Planning Inspectorate
Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed West Oxfordshire Energy Park Project

Case Reference: EN0110047

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

11 November 2026

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1. INTRODUCTION

1.0.1 On 01 October 2026, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from West Oxfordshire Energy Park Limited (the applicant) under regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) for the proposed West Oxfordshire Energy Park Project (the proposed development). The applicant notified the Secretary of State (SoS) under regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the proposed development and by virtue of regulation 6(2)(a), the proposed development is 'EIA development'.

1.0.2 The applicant provided the necessary information to inform a request under EIA regulation 10(3) in the form of a Scoping Report, available from:

https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN0110047/documents

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the proposed development as currently described by the applicant. This Opinion should be read in conjunction with the applicant's Scoping Report.

1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the applicant from subsequently agreeing with the relevant statutory bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in appendix 1 in accordance with EIA regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.6 The Inspectorate has published a series of advice pages, including 'Pre-application advice for Environmental Impact Assessment'. This provides guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.0.7 Applicants should have particular regard to the standing advice in 'Pre-application advice for Environmental Impact Assessment', alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

'Nationally Significant Infrastructure Projects: Advice pages'

1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed development

(Scoping Report Section 2 and 3)

ID	Ref	Description	Inspectorate's comments
2.1.1	Paragraph 2.1.4	Mitigation and Enhancement Areas	The Scoping Report states that it is anticipated that the northern land parcel (fields 1-10) would be used for mitigation and enhancement purposes only. The ES should distinguish between measures proposed as mitigation for potential effects as a result of the proposed development measures proposed as environmental enhancement, and measures contributing towards Biodiversity Net Gain (BNG). The ES should ensure that mitigation for habitat loss is not double counted as enhancement or BNG delivery.
2.1.2	Paragraph 3.2.2	Construction compounds	The Scoping Report states that the proposed development would require one or more temporary construction compounds within the site, as well as temporary roadways, however the location and scale is yet to be determined. To ensure a robust assessment of likely significant effects (LSE), the ES should provide details regarding the number, locations and dimensions of construction compounds and components or the realistic worst-case scenario assessed.
2.1.3	Paragraph 3.1.2 and 3.2.5	Maximum design parameters	At this stage, the locations of project components such as the Battery Energy Storage Systems (BESS) compound, Power Conversion Units (PCUs) and substations have not been determined. The Inspectorate notes the applicant's intention to apply a 'Rochdale Envelope' approach to enable technical assessments to assess an 'envelope' within which the works will take place. The Inspectorate expects that at the point of submission, the description of the proposed development will be sufficiently detailed to include the design, size, capacity, technology, and locations of the different components of the proposed development or where details are not yet known, to clearly define and justify the maximum design parameters and realistic worst-case scenarios assessed. The Inspectorate advises

ID	Ref	Description	Inspectorate's comments
			that each aspect chapter includes a section that outlines the relevant parameters / commitments that have informed the assessment.
2.1.4	Table 3-1 and paragraph 3.2.10	Solar panel mounting options	The Scoping Report states that there are two options for the proposed solar PV panels: fixed or tracking. The ES should identify and assess the worst-case scenario for applicable topics during operation.
2.1.5	Table 3-1	Maximum design scenario parameters	The Applicant's attention is drawn to the consultation response from the Environment Agency (Appendix 2 of this Opinion) which notes that maximum design parameters for foundations and ground disturbance works have not been provided. The ES should define these parameters for all relevant proposed infrastructure.
2.1.6	Paragraph 3.2.40-3.2.42	Lighting	The Scoping Report states that lighting may be required around substations and other critical infrastructure during operation. Where significant effects are likely, the ES should assess the effects of lighting on sensitive receptors, having regard to the proposed lighting design, timing and frequency of use, light spill, glare and embedded mitigation. Cumulative effects with other sources of artificial lighting should also be considered where relevant. In addition, there is no reference to lighting during the construction phase. The ES should describe the potential impacts arising from construction lighting and either assess these impacts or provide a clear evidenced justification for why an assessment is not considered necessary.
2.1.7	Paragraph 3.4.1	Major component replacement	Where there is the potential for comprehensive replacement of infrastructure during the operational lifespan of the proposed development then the ES should have regard to the construction phase impact assessment when setting out the appropriate mitigation. The ES should describe the scope and duration of the maintenance and replacement activities likely to be required, including predicted vehicle movements and staffing numbers. The ES should provide estimates of types and quantities of waste expected as well as an assessment of any LSE associated with the generation and disposal of waste.

