

Planning and Development

David Peckford, Assistant Director – Planning and Development



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

The Planning Inspectorate By e-mail to:

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Your Ref: **EN010147**

04 June 2025

BY EMAIL ONLY

Dear Sir/ Madam

RESPONSE TO ISSUE SPECIFIC HEARING 1, ACTION POINT 17

Project: Botley West Solar Farm
Applicant's Name: Photovolt Development Partners and SolarFive Ltd
Proposal: Solar Farm NSIP
Registration ID number: 20055053
Our ref: 22/03407/DCO

1. The Examining Authority (ExA) has requested a response from Host Authorities to issues covered at the Issue Specific Hearing 1 held on 15 May 2025.

2. Action point 17 [**EV5-010**] requires:

All Councils to provide a written response clarifying what input, if any, they had in the information the Applicant used to prepare the Environmental Statement. Were the Councils consulted upon and/ or agreed to the baseline, background data and the methodology that underpins the ES. This is for all relevant ES chapters.

3. Cherwell District Council (CDC) responds as follows.

4. With regard to the **Landscape and Visual Impact** CDC were initially contacted by the applicant on 19 October 2022 to seek our opinion on the viewpoint selection within the ZTV and particularly those locations that were within Cherwell. It was

stated the precise location of representative viewpoints would be verified during site investigation and *“at this stage I seek any comments you may have regarding the viewpoints or confirmation that the extent of coverage is sufficient to inform the assessment.”*

5. CDC responded to request viewpoint locations from the PRow in Yarnton and Shipton-on Cherwell parishes. The applicant was advised that it was particularly important to include views from Shakespeare Way (where the wider views of the proposed application site are experienced, towards Freeland, etc) and to include viewpoints on PRow leading from Springs Hill Road, Begbroke. A marked up GIS plan was provided by CDC.
6. The applicants subsequently contacted Cherwell in January 2023 to clarify the Landscape Character Assessment position and CDC responded with a list of the relevant character assessment documents/studies for the district.
7. On 11 April 2023 the applicants provided a spreadsheet of the additional viewpoints suggested by the Oxfordshire Host Authorities (OHAs) setting out whether or not these had been accepted and providing reasoning where viewpoints had not been accepted. CDC responded on 17 May 2023 observing that our viewpoints had been discounted and reiterating that 5 additional viewpoints (looking east from A44 and looking north and west from footpaths in Begbroke) should be included. It was also indicated that visualisations may be needed for these viewpoints. In a response on 18 May 2023 the applicant agreed to add the viewpoint looking east from A44 and to add 2 further representative viewpoints to the north and east of Begbroke. The 3 additional viewpoints were agreed by CDC in an email dated 24 May 2023 and confirmed by the applicant in an email dated 25 May 2023.
8. CDC also provided commentary to the Inspectorate's Scoping Opinion request received 15 June 2023. The response was submitted on 12 July 2023 and raised a number of queries about the methodology including the matters to be 'scoped out'. It was recommended that 6.36 of the GLVIA 3, Technical Guidance Note 02/21 was considered regarding if residents should be included as visual receptors. It was also recommended that the ES provided an explanation of Significance of effects for highest sensitivity receptors which took account of the multiple boundaries and AOLs.
9. Further advice was given in CDC's S42 response (attached below) to the applicant in respect of visual descriptions in the PEIR noting the omission of visual analysis for operational phase effects on PRow, lack of detail about landscape mitigation for secondary substations and recommending that visualisations must include secondary substations, power converters and security fencing.
10. In response to the landscape assessment concerns the applicant sought to meet with OHAs and a meeting was set up for the 30 August 2024. The meeting was cancelled, 20 minutes before the start time, by the applicant stating this meeting had come around a little too quick for the team here.

