

Comments for Deadline 5 (D5)

Nigel Pearce, 4 September 2025

Part 1: Comments on 'Applicant's Response to the ExA's Second Written Questions'

Subjectivity: Q2.6.9, Q2.6.10, Q2.6.11; and Q2.9.4. Q2.9.5

It is striking that, in responding to questions about the heritage setting of the Churches in Church Hanborough, Cassington and Begbroke, the Applicant lazily repeats exactly the same paragraph, as if the context in each case is identical:

The assessment of impacts and effects on the significance of a heritage asset as a result of change within its setting is largely subjective. As a consequence, it is not unusual for specialists to have different conclusions regarding the magnitude of impact and the level of effect as expressed in the terminology used in Environmental Impact Assessments.

The Applicant is therefore claiming a monopoly over objectivity and dismissing alternative views as being the product of subjective opinion and, by implication, less knowledge and intellectual rigour. The arrogance is breathtaking.

Furthermore, the approach taken to these heritage assets is clearly one that is followed through on every issue. The response to Q2.9.5 on residual effects generally makes this quite clear:

Where, in the course of consultation with Interested Parties, residual effects are perceived by others to be of a greater magnitude, then these are generally subjective opinion and do not materially affect the assessment of significant effects.

So whether you are a subject specialist, or an Interested Party with local knowledge that the Applicant can never equal, your 'subjective' opinion counts for less than the 'objective' judgements of the Applicant's consultants. But the consultants are being *paid by the Applicant* to guide the proposal safely through the planning process with as little change as possible. They are therefore inevitably – either consciously or

unconsciously – prone to a bias in favour of their client.¹ Otherwise, they might gain a reputation in the development and planning sector for being obstructive. Accordingly, their judgements are likely to be as subjective as those of specialists and Interested Parties, if not more so. Until or unless consultants engaged by developers for large projects are chosen and appointed by, and answerable directly to, The Planning Inspectorate (while the developer still pays), an inherent and inequitable bias in the planning process in favour of developers will continue.

In Q2.9.4, the ExA asks two questions about the Applicant's methodology and the consequences of assessments. I deal with this in Part 2 below when discussing Best and Most Versatile Agricultural (BMV) land; but briefly the answer to the first question is "Yes", and to the second is "No" – for most if not all of the issues raised by this proposal.

Q2.11.7: BMV land

Once again, the Applicant has failed to respond to the ExA and address "whether there would be a significant effect on the ability for those affected farms to grow crops for an extended period of time". Instead, we get another non-answer about scoping the issue out and having previously (if unconvincingly) covered the issue. *Of course* 40 years of withdrawal from agricultural production of such a large expanse of land will have a significant and long-lasting effect on the ability of the affected farms to grow crops. Sheep will presumably result in meat and maybe even wool and dairy production, but that is not the same thing as crops. And it is a bold assumption that the reality will match the words in the proposal. One hopes that the "grazing" will turn out to be more than just "conversation" (a Freudian typo?).

Q2.11.5: Blenheim Farm and fallow land

The Applicant's response to this Question emphasises the advantage for soil health of a rotational crop system that includes fallow land. This sudden belated interest in organic farming (see also for example Q2.5.5) and fallow land as an alternative to intensive agriculture begs the question why Blenheim has not been pursuing this course for years or decades up to now. Furthermore, there are other ways of improving the soil than covering them in solar panels. Regenerative farming could

¹ Reading Agricultural Consultants appear to be a notable exception.

be introduced now on a large scale if the size of the solar installation were greatly reduced. And we know it can be without making the project economically unviable.

Q2.11.4. and Annex 8: Justification of land use by ALC grade

Contrary to the Applicant's claim, the Annex with its added column is not a *justification* but mostly a *description* of what the land will be used for. It does break down the land area into ALC grades, but makes no attempt to justify the use of BMV rather than non-BMV land for each use; nor does it justify anything *by individual grade*. What one hoped to hear was specific justifications for using each area of BMV land by grade, something along the lines of:

We looked at reducing the use of Grades 1, 2 and 3a BMV land and concentrating installation and associated uses more on non-BMV land in each part of the site where BMV land was identified by Reading Agricultural Consultants (RAC), but did not make any changes on BMV grounds for the following reasons . . .

This kind of justification is not forthcoming, and so the Annex is inadequate and unhelpful.

It is also interesting to note that, despite RPS/PVDP's constant references to poor or poorer land in this planning process, Annex 8 makes no mention of Grade 4 or 5 land. (In fact, RAC did find a limited area of Grade 4 land in the northern section.)

Part 2: Applicant's Responses to other D3 Submissions

Response to REP3-110

The Applicant's approach to responding to my (and others') comments has frequently been one of obfuscation through cross-referencing instead of clear, direct answers to specific points. Rather than going down all their unsatisfactory rabbit holes again, I will concentrate here on methodology, to which the ExA drew attention in its Second Written Questions (Q2.9.4).

It is hard to judge whether the Applicant has simply not understood the point about choice of matrix, or is being deliberately obtuse. When challenged again to explain

“why they chose the matrix they did, rather than other, more objective, options available”, the Applicant responded with:

The application of the Design Manual for Roads and Bridges LA 109 Geology and Soils methodology for the assessment of the effects on agricultural land quality is a robust and frequently applied method for the assessment.

I am not questioning the methodology described in LA109, but the choice of matrix to summarise the impact. If a more objective matrix had been chosen, the impact assessment would have been more adverse. The Applicant made a ‘subjective’ choice of matrix that favoured the client. Once again, this point has not been addressed.

Conclusions

Following RAC’s ALC report, the Applicant had the opportunity to make changes that could have greatly reduced the use of BMV land. This opportunity was not taken. The Applicant therefore ignored what the NPPF says on page 54, Note 65: “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.”

Furthermore, it has not yet been established that this development, and its *huge size*, is ‘necessary’ at this location, given the extent of already existing and planned solar capacity in Oxfordshire. As West Oxfordshire District Council says in Q2.5.5, the Secretary of State “needs to be satisfied that the land to be acquired is not more than is reasonably required for the purposes of development”.

In Q2.9.4 the ExA asks, “[in] which areas do you think the mitigation proposals have been underplayed and what do you consider needs to be done for more effective mitigation?” BMV land is one such area, and more effective mitigation can be achieved by (a) restricting the solar installation and associated infrastructure to Grade 3b land and below; or (b) simply making the solar farm considerably smaller. The installation area alone is 835 hectares, of which 42% or 353 hectares is BMV land. The size of the whole site is 1377 hectares (see Annex 8). Even with all the other constraints, there is room to put the 353 hectares’ worth of solar installation on non-BMV land. A third alternative (c) is rejection of the development.