ID	Ref	Description	Inspectorate's comments
2.1.8	Paragraph 3.5.3	Decommissioning – cables left in situ	The Applicant's attention is drawn to the consultation response from the Environment Agency (Appendix 2 of this Opinion) regarding cables left in situ which may represent an unacceptable risk of pollution of controlled waters via degradation. The ES should assess the potential effects associated with the removal of underground cables compared with their retention in situ during decommissioning and explain how the preferred approach has been determined. Any commitments arising from this assessment should be clearly identified and secured through the DCO, where appropriate.
2.1.9	n/a	Land at the end of DCO period	The ES should explain what will happen to the proposed development site (both northern and southern sites) at the end of the Development Consent Order (DCO) period and whether that land will revert back to its previous condition or whether mitigation and enhancement regimes will be maintained. The applicant's attention is drawn to the consultation comments from Cotswolds National Landscape Board (Appendix 2 of this Opinion) for further information.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 40)

ID	Ref	Description	Inspectorate's comments
221	Paragraph 4.4.6	Transboundary	The Inspectorate on behalf of the SoS has considered the proposed development and concludes that the proposed development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the proposed development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the proposed development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the annex to its Advice Page 'Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process', links for which can be found in paragraph 1.0.7 above.
222	n/a	Solar panel cleaning	It is not clear whether the Scoping Report has considered the effects of cleaning the solar photovoltaic (PV) panels, including the vehicles or equipment used, water demand, and the run-off of cleaning materials into the environment. The ES and relevant operational management plans should describe how solar panel cleaning will be managed and effects mitigated.

ID	Ref	Description	Inspectorate's comments
2.2.3	n/a	Summary of Assessment Scope tables	The Scoping Report includes 'summary of assessment scope' tables at the end of each aspect chapter. However, inconsistencies have been identified between the narrative text in certain aspect chapters and the corresponding summary tables (for example, refer to ID 3.4.3-3.4.5, 3.7.4-3.7.5). For the purposes of this Scoping Opinion, the Inspectorate has assumed that the narrative text is correct and has identified any apparent discrepancies in the relevant topic-specific sections. The applicant should ensure that the information presented within the ES, including summary tables, is accurate and internally consistent.
2.2.4	Section 6.2	Guidance	Where a methodology approach has been derived from industry standard guidance, this should be clearly referenced within the ES. For example, the guidance used to establish the study area for the cultural heritage assessment in Section 6.2 has not been referenced. Additionally, Section 16.3 relies on mitigation that the report states is reflective of best industry practice, but no guidance has been referred to.
2.2.5	Figure 6-1	Figure legibility	The applicant should ensure that all layers and aspects of figures are fully legible within the ES. Where figures are particularly dense with features, then the applicant should consider producing sub-figures with increased zoom on the dense areas. For example, due to the high density of features on Figure 6-1 Designated heritage assets and Historic Landscape Characterisation, it is difficult to make out the footprint of registered parks and gardens and differentiate between the grades of listed buildings.
2.2.6	N/A	BESS fire safety	The Applicant's attention is drawn to the consultation response from Gloucestershire Fire and Rescue Service and Oxfordshire Fire and Rescue Service (Appendix 2 of this Opinion) regarding BESS fire safety, emergency response arrangements, firefighting access requirements, water supplies and the management of potential environmental effects arising from major incident scenarios. The Applicant should have regard to these comments in developing the design of the Proposed Development and associated management plans.

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Cumulative Effects Assessment

(Scoping Report Section 5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	n/a	Cumulative Landscape and Visual effects – construction and decommissioning	Within Chapter 7 Landscape and Visual, cumulative effects during construction and decommissioning are proposed to be scoped out. Refer to ID 3.3.6.

ID	Ref	Description	Inspectorate's comments
3.1.2	Table 5-2	Zones of Influence	Scoping Report Table 5-2 presents the maximum Zones of Influence (ZOI) associated with each environmental aspect however, for the majority of the ZOIs no explanation is provided as to why these distances from the proposed development are used. The ES should provide within both the cumulative effects assessment and aspect chapters, a clear justification for the extent of each study area and how it captures the effects from the proposed development. Wherever possible, the study areas should be agreed with the relevant statutory bodies as part of discussions on the assessment methodologies. Evidence of agreement on these points should be provided in the ES.
3.1.3	Paragraph 5.1.10	Long list of projects for CEA	The Applicant should seek to agree the long list of projects for the Cumulative Effects Assessment (CEA) with relevant statutory bodies. Any omissions or inclusions should be clearly justified and explained with reference to PINS Advice Note 17: Cumulative effects assessment.