11. Further communication was then received regarding a draft statement of common ground for landscape matters, Photomontage Methodology and Assessment Methodology on 9 September 2024 and CDC advised the applicant that the secondary substations should be subject to visualisations, more explanation of the impacts of the red line boundary changes should be included in the ES and the loss of hedgerow and trees for cabling and construction routes was of concern.
12. The postponed meeting took place on 30 September 2024. Feedback was given by OHAs to the applicant with regards to the issues raised in Scoping and PEIR which OHAs did not think had been adequately addressed in information provided before the meeting. This included concerns about viewpoints, the way viewpoints were presented, little detail provided in the Photomontage Methodology, and that ZTV has only been supplied for the solar panels and not for the built form. Concerns about the supplied Assessment Methodology were also discussed including proposed levels of Moderate or less not being considered significant and how effects should not be looked in isolation such as along a footpath route. Concerns were expressed about the levels of effects being reported in comparison to the definition of Moderate in the Table 8.21: of the Definitions of Significance of Effects Matrix, in that Moderate Effects equalled proposed changes that would be noticeable out of scale or at odds with either the character of the area or with the existing view.
13. CDC's Landscape Architect left the Council in December 2024. CDC had no further detailed engagement with the applicant on landscape matters ahead of the DCO submission.
14. In respect of other ES topic areas:

Ecology - a meeting took place on 19 September 2024 to update our Ecology Officer on progress with the ES but a draft SoCG was not provided. The baseline, background data and the methodology that underpins the ES were not agreed in advance.

Agricultural Land and PRow – a draft SoCG was provided 09 September 2024. The baseline, background data and the methodology that underpins the ES were not agreed in advance.

Hydrology – a draft SoCG was provided 25 October 2024. The baseline, background data and the methodology that underpins the ES were not agreed in advance.

Noise and Vibration – a draft SoCG was provided 04 October 2024. The baseline, background data and the methodology that underpins the ES were not agreed in advance.

Yours faithfully

Suzanne Taylor BSc (Hons) Dip UP MRTPI
Principal Planning Officer – South Area Major Projects Team

Attachment: CDC's S42 Response

Planning and Development

David Peckford, Assistant Director – Planning and Development



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

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Your Ref:

08 February 2024

BY EMAIL ONLY

Dear Peter Gerstmann

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008.

Application No.: 22/03407/DCO
Applicant's Name: Photovolt Development Partners
Proposal: Solar Farm NSIP
Location: Botley

Introduction

This is the response of Cherwell District Council (CDC) to the Statutory Consultation and notification pursuant to Section 42 of the Planning Act 2008 to the NSIP project for the Botley West Solar Farm to the west of Oxford and lying within the districts of West Oxfordshire (WODC), Cherwell and Vale of White Horse (VWHDC).

The proposed development is for a utility scale solar farm development with associated infrastructure and mitigation measures including:

- Solar panels of between 1.8m and 2.5m in height to be kept as low as possible whilst allowing for sheep grazing opportunities;
- Associated infrastructure including cabling, secondary substations, power convertor stations, fencing and security measures (CCTV) and temporary construction compounds and haul roads;
- New substation and connection to west of Botley (within VWHDC);
- 5m to 10m buffers between panels and existing trees/hedges/woodland and 15m buffer between panels and ancient woodland;
- Biodiversity Net Gain of circa 70% including the creation of landscape/biodiversity corridor around a stretch of the River Evenlode (within WODC);
- Creation of new public rights of way and maintenance of existing PRowS;
- Potential for new cycle routes to improve recreation opportunities and connectivity;

- Potential to manage surface water flows (primarily near Cassington);
- Wildflower planting underneath existing power lines;

The formal consultation on the above proposed development commenced 30 November 2023.

Photovolt Development Partners (the applicant) entered into pre-application discussions with Oxfordshire County Council (OCC), WODC, CDC and VWHDC in 2023 to seek the advice of the Local Planning Authority (LPAs) and input from internal consultees over key issues. This has been a collaborative process between the LPAs and the applicant.

In compiling this response, CDC has had regard to the Preliminary Environmental Information Report (PEIR), Non-Technical Summary of the PEIR and the Statement of Community Consultation (SoCC).

For clarity, the following comments relate only to those development proposals within the administrative boundary of CDC and are based on the proposal as currently submitted. Also included with this response are a listed of anticipated requirements.

