B - Appellant's updated Nature Space Report

document C - Buckinghamshire Fire and Rescue Service letter (13 June 2025), email (24 June 2025) and email (date 10 July)

document D - National Grid, letter dated 31 July 2024.

document E - Dr Chrisopher Ford, considering the role of Battery Energy Storage Systems (BESS)

Schedule of Conditions

- 1) The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.
- 2) The development hereby permitted shall be for a temporary period only to expire no later than 40 years from the date when electricity is first exported from the development to the 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.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans/details:
 - 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
 - 502_PAC_01 – Areas and Routes of Permissive Public Access
 - 502_SLP_01 – Provision for Skylarks
 - MP23042-10 Landscape details 2.1.68 (deadwood, bee habitat piles, hibernacula and pond liner details)
 - MP23042-8 Pond layout NP6 2.1.70 (Pond NP6 plans and sections)
 - MP23042-4 Pond layout NP2 2.1.71 (Pond NP2 plan and sections)
 - MP23042-3 Pond layout NP1 2.1.72 (Pond NP1 plan and sections)
- 4) Notwithstanding the plans hereby approved in Condition 3, prior to commencement of development, details of external colours for all external walls and roofs and finishes to water tanks shall be submitted to, and approved in writing by, the Local Planning Authority. Furthermore, the containers shall be of an agreed colour palette following an Environmental Colour Assessment that provides robust justification for the choice of colours. Thereafter, the development shall proceed in accordance with such specification as have been agreed and shall thereafter be retained as such for the lifetime of the development.
- 5) Construction activities shall be limited to take place between the hours of 08:00 – 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No construction works shall take place on Sundays, bank holidays or other national holidays.
- 6) No later than 6 months prior to the expiry of the planning permission, or within 6 months of the cessation of electricity storage and distribution by this facility, or within 6 months of a permanent cessation of construction works prior to the facility coming into operational use, whichever is the sooner, a detailed scheme of works for the removal of the development (excluding the approved landscaping and biodiversity works) and the restoration of the land shall be submitted to and approved in writing by the Local Planning Authority. The scheme of works shall include the following details:
- a programme of works, including a timetable for their completion;
 - a method statement for the decommissioning and dismantling of all equipment and surfacing on site;
 - a Decommissioning Traffic Management Plan to address likely traffic impacts associated with the decommissioning;
 - details of any items to be retained on site;

- a method statement for restoring the land;
- a method statement for the disposal/recycling of redundant equipment/structures.

The scheme of works shall be undertaken in accordance with the approved details and timescales. The Local Planning Authority shall be notified in writing of the date of the cessation of electricity storage by or distribution from the development within one calendar month of the event.

- 7) No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only be implemented in accordance with the approved written scheme of investigation.
- 8) Prior to the commencement of any works on the site, a pre-commencement survey detailing the condition of any carriageway(s), footway(s) and verge(s) along the construction traffic route within 2.2 kilometres as travelled along the route (as defined within the approved Construction Traffic Management Plan's pursuant to Condition 10 of this permission) from the site accesses off Hogshaw Road and East Claydon Road shall be submitted to and approved in writing by the Local Planning Authority.
- 9) Within one month of the First Export Date of the development to the grid, a post-construction survey detailing the condition of any carriageway(s), footway(s) and verge(s) along the construction traffic route within 2.2 kilometres as travelled along the route (as defined within the approved Construction Traffic Management Plan's pursuant to Condition 10 of this permission) from the site accesses off Hogshaw Road and East Claydon Road shall be submitted to and approved in writing by the Local Planning Authority. The post-construction survey shall include:
 - Details of the areas to be repaired/made good;
 - Nature of the repair works;
 - Specification for these works;
 - Timetable for implementation.

The works shall thereafter be carried out in accordance with the approved post-construction highways survey.