ID	Ref	Description	Inspectorate's comments
3.1.4	n/a	Cumulative effects on mineral resources and waste capacity	The Applicant's attention is drawn to the consultation response from Oxfordshire County Council (Appendix 2 of this Opinion) regarding cumulative effects on mineral resources and waste capacity. The Inspectorate notes concerns that these matters do not appear to have been included within the identified zones of influence or proposed cumulative assessment. Given the number of NSIPs within Oxfordshire that could sterilise mineral resources within Mineral Safeguarding Areas, the cumulative assessment should clearly explain whether likely significant effects on mineral resources and waste management capacity could arise, taking account of other relevant developments, including the Oxfordshire Strategic Rail Freight Interchange where relevant.

3.2 Cultural Heritage

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Paragraphs 6.3.11-6.3.12, 6.7.11, 6.7.14 and Table 6-1	Direct impacts to designated heritage assets (i.e. three Scheduled Monuments within the Site) – construction and decommissioning	Direct impacts to designated heritage assets of archaeological interest are proposed to be scoped out on the basis that the Scheduled Monuments within the proposed development site would be excluded from the development footprint and an Archaeological Management Plan would be put in place to avoid impacts. The Inspectorate considers that insufficient information has been provided on the proposed avoidance measures and their method of securement to rule out significant effects in this regard. As such, the Inspectorate is currently not in a position to scope this matter out. The ES should assess any likely significant effects resulting from direct impacts to designated heritage assets during the construction and decommissioning phases. The applicant's attention is also drawn to the consultation response from Historic England (appendix 2 of this Opinion) in this regard.
3.2.2	Paragraph 6.7.13 and Table 6-1	Direct impacts to non-designated archaeological remains - operation	This matter is proposed to be scoped out on the basis that there would be no ground works during the operational phase of the proposed development, and the cessation of arable agricultural practices would result in a beneficial effect overall. On this basis, the Inspectorate agrees that LSE from impacts to non-designated archaeological remains are not likely to occur. This matter can be scoped out of the ES. The applicant's attention is drawn to the consultation response from Heritage England (appendix 2 of this Opinion) requesting that these matters are scoped-in due to the potential impacts from a change to the land management regime. Whilst the Inspectorate considers that a full assessment of these matters is not required,

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			any beneficial effects that may occur as a result should nonetheless be set out within the ES.
3.2.3	Paragraph 6.7.12	Impacts to the setting of low sensitivity receptors within the 2km study area – all phases	The Scoping Report states that whilst impacts to the setting of designated heritage assets are scoped-in, designated heritage assets within the 2km study area that are not considered sensitive to the proposed development, identified through the Heritage Settings Assessment, would be scoped out. Providing that the rationale used to exclude receptors from the assessment is clearly set out within the ES, the Inspectorate agrees that receptors that are not sensitive to setting impacts from the proposed development can be scoped out of the ES. The applicant should also seek to agree the list of excluded receptors with the relevant statutory bodies which as noted will be within step 1 of the heritage assessment.

ID	Ref	Description	Inspectorate's comments
3.2.4	Paragraphs 6.2.2, 6.3.6 and 6.3.25	Study area	The Scoping Report establishes a 1km study area for the archaeological assessment. The Inspectorate notes that the proposed development is in an area of substantial archaeological interest. Given the scale of the proposed development, and the nature of the receiving historical environment, it is advised that a similar approach is taken as to the heritage settings assessment. The applicant's attention is drawn to the consultation response from Oxfordshire County Council (appendix 2 of this Opinion) in this regard. The ES should also consider the potential for impacts to historic landscape character beyond the study area. The applicant's attention is drawn to the consultation response from West Oxfordshire District Council (WODC) (appendix 2 of this Opinion) in this regard.
3.2.5	Paragraph 6.3.14	Sensitive receptors	Paragraph 6.3.14 lists the receptors that will be considered in detail within the assessment. The Inspectorate notes that whilst Scheduled Monuments 1-5 and 9 will