RESPONSE:

Local Planning Policy

Based on an initial appraisal it is considered that the following policies are relevant:

NPPF 2023 – Paras 156, 157, 160, 163, 180

PPG - Paragraph: 012 Reference ID: 5-012-20140306 (Revision date: 06 03 2014),

Adopted Cherwell Local Plan 2015 - Policy ESD 1: Mitigating and Adapting to Climate Change; Policy ESD 5: Renewable Energy; Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment; Policy ESD 13: Local Landscape Protection and Enhancement; Policy ESD 14: Oxford Green Belt; Policy ESD 15: The Character of the Built and Historic Environment; Policy ESD 17: Green Infrastructure.

Policy ESD 1 seeks to mitigate the impact of climate change within the district and promotes the adoption of decentralised, renewable, and low carbon energy where appropriate.

Policy ESD 5 supports renewable and low carbon energy provision wherever any adverse impacts can be addressed satisfactorily.

Potential adverse impacts listed in the policy are:

- Landscape and biodiversity including designations, protected habitats and species, and Conservation Target Areas
- Visual impacts on local landscapes
- The historic environment including designated and non-designated assets and their settings
- The Green Belt, particularly visual impacts on openness
- Aviation activities
- Highways and access issues, and
- Residential amenity

Cherwell Local Plan Review 2040 Consultation Draft (Regulation 18) (22 September 2023 – 3 November 2023) – Whilst this is still at an early stage of plan making and only very limited weight can be given to it at present this plan is likely to progress to a more advanced stage or adoption within the timeframe that this project is being considered. Therefore, your attention is drawn to the Core Policies within this draft plan.

Biodiversity

Policy ESD 10 supports the protection and enhancement of biodiversity. Under the policy, if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted.

Proposals are expected to incorporate features to encourage biodiversity and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should also be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with the proposal to ensure habitat connectivity.

Following the provisions of the Environment Act, the Council now seeks a minimum of 10% net biodiversity gain in relation to development proposals. The emerging Cherwell Local Plan Review (as drafted) seeks 20% BNG. We welcome the proposed minimum BNG of 70% which will need adequate provisions in place to ensure that it is managed and maintained in the longer term.

A number of the areas within the Central site surround the ancient woodlands of Worton Wood and Begbroke Wood, there is therefore the potential for the proposals to result in the deterioration of this irreplaceable habitat. Paragraph 186 of the NPPF and the Conservation of Habitats and Species Regulations (2017) provides that development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodlands, should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

CDC's Ecologist makes the following observations and recommendations on the formal consultation and PEIR:

"The PEIR mentions that metric 4.0 will be used to assess biodiversity impacts and gain following detailed habitat surveys – will this be updated to the Statutory metric?

As regards species, the principal impacts appear to be on breeding and wintering birds of which the present assemblages are of County importance. It is not clear at this stage the mitigation/compensation proposed for wintering birds. The plans now include the inclusion of multiple skylark plots across the area of the arrays. Whilst these may be beneficial overall I would request that mitigation plans include some evidence that such plots are likely to function for nesting purposes as stated. When included in arable fields skylark plots do benefit skylarks but it seems unlikely that arrays would function similarly to an open field. Without some examples of where this has been done and the outcomes it would be difficult to conclude that these plots could satisfactorily mitigate for the loss of skylark territories (or for other breeding farmland birds).

I note the buffers (to ancient woodland, ponds, hedgerows etc..) are proposed to be the minimum recommended width. I would be keen to see buffers greatly increased from this minimum in order to maximise opportunities for biodiversity and strengthen green corridors throughout the site. This would minimise impacts on species, in particular bats.

HDD for cabling is proposed to avoid impacts on protected or priority habitats however clarity should be sought that any potential effects of this will be fully assessed as there remains potential for environmental impact from this method."

Visual Impacts on Local landscapes

This is one of the key issues in considering these proposals.

Policy ESD 13 states that proposals will not be permitted if they would:

- Cause undue visual intrusion into the open countryside
- Cause undue harm to important natural landscape features and topography
- Be inconsistent with local character
- Impact on areas judged to have a high level of tranquility
- Harm the setting of settlements, buildings, structures or other landmark features, or
- Harm the historic value of the landscape.