- 10) The construction phase of the development hereby permitted shall be carried out in accordance with the Construction Traffic Management Plans: EAST CLAYDON BESS CTMP – REV 3 and Abnormal Indivisible Load Access to Proposed Battery Energy Storage System (BESS) Site at East Claydon (dated 08.09.23) by WYNNS as received by the Local Planning Authority on 12 December 2023 For the avoidance of doubt, the Abnormal Indivisible Load vehicles shall only utilise the access off Hogshaw Road.
- 11) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (ECEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The ECEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities;

- b) Identification of “biodiversity protection zones.” This should include protection of watercourse, trees and hedgerow;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements specific species including reptiles, water voles, otters, breeding birds, bats, badgers, hairstreak butterflies);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works. Including pre commencement surveys for reptiles, badgers and brown & black hairstreaks;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs.

The approved ECEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 12) Prior to commencement of development details of the exact route and depth of the underground cable connecting the development with the East Claydon Substation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the underground cable shall be installed as approved.
- 13) The hard and soft landscaping scheme as shown on approved plans SL261_L_X_PP_1 Rev A and SL261_L_X_PP_2 Rev A and Landscape Specification (Document reference: 502_LSPEC_01_Rev A) prepared by Sightline Landscape dated June 2024 shall be implemented in full within the next available planting season following the first commercial export of electricity to the grid.
- 14) Notwithstanding the submitted details, prior to the first operation of the development (first export of electricity to the grid), a maintenance schedule and a long-term management plan spanning the operational lifetime of the development, for the landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include:
 - a) Extent, ownership and responsibilities for management and maintenance accompanied by a plan showing areas to be adopted, maintained by management company or other defined body and areas to be privately owned/ maintained.
 - b) A description and evaluation of landscape features to be created/ managed and any site constraints that might influence management.
 - c) Condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
 - d) Landscape aims and objectives for the site;

e) Detailed maintenance works schedules including an associated plan which identifies which landscaping features each schedule applies to and the prevention of any soft landscaping within 10 metres of any Battery Energy Storage System container. The schedules shall cover regular cyclical work and less regular/ occasional works in relation to:

- a) Any existing trees, woodland, hedgerows, and banks. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgeline guidance.
- b) New trees, woodland, hedges, scrub and amenity planting areas.
- d) Grass and wildflower areas.
- f) Boundary structures, drainage swales, water bodies and other infrastructure/ facilities.
- g) Public access routes.

f) Details of actions to be taken to ensure appropriate replacement planting in the event that any soft landscaping feature which forms part of the approved landscaping scheme which within a period of ten years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed,

g) Arrangements for inspection and monitoring of the site and maintenance practices.

h) Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.

The approved maintenance schedule and long term management and monitoring plan shall thereafter be carried out in accordance with the agreed programme.

- 15) No works or development (including demolition or site clearance) shall take place until an updated Arboricultural Method Statement (AMS) with Tree Protection Plan (TPP) in accordance with current British Standard 5837 have been submitted to and approved in writing by the Local Planning Authority.

Tree protection measures, including the erection of tree protective fencing and installation of ground protection, shall be in situ prior to the commencement of any works on site and shall conform to current British Standard 5837 guidance.

No work shall be carried out, or materials stored within the construction exclusion zone or other protected areas without prior written agreement from the Local Planning Authority.

The AMS and TPP shall include:

1) detailed plans for demolition (if applicable) and construction showing location of the tree protective fencing and any additional ground protection whether temporary or permanent;

2) details as to the location of proposed and existing services, utilities and cable routes, including sustainable drainage, attenuation basins and swales, including details pertaining to horizontal directional drilling with required depths, locations and dimensions of all send and

received pits, along with areas required for soil storage, for the implementation of horizontal directional drilling;

3) details as to the method, specification and materials to be used for any "no dig" cellular confinement systems where the installation of no-dig surfacing is within the Root Protection Areas of retained or planted trees is to be in accordance with current nationally recognised best practice guidance British Standard BS 5837 and current Arboricultural Guidance Note 'Cellular Confinement Systems Near Trees';

4) details of all proposed access facilitation pruning, including root pruning, as outlined in current British Standard 5837 guidance shall be carried out in accordance with current British Standard 3998;

5) all phases and timing of the project, including phasing of demolition and construction operations, in relation to arboricultural matters and details of supervision by a suitably qualified arboriculturist with details of how evidence of this supervision may be made available to the Local Planning Authority and escalation where details are not complied with; and

6) siting of work and welfare facilities, contractor parking, areas for the storage of materials and machinery and siting of skips, the erection of scaffolding any required working spaces.