ID	Ref	Description	Inspectorate's comments
			be considered in detail, 11 other Scheduled Monuments within the study area have been excluded from this list. No rationale has been provided to explain why these assets would not be considered in detail. The ES should provide a robust explanation as to why these receptors have been excluded from detailed consideration.
3.2.6	Section 6.4	Guidance	The applicant's attention is drawn to the consultation response from WODC (appendix 2 of this Opinion) which lists additional guidance to inform the cultural heritage assessment.
3.2.7	n/a	Intrusive fieldwork	The Inspectorate notes that a geophysical survey is currently underway. The applicant should also consider the use of more intrusive fieldwork methods in order to inform a suitably robust baseline. The applicant's attention is drawn to the consultation response from Oxfordshire County Council (appendix 2 of this Opinion) in this regard.
3.2.8	n/a	Historic England updated guidance HEAN 15	Historic England has published updated guidance: Commercial Renewable Energy Development and the Historic Environment: Historic England Advice Note 15 (2nd ed) on 30 June 2026. The update reflects recent policy changes and an updated section on solar farms. The applicant should ensure that the ES takes account of this updated guidance.

3.3 Landscape and Visual

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	Paragraphs 7.3.9 – 7.3.11 and Table 7.3	National Character Areas (NCA) – all phases	The Scoping Report proposes to scope out impacts on the Cotswolds and Upper Thames Clay Vales NCAs on the basis that more detailed landscape character assessments are available at county and district level. It is unclear whether the Scoping Report Applicant is proposing to exclude assessment of landscape effects associated with these NCAs, or whether those effects would continue to be assessed through the finer-grained landscape character receptors identified in the Scoping Report, with the NCAs retained as contextual baseline information. The ES should make this distinction clear. The Inspectorate agrees that it would not be necessary to assess the NCAs separately as receptors where the relevant landscape character and effects are adequately captured through the assessment of the more detailed landscape character areas/types.
3.3.2	Paragraphs 7.3.16 – 7.3.17 and Table 7.3	West Oxfordshire LCA– all phases	The Scoping Report explains that at the district level, West Oxfordshire Landscape Character Assessment (WOLCA) covers the proposed development site and the eastern part of the study area. The report states that whilst WOLCA will be used within the landscape assessment to inform the baseline it is proposed to scope WOLCA out as an individual receptor. It is unclear whether the Scoping Report is proposing to exclude assessment of landscape effects associated with WOLCA, or whether those effects would continue to be assessed through other LCAs identified in the Scoping Report. The ES should make this distinction clear. The Inspectorate agrees that it would not be necessary to assess WOLCA separately as an individual receptor where the relevant landscape character and effects are adequately captured through the assessment of other landscape character areas/types.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.3	Paragraphs 7.3.20 - 7.3.21 and Table 7.3	Cotswold Water Park Integrated LCA – all phases	The Scoping Report identifies the western part of the study area as within Cotswold Water Park Integrated Landscape Character Assessment (CWPILCA) but proposes to scope this matter out of the assessment as this area overlaps with other landscape character assessments. The Inspectorate agrees that it would not be necessary to assess Cotswold Water Park Integrated LCA where the relevant landscape character and effects are adequately captured through the assessment of other landscape character areas/types.
3.3.4	Paragraphs 7.3.59 - 7.3.61 and Table 7.3	Residential properties greater than 100m from the proposed PV Solar Arrays and Main and Collector Substations. – all phases	The Scoping Report explains that a Residential Visual Amenity Assessment (RVAA) will be undertaken using a study area of 100m from the site boundary, as beyond this distance there is not considered to be potential for overbearing visual effects that would breach the RVAA acceptability threshold. However, the preliminary Zone of Theoretical Visibility (ZTV) provided in Figure 7.5 illustrates that the proposed development would be visible to residential properties beyond 100m of the site boundary. Additionally, this preliminary ZTV is based upon the 4.5m maximum height of the solar PV modules and does not appear to consider the substations. On this basis, considering the parameters of the built elements of the proposed development, the Inspectorate does not agree that a 100m study area for effects on visual amenity is sufficient to identify all LSE and this matter cannot be scoped out. The ES should assess potential effects on views and visual amenity within the ZTV where significant effects are likely to occur, ensuring that all receptors with the potential to experience LSE are identified and assessed. The RVAA should also include all aspects and phases of the proposed development, as at present it is not clear as to whether all elements are proposed to be scoped in, or the presence of solar panels and substations only.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.5	Paragraphs 7.3.62 - 7.3.66 and Table 7.3	Night-time visual effects from artificial lighting – all phases	The Scoping Report proposes to scope this matter out as during construction and decommissioning although temporary lighting may be required, this would be controlled through measures set out in the Outline Construction Environmental Management Plan (OCEMP) and Outline Decommissioning Environmental Management Plan (ODEMP). The Scoping Report also explains that the solar PV array area would remain unlit during operation except for infrequent routine maintenance and security lighting for the main and collector substation infrastructure, however the location of the substations within the site is unclear. No visible lighting is required along the perimeter fencing of the site and Infra-Red (IR) lighting is proposed to provide night vision functionality for CCTV. Despite these measures, little information has been provided on the receptors that may be at risk from potential lighting effects. As such, the Inspectorate is not in a position to scope this matter out at present and the ES should provide an assessment of night-time lighting for all phases or demonstrate the absence of LSE. The applicant's attention is drawn to the consultation comments from Cotswolds National Landscape Board (Appendix 2 of this Opinion) which refers to their Technical Lighting Design Guide. The Applicant should have regard to this guidance when assessing lighting for the proposed development.
3.3.6	Paragraph 7.5.12	Cumulative effects – construction and decommissioning	The Scoping Report states that the cumulative effects during the construction and decommissioning phases would be scoped out due to their temporary nature. The Inspectorate agrees that a detailed assessment of cumulative effects during decommissioning is unlikely to be necessary at this stage, given the uncertainty surrounding future baseline conditions and developments. However, cumulative effects arising during construction cannot be ruled out. The ES should include proportionate consideration of cumulative landscape and visual effects during construction where there is a potential for likely significant effects. The Applicant is encouraged to engage with relevant statutory bodies and provide evidence of those discussions to support the proposed approach.