Our in-house Landscape Architect has previously made recommendations for the inclusion of a number of additional representative viewpoints in the LVIA which are specific to Cherwell district. These were passed on to Jane Betts at RPS who was overseeing the LVIA. It appears that two of CDC's suggested and agreed viewpoints (CD8 (looking east from A44 at Begbroke and either CD4 or CD5 looking west from Public Footpath 124/3/10 at Begbroke which were agreed by an email dated 24 May 2023) have been omitted from the PEIR? These should be included in the assessment.

CDC are of the view that, given the topography of the land within the vicinity of the proposals, harm may be difficult to mitigate.

The following comments have been provided by our in-house Landscape Architect:

North

13, I agree with visual description. I note from the Illustrated Masterplan that a Project Substation is proposed near to this View, the Project Substation is included in the visualisation. The visual harm is such a degree as to warrant planting of trees and hedgerow along the section of operations boundary fence to mitigate visual harm along with supporting written narrative. I note RPS response 'Resulting in a Major adverse significance of effect, which is judged to be significant.'

14 I agree with pre-development visual description

15 Arrow directed north on RV Fig 8.9, not northeast, otherwise agree with description of current view

Central

16 I agree with pre-development visual description. The northwestern site boundary between A4095 and VP 17 requires more substantial landscape mitigation planting than a hedgerow and Trees. I recommend a belt of woodland and understory planting

17 I agree with pre-development visual description. The visual harm will required a woodland belt – refer to above response for 16. This would enhance Green Infrastructure linking up Mature Woodland/Scrub associated with Rowell Brook with the Mature Woodland adjacent to A4095

32 I agree with visual description

34 I agree with pre-development visual description/ The transmission line contributes towards visual harm and a visualisation based on VP34 is required to explain the significant of effect along with the written narrative of analysis.

35 Note that there is a discrepancy between Representative Viewpoints Figure 1 where VP 35 is in a different location to the one referred to in the text: in respect of PEIR 8.5.5.21 'Footpath 184/50/20 (Greenbelt Way) (Representative Viewpoint 35) and 184/30/40 run in a generally east to west direction to the northwest of the Southern site of the Project, adjacent to Farmoor Reservoir and along an unnamed road adjacent to the northern boundary. Located within fields 3.1 / 3.3 the Project substation site and NGET substation site adjacent to the northern Project Site boundary. Initially views of solar panels, security fencing and substation would be obtained from these footpaths and other within the local area. Views of pylons and overhead powerlines are currently possible from these footpaths.' Actually VP 35 is located on Downs Lane path, west of Yarnton, according to RV Fig 1. However the VRG visual description (pre-development) and location appear to be correct.

36 I agree with pre-development visual description.

Operational Phase Visual Effects Visual Receptor Groups PRoW: Omissions

The following visual analysis does not appear to be in the PEIR (I feel that these must be addressed specifically and not lost within a generic response):

North

VP14 &15

Central

VP 16, 32, 34, 35 and 36

ZTV

PEIR 8.5.5.2 The proposed ZTV is based on the development of solar panel heights up to 2.5 m high. The ZTV, (Volume 2, Figure 8.7, 8.8, 8.9, 8.10 and 8.11) indicates that the ZTV for all fields (northern, central

and southern) is generally kept to the spine of the Project Site with potential highest visibility confined to within 3 km of the Project Site boundary.

The extent of the ZTV to include not only the Solar panels, but the '2 x HV Transformers (secondary substations) which are considerable structures of circa 5m/6m high, 15m long and 8m wide, numerous power convertor stations which would be circa 3m/2.89m high, 12.2m wide and 2.2m deep and extensive security fencing of up to 2.1m high'. In the PEIR the Landscape mitigation should be appropriately and clearly justified in respect of part of the LVIA: clear explanation of the nature and scale of landscape mitigation for the lifespan/operation of this development.