The development thereafter shall be implemented in strict accordance with the approved details and the approved tree protection measures shall be retained and maintained until all building, engineering or other operations have been completed.

- 16) No works shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Assessment of SuDS components as outlined within the CIRIA SuDS Manual (C753) and provide justification for exclusion if necessary.
 - Water quality assessment demonstrating that the total pollution mitigation index equals or exceeds the pollution hazard index; priority should be given to above ground SuDS components. This should include full details of the fire fighting run off containment measures to be integrated within the design, such as; location of penstock shut off valves and details of the lined swales/carrier drains to provide the required 250cu.m of containment storage.
 - Full construction details of all SuDS and drainage components.
 - Detailed drainage layout with pipe numbers, gradients and pipe sizes complete, together with storage volumes of all SuDS components. The detailed layout should confirm that the proposed attenuation pond has been wholly located outside the fluvial flood zone.
 - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between

the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.

- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants, or to adjacent or downstream sites.

- 17) Prior to the operation of the development a whole-life maintenance plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SuDS component), with details of who is to be responsible for carrying out the maintenance. The plan shall also include as-built drawings and photographic evidence of the drainage scheme carried out by a suitably qualified person. The plan shall subsequently be implemented in accordance with the approved details.
- 18) Prior to the commencement of development an Emergency Response Plan shall be submitted to and approved in writing by the Local Planning Authority. The Emergency Response Plan must demonstrate how any fire event on site would be approached, including details on site familiarisation and exercising of emergency plans with the fire service. It shall include the relevant details set out at page 9 of Guidance Produced by the National Fire Chiefs Council 'Grid Scale Battery Energy Storage System Planning – Guidance for FRS' (2023).

Thereafter, the approved Emergency Response Plan shall be implemented and made available on site for the lifetime of the development at the Emergency Services Information Points.

- 19) In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). If any contamination is found requiring remediation, a Remediation Scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. The approved Remediation Scheme shall thereafter be carried out within the approved timescale. On completion of the approved Remediation Scheme, a Verification Report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.
- 20) Prior to the installation of battery storage units, the water tanks shown on the approved Fire Water Tank drawing (ref: SD_12 10 May 2023) shall be installed, filled with water to maximum capacity and made available for use. Thereafter, the water tanks shall be maintained, filled with water to full capacity and available for use throughout the lifetime of the development and until the battery containers are removed from the site. The water tanks shall have a minimum flow rate of 1,900 litres per minute.
- 21) Prior to the installation of any external lighting on the development hereby approved, a detailed lighting scheme of any lighting to be installed shall be first submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type, direction of light sources and intensity of illumination. Any lights shall thereafter be installed in accordance

with the approved details and retained as approved unless altered for routine maintenance which does not change its details.

- 22) The BESS containers hereby permitted shall be the BYD MC Cube ESS. They shall be strictly assembled and operated in accordance with the submitted MC Cube ESS Safety Manual (ref. MC10C-B4659-E-R2M01 V01 dated 29 May 2023), MC Cube ESS Fire Technology Plan (ref. MC10C-B5365-U-R4M01 Rev 01 dated 15 November 2022) and BYD Fire Detection Data Datasheets (ref. 001-013 registered 21 May 2024), or updated versions thereof, and maintained in accordance with the specified details for the lifetime of the development.
- 23) Prior to installation of any BESS containers, a BESS Safety Management Plan (BSMP) prescribing measures to facilitate safety during the construction of the BESS containers shall be submitted to and approved in writing by the Local Planning Authority. The BSMP shall be implemented as approved and adhered to throughout the construction and decommissioning of the development.
- 24) No development shall take place (including demolition, ground works, vegetation clearance) unless and until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the EMP 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 which will (without limitation) include the provision of biodiversity net gain within the Site as shown within the biodiversity net gain assessment & reasoning for proposed habitat creation and enhancement (wildlife trust consultancies, July 2024);
 - d) Appropriate management options for achieving aims and objectives;
 - e) Details of appropriate species specific biodiversity enhancement features;
 - f) Appropriate information in relation to Skylark plots and ground nesting bird habitat in accordance with approved plan 502_SLP_01 'Provision for Skylarks' plan (November 2024), including the use of fencing;
 - g) Prescriptions for management actions;
 - h) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period);
 - i) Details of the body or organization responsible for implementation of the plan; and
 - j) Ongoing monitoring and remedial measures.