ID	Ref	Description	Inspectorate's comments
3.3.7	Paragraphs 7.2.2 - 7.2.6 and 7.3.34 - 7.3.36	ZTV and study areas	The Scoping Report states that the preliminary ZTV (shown in Figure 7.5) has been calculated using a set height of 4.5m as this is the maximum height of the solar PV modules. However, the proposed development involves associated infrastructure including CCTV posts, security fencing, collector substation and main substation. The maximum height of these structures is provided in Table 3-1 of the Scoping Report and they exceed the maximum height used to calculate the ZTV. Consequently, the ZTV may not be representative of the full extent of visibility. The ES should clearly evidence and justify the final extent of the ZTV used and ensure that any assessment of significance is based on the worst-case scenario. Effort should also be made to agree appropriate ZTVs with relevant consultation bodies. Additionally, the Scoping Report states that the LVIA study area will extend for approximately 3km from the site boundary, however the preliminary ZTV mapping provided at Figure 7.5, identifies potential visibility beyond these extents to the south and southeast of the proposed development. The ES should clearly justify the study area(s) used and should ensure that a worst-case scenario is assessed. The Applicant should make effort to agree the study area for LVIA with relevant consultees and provide evidence of this within the ES.
3.3.8	Paragraphs 7.3.28 and 7.3.44	Users of country lanes	The applicant's attention is drawn to the consultation response from West Oxfordshire District Council (appendix 2 of this Opinion) regarding country lanes running through both the proposed development site and study area, alongside the dismantled railway identified within the Scoping Report. The LVIA should assess the effects of the proposed development on the recreational and visual amenity value of the local road network, including minor roads and rural lanes that contribute to the character and visitor experience of the area. The ES should consider all relevant receptor groups, including local communities, tourists, walkers, cyclists, horse riders and other recreational users, and provide appropriate justification for the inclusion or exclusion of routes within the study area.

ID	Ref	Description	Inspectorate's comments
3.3.9	Paragraphs 7.3.42 - 7.3.43	Preliminary representative viewpoints	The Inspectorate notes the proposal for representative viewpoints to be provided as photowires or photomontages. Paragraph 7.3.43 proposes photomontages from only three representative viewpoints however the Inspectorate does not deem this appropriate for a development of this scale and the ES should include photowires and photomontages from a greater number of viewpoints. The applicant's attention is drawn to the consultation comments from Cotswolds National Landscape Board (Appendix 2 of this Opinion) for further information.
3.3.10	Paragraphs 7.3.46 - 7.3.55	Visual Receptors	The Scoping Report identifies several visual receptors but goes on to say that further desk and site work will be used to determine if other receptors within the study area will be included in the ES. Confirmation of these further studies should be provided and the ES should clarify any additional receptors identified.
3.3.11	Paragraph 7.5.5	Determination of significant effects	The Scoping Report explains that moderate effects will be potentially significant and that professional judgement will be applied supported by clear justification and reasoning. Whilst the Guidelines for LVIA (GLVIA) makes clear that professional judgement is an important part of LVIA, the ES should fully justify how professional judgement has been used to determine significance of effects, particularly around the determination of significance. The applicant's attention is drawn to comments from Cotswolds National Landscape Board in this regard (Appendix 2 of this Opinion).