2 x HV Transformers (secondary substations), numerous power convertor stations and extensive security fencing

The landscape consultant is to be fully informed of the detail of the above project elements which are to be clearly and fully explained through drawings of industry standard scale indicating measurements (height above ground level, width etc), cross sections and elevations. Specific site location plans to clearly indicate the position of the 2 x HV Transformers (secondary substations), numerous power convertor stations and the extensive security fencing. The most relevant viewpoints are to be included on plans. This would ensure that the wireframe and visualizations in respect of viewpoints can be cross-checked against the detail information provided. This is to ensure that these elements are not lost within a 'representative' assessment of the solar arrays, but judged in respect of their visual harm significance of effect, and also cumulative harm.

Recreation

The current recreational value for visual receptors, along with visual receptor sensitivity to change must be addressed in the LVIA . There is potential harm on various PRow and these are to be individually assessed in respect of this development."

Historic Environment

Policy ESD 15 states, inter alia, that new development proposals should contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting.

The proposals are within the vicinity of a number of important landscape features that contribute to local distinctiveness. The Council's Conservation Team have made the following observations:

"Northern site

The northern part of the proposal has a small area located within Cherwell District between Woodstock and the A4260. Here it appears that the proposed installation area will sit within the wider landscape setting of Hampton Gay, Shipton on Cherwell, and Thrupp Conservation Area. There are three Grade II listed structures and buildings on this west side of the conservation area: The Manor and attached outbuildings, Kitchen Garden Walls, and the Church of the Holy Cross. The Deserted Village of Hampton Gay scheduled monument also sits further to the east with the Grade II* Church of St Giles and the Grade II ruins of the Manor House and Manor Farmhouse. It should be noted that these are further away from the installation area, and it is considered that these are less likely to be affected.

Central site

The installation area appears to come up to the boundary of the Begbroke Conservation Area and surround it on two sides, therefore the setting of the conservation area will be altered and there is potential for some harm to the significance of the conservation area through development within its setting. Because of the small size of Begbroke Conservation Area and due to their proximity to the installation area the listed buildings of The Old Rectory (Grade II), St Michaels Church (Grade II*) and St Phillips Priory (Grade II) all located within the conservation area and Hall Farmhouse (Grade II) located outside of the conservation area, on the edge of the village, have potential to be affected by the development within their setting.

Further south on the central site there is another small amount of the installation area that is located towards the settlement of Yarnton. Yarnton is not a conservation area, and it is considered that the majority of the listed buildings within Yarnton are either too far away or encompassed within the settlement and therefore will not be affected. However, there are two Grade II listed buildings on the southwest edge of the village that should be highlighted, and more notably the complex of buildings which includes Yarnton Manor (Grade II*) and the Church of St Bartholemew (Grade I) which sit outside of the village. The Yarnton Manor buildings are located with a more rural and potentially historic landscape which is part of their setting

and therefore this may make them more susceptible to harm through development within their wider setting.

Southern Site

There are no comments on this section of the proposal.

Although only a small amount of the installation area is located within Cherwell District the overall size of the solar farm will unavoidably change the wider landscape in this area, therefore the potential impact on significance of the individual heritage assets due to development within their setting as a result of the overall proposal should not be overlooked.”

The Green Belt

Policy ESD 14 seeks to maintain the Oxford Green Belt boundaries within Cherwell District in order to:

- Preserve the special character and landscape setting of Oxford
- Check the growth of Oxford and prevent ribbon development and urban sprawl
- Prevent the coalescence of settlements
- Assist in safeguarding the countryside from encroachment
- Assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Under the policy, development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities.

Much of the land subject to these proposals was assessed against the purposes of the Green Belt for the Partial Review Local Plan and the emerging Cherwell Local Plan Review. This evidence is available at <https://www.cherwell.gov.uk/downloads/download/375/cherwell-green-belt-study-april-2017-and-addendum-june-2017-part-1>

Given the scale and type of development there is presently concern that it would result in harm to the Green Belt through loss of openness both visually and spatially and would constitute encroachment into the countryside in conflict with the purposes of the Green Belt. As such it would be inappropriate development and 'very special circumstances' would need to be shown to allow such a development in the Green Belt. Paragraph 153 of the NPPF advises that substantial weight should be given to any harm to the Green Belt and 'very special circumstances' will not exist unless the harm is clearly outweighed by other considerations. It is noted that paragraph 156 of the NPPF states that: “ *When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources*”.