The EMP shall also include 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. The plan shall be for no less than 30 years. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the EMP are not being met) 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.

- 25) Prior to any BESS containers being bought onto site, an Integrated Fire Risk Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Integrated Fire Risk Management Strategy shall be informed by Environmental Statement Volume 9: Fire Risk, Appendix 2: Fire Liaison Framework. It shall provide details in relation to potential emergency response implications including:
- i. The hazards and risks at and to the facility and their proposed management.
 - ii. Any safety issues for firefighters responding to emergencies at the facility.
 - iii. Safe access to and within the facility for emergency vehicles and responders, including to key site infrastructure and fire protection systems.
 - iv. The adequacy of proposed fire detection and suppression systems (e.g., water supply) on-site.
 - v. Natural and built infrastructure and on-site processes that may impact or delay effective emergency response.

Thereafter, the approved Integrated Fire Risk Management Strategy shall be implemented and made available on site for the lifetime of the development at the Emergency Services Information Points.

- 26) Prior to the first commercial export of electricity to the grid, minimum vehicular visibility splays of 119 metres from 2.4 metres back from the edge of the carriageway from both sides of the access onto Hogshaw Road shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6 metres and 2.0 metres above ground level.
- 27) No development shall take place until minimum vehicular visibility splays of 142 metres from 2.4 metres back from the edge of the carriageway from both sides of the access onto East Claydon Road shall be provided in accordance with the approved plans and the visibility splays shall be kept clear from any obstruction between 0.6 metres and 2.0 metres above ground level.
- 28) The temporary access route hereby approved for use during the construction period shall be removed and land reinstated within three months of the of first commercial export of electricity to the grid (“the date of first export”).
- 29) Prior to the first commercial export of electricity to the grid, the turning and manoeuvring areas as shown on the approved plans (SL261_L_X_GA_1 Rev C – Block plan) shall have been constructed in accordance with the details approved pursuant to Condition 13. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified for the lifetime of the development.
- 30) No development shall commence until design details to show level transitions for walkers across the emergency vehicle access track have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be delivered in accordance with the approved details prior to first export of electricity from the development to the grid.

- 31) No development shall commence until details of the location and type of kissing gate to be provided on footpath GRA 1/2 has been submitted to, and approved in writing, by the Local Planning Authority. Thereafter, the development shall be delivered in accordance with the approved details prior to first export of electricity from the development to the grid.
- 32) Prior to the first export of electricity from the development to the grid, the permissive footpath routes as shown on approved plan 502_PAC_01 shall be provided and the routes shall thereafter be retained for the lifetime of the development and shall be kept free of obstructions at all times.
- 33) In line with the recommendations at Section 7 of Volume 2 of the Environmental Statement – Noise and Vibration (December 2023), no development shall take place until a Noise Mitigation Report has been submitted to and approved in writing by the Local Planning Authority. The Noise Mitigation Report shall include but not be limited to:
- a) Site specific measures to control the impacts arising in relation to noise and vibration (with particular regard to pilling)
 - b) Site specific measures to control the impacts arising in relation to dust
 - c) Site specific measures to control the impacts arising in relation to fumes.
- Thereafter, the construction phase of the development shall be carried out in accordance with the mitigation measures which shall be retained, maintained and operated during the construction phase of the development.
- 34) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR152, or a 'Further Licence') and with the proposals detailed on plan "Land off Hogshaw Road: Impact plan for great crested newt District Licensing (Version 1)", dated 19th December 2024.
- 35) No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR152, 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.

End of Conditions