Whilst there would be benefits from this scheme it is currently unclear whether these are significant enough to outweigh the harm to the Green Belt.

Aviation Activities

The proposal sites a number of solar panel installations in the vicinity of Begbroke immediately adjacent to the London-Oxford Airport runway. The electromagnetic interference and reflected solar glare from the panels could have an adverse impact on the safety and functionality of the airport's aviation activities. The inclusion of a chapter within the Environmental Statement on 'Glint and Glare' is welcomed.

The parcel of land to the south of the junction of the A44 and Langford Lane forms part of the overrun area of the airport and should be kept free from development for safety purposes. It is noted that the proposals have evolved since the informal consultation to remove proposed built development to the south of the runway.

The views of the London-Oxford Airport operators, Oxfordshire County Council, and the Civil Aviation Authority should be sought on the potential impacts of this application on the aviation activities arising from the London-Oxford Airport.

Loss of Agricultural Land

The loss of agricultural land to the project will need to be weighed up against the benefits of the scheme.

None of the land within CDC's boundary was assessed in the more detailed Agricultural Land Classification (ALC) post 1988 (see: <https://naturalengland-defra.opendata.arcgis.com/datasets/Defra::agricultural-land-classification-alc-grades-post-1988-england/about>).

However, our records show that most of the site within CDC's boundary falls under the Moderate Likelihood of the Best and Most Versatile Agricultural Land (BMV) (20-60% area BMV) with a small amount classified as Low Likelihood of BMV (<20% area BMV) based on the circa 2008 ALC Strategic Map (see: <http://publications.naturalengland.org.uk/publication/6056482614804480?category=5208993007403008>)

To establish the quality of the land affected it is noted that site specific surveys have been made of the soil as outlined in the 'Agricultural Land Use and Public Rights of Way' chapter of the Environmental Statement. This information will be needed in order to assess the loss of agricultural land versus the benefits of the project. It is currently unclear whether the quality and extent of the agricultural land to be lost to the project will be outweighed by its benefits.

The provision of a Soil Management Plan to ensure that the quality of agricultural soils is preserved is welcomed and should include details of how the land will be reinstated to its former condition at the end of the use (also providing information about the 'reversibility' of the development, and how quickly, the land could be returned to food production (arable and grazing) once the solar farm has come to the end of its life).

Economic Development

A number of questions have been raised relating to economic development matters:

- 1) What will be the local economy benefit? How, for example, will this development utilise products and services from within UK and Oxfordshire?
- 2) Are there any opportunities for recruitment to be done locally?
- 3) How will the skills of local workforce be enhanced by such a significant investment – what advance preparations are being made with, for example, the local supply chain and further education providers?
- 4) The energy created will feed into the National Grid: How will the locally-constrained supply from the National Grid directly benefit from this investment?

Leisure and Tourism

Questions that have been raised relating to leisure and tourism:

- 1) What would be the impact on the valuable tourism sector and how would it contribute to (or harm) the County's 'dreaming spires in rural setting' image which is a component of attracting international visitors?
- 2) Would walkers and cyclists be deterred by landscape and visual impacts of the development and how will these be mitigated?

Welcome the suggestion of carrying out the most impactful parts of the construction during the off-peak tourist season but would like to see how the 'low-season' period will be established/agreed. The effects during the operational phase would remain however and are still of concern.

Note that the development will include new and enhanced facilities for walkers and cyclists but still remain concerned that the substantial changes to the landscape will deter leisure users who would primarily be seeking to use the area for its rural/natural appearance. Details of proposed set-backs/buffers for PRow's and permissive paths should be provided and agreed.

Climate Change

Our climate change framework says that we will reduce our demand for grid electricity and generate our own clean energy. It also says that to halve our emissions by 2030, we need to increase solar by 5 times. Furthermore, analysis undertaken by OCC indicates that local energy generation in the county needs to be between 23% and 52% of all energy by 2050, which is most likely to be in the form of solar PV, requiring 1200 –2600 of hectares of solar PV. Therefore, it is recognised that these proposals could make a very significant contribution towards reducing carbon emissions.

Noise/Environmental Protection

The Environmental Health Team (who will be considering any noise or environmental health impacts) can be contacted at environmentalProtectionCDC@cherwell-dc.gov.uk.

They have made the following observations on the submissions:

Ground Conditions

Chapter 11: Ground Conditions of the PEIR - based on the information in the report, and given the proposed end use we are happy that no further investigation is required regarding land contamination. Any contamination found during the construction phase can be dealt with by an 'Unexpected Land Contamination' requirement.

Noise and Vibration

Chapter 13: Noise and Vibration of the PEIR - the methodologies for both the construction phase and operational phase are accepted. However, further assessment is required for both phases once further details are known as confirmed in the report.

For the construction phase a CEMP will be required. Regarding the hours of working our standard hours for construction works are 07:30 hours to 18:00 hours Monday to Friday, 08:00 hours to 12:30 hours on Saturdays and no working on Sundays, Bank or Public Holidays. Any variation to this will require further discussion and need to be justified with a detailed noise assessment that demonstrates earlier or later working hours would not impact sensitive receptors.

For the operational phase, a detailed noise assessment will be required to demonstrate if acceptable noise levels can be achieved at sensitive receptor locations by plant layout design alone or if additional mitigation measures such as acoustic barriers are also required, as recommended in the report.

Air Quality

No comments.

Arboriculture

The proposals should seek to retain valuable trees, woodlands and important hedgerows and secure tree/hedgerow planting in order to provide a resilient biodiverse site.

- 9.1 outlines the project will not require facilitative tree/hedgerow removal as committed within project description Volume 1 Chapter 6.
- 9.2 highlights a minimum buffer from retained woodlands/trees – the minimum buffer is acknowledged however, this will need to be superseded where required by a construction exclusion zone calculated through an arboricultural impact assessment in line with BS5837:2012.
- Understood that an arboricultural impact assessment and method statement is to be supplied within the DCO submission.
- Ancient woodlands, default position is to offer as great a buffer as feasible, minimum buffer acceptable with mitigation. ES referenced as to provide detail on this.
- Ancient/Veteran trees – Sufficient buffer required. ES referenced to provide detail on this.

- Tree/hedgerow/woodland planting – hedgerow, individual tree and woodland planting referenced. Further detail on this will be required to allow consideration on suitability, BNG and mitigation.
- All items to be submitted (ES, AIA, AMS) within the DCO will be subject to review.

Other General Question/Comments

All chapters of the PEIR need to be updated to account for the recent updated National Policy Statements (published 22 November 2023) and the National Planning Policy Framework (20 December 2023).

There is a lack of information on site selections and alternative sites. Is there evidence that these are the optimal locations? And are there any opportunities for utilising existing networks to minimise need for new infrastructure?

Comments on SoCC

The applicant engaged with the LPAs regarding the SoCC as part of the pre-application process. The scope of the SoCC was adapted to accommodate the comments made by CDC.

CDC supports the scope and extent of the SoCC.

Likely requirements for Development Consent Order

In respect of requirements (akin to planning conditions) to be included on any draft Development Consent Order (DCO) CDC recommend that requirements to cover the following matters are considered:

TIMING/PARAMETERS AND APPROVED PLANS/DETAILS

- Time period for commencement
- List of all the agreed/approved plans and documents that the determination of the DCO is based on
- Avoidance of bird nesting season
- Period of consent
- Land to be returned to former use/condition within a specified period of the permission or operation ceasing (whichever the sooner)

PRE-COMMENCEMENT

- Construction Environmental Management Plan (to include: core working hours during construction which are to be agreed with Environmental Protection subject to detailed noise assessment) and planning works with biggest visual/noise impacts during off-season for tourism)
- Outline Construction Traffic Management Plan
- Landscape and Ecological Management Plan
- Details of construction compounds
- Hours of construction/HGV movements
- Tree protection
- Archaeological investigations
- Traffic management and routing agreements
- Habitat/wildlife protections (including retention of existing habitats (woodlands, hedgerows, waterbodies/courses and appropriate minimum protected buffers of between 5m and 15m), production of an Outline Code of Construction Practice, details of Skylark plots, creation of corridor along River Evenlode, avoiding cabling routes outside of solar arrays and highway verges)
- Pre-commencement and Updated Ecology Surveys if delayed start/phases
- Soft landscaping plans/agree species (including details of new woodland belts, reinforcement of existing field boundary hedgerows), planting of new hedgerows, meadow grassland and individual trees), seeded vegetation to be provided between rows of panels to mitigate surface water run-off;
- Highways/junction improvement works;
- Details of temporary roads (including permeable construction) and return land to former condition when no longer required;
- Travel Plan for construction period;
- Car and cycle parking;
- Outline Infrastructure Drainage Strategy (including details of any downstream swales required);
- Drainage Strategies for Primary and Secondary substations;

- Hydrogeological risk assessment for cable corridors across watercourses of particular sensitivity;
- 10m buffer for watercourses;
- HDD for main rivers;
- Spoil / materials storage;
- Land contamination investigation and remediation strategy;
- Soil Management Strategy;
- Export of excess minerals off-site for re-use;
- Details of lighting and CCTV;
- Outline Pollution Prevention Plan;
- Construction Noise and Vibration Management Plan;
- Dust Management Plan;
- Community Employment Plan;
- Training and Apprenticeship Strategy;
- Public Rights of Way Management Plan;
- Site Waste and Resources Management Plan;

PRIOR TO PARTICULAR WORKS

- Details of structures, buildings and materials
- Insulation of plant/machinery
- Details of 'no dig' areas and suspended cable troughs within areas of archaeological interest

PRIOR TO OPERATION

- Provision of information/interpretation/education boards;
- Provision of other furniture (benches and signage) for public use;
- Provision of access to new public rights of way;
- Operational Noise Management Plan;

ONGOING REGULATORY

- Maintenance/management of landscaping
- Unexpected contamination (watching brief suggested)
- Retention of hedges, trees, boundaries
- Operation of lights
- Limitation peak daily construction vehicle movements;
- Appropriate monitoring of dust deposition;

S106/Community Benefits package

CDC would like to agree a Community Benefit Agreement (CBA) to secure funds to support the community local to the project as well as to provide financial support to deliver the Council's Climate Action Plan agenda. A rate calculated on a £x per MW per year is recommended.

Further detail on wording of requirements, S106 legal agreement and the CBA should be negotiated by the LPAs with the developer ahead of the application submission.

Conclusion

This letter forms Cherwell District Council's response to your statutory consultation and notification pursuant to Section 42 of the Planning Act 2008.

CDC is in broad agreement with the methodologies and assessments set out and detailed in the PEIR for its areas of interest, subject to the resolution of comments/concerns raised in this letter.

CDC recognises the benefits of the scheme in terms of meeting climate change targets at district, county and national levels and is cognisant of the presumption in favour of energy NSIPs as per paragraph 4.1.3 of Policy EN-1 Overarching National Policy Statement for Energy. However, CDC is also concerned that the majority of the development would conflict with the purposes of the Green Belt and is likely to result in, and be an agent for, very significant change in a rural part of Cherwell district. As such, the character and setting of the countryside and local villages could be detrimentally and substantially altered. To summarise our principal concerns:

- The case for Very Special Circumstances to develop land in the Oxford Green Belt with inappropriate development has yet to be satisfactorily demonstrated.

- There is concern about the loss of Best and Most Versatile (BMV) agricultural land within the district.
- There is significant concern that the proposal could lead to harmful landscape impacts that could not be satisfactorily mitigated and which would outweigh any benefits of the proposed development.
- There is concern that the development could have a detrimental impact upon the significance of heritage assets within the district.
- The proposal currently provides comparatively little benefits for the local community.

It is hoped that this response provides an understanding of our key concerns at this stage and the areas for future discussion and further investigation.

Yours sincerely

A solid black rectangular box used to redact the signature of Paul Seckington.

Paul Seckington
Head of Development Management