3.4 Ecology and Biodiversity

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	Paragraphs 8.7.43 - 8.7.45 and Table 8.1	Statutory Designated Sites - Alvescot Meadows SSSI and Grafton Lock Meadow SSSI – all phases	The Inspectorate agrees that these Sites of Special Scientific Interest (SSSIs) can be scoped out of the ES and on the basis that significant effects are unlikely to these sites due to their distance from the proposed development.
3.4.2	Paragraph 8.7.46	Other Non-Statutory Designated Sites – all phases	The Scoping Report proposes to scope out all other non-statutory designated sites that have been identified within the 5km study area, other than the Bog Oxfordshire Local Wildlife Site (LWS) and the Road Verge Nature Reserve located near Burford. The non-statutory designated sites proposed to be scoped out therefore includes Upper Thames Conservation Target Area, Bushyleaze Copse LWS, Edward Richardson and Phyllis Mey LWS, and Coate's Farm, Southrop Conservation Road Verge. Given the location of these sites in comparison to the proposed development, the Applicant considers that impacts to these sites are unlikely to occur. The Inspectorate agrees that significant effects to these sites are unlikely and these matters can be scoped out of the assessment.
3.4.3	Table 8.1	Cotswold Water Park SSSI - operation	Scoping Report Table 8.1 states that this site is scoped in for construction and decommissioning but is proposed to be scoped out of the operational phase of the proposed development. However, this contradicts Paragraph 8.7.1 which states that impacts to this SSSI have been scoped in due to the site's proximity to the proposed development and potential for functionally linked land associated with bird species. The Inspectorate cannot therefore agree to scope this matter out at this time as the report does not present sufficient evidence to indicate that significant effects are unlikely during operation of the proposed development. The ES should provide further evidenced

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			justification or assess the potential impacts to the Cotswold Water Park SSSI during operation.
3.4.4	Table 8.1	Bog Oxfordshire LWS and the Road Verge Nature Reserve located near Burford - operation	The Scoping Report states in paragraph 8.7.2 that due to the proximity of these sites to the proposed routes used for traffic during construction, assessment of potential effects on these sites are scoped in. Table 8.1 presents that this matter is scoped out for operation of the proposed development. On the basis that traffic associated with operation of the proposed development is not anticipated to result in material changes to traffic flows on these routes, the Inspectorate is content that this matter may be scoped out for the operational phase.
3.4.5	Table 8.1	Invasive Non-native Species - operation	Scoping Report Table 8.1 states that this matter is to be scoped in for construction and decommissioning but is proposed to be scoped out of the operational phase of the proposed development. However, this contradicts Paragraph 8.7.42 which states that effects associated with Invasive Non-native Species (INNS) are scoped in. Whilst paragraph 8.7.42 states that effects associated with INNS are scoped in, the Inspectorate understands this to relate to risks arising during construction activities. On the basis that the Scoping Report identifies no credible pathway for significant effects associated with INNS during operation, the Inspectorate is content that this matter may be scoped out of the operational phase.

ID	Ref	Description	Inspectorate's comments
3.4.6	Section 8.2	Study area	The Scoping Report states that a maximum 30km buffer for European designated sites featuring bats as a qualifying feature; a 10km buffer for other European designated sites; 5km for statutory national designated sites; 2km for non-statutory designated sites; and 2km for any other protected and notable species records would be applied.

ID	Ref	Description	Inspectorate's comments
			The ES should ensure the study area reflects the project's Zone of Influence (ZoI) rather than being based on a fixed distance. The ES should consider the potential for effects to occur beyond the proposed buffers, particularly where designated sites are designated for mobile species such as birds, fish, otters, and bats. Effort should be made to agree the study area(s) with relevant statutory bodies.
3.4.7	Paragraph 8.4.1	Legislation	The Scoping Report does not include The Salmon and Freshwater Fisheries Act 1975 or The Eels (England and Wales) Regulations 2009 in the list of legislation considered in the approach to the assessment of biodiversity. Both of these pieces of legislation should be considered within the assessment and included within the ES.
3.4.8	Paragraph 8.6.9	Watercourse buffer	The Scoping Report states that a buffer of minimum 8m from the top of the watercourses and water bodies, extended to a minimum of 10m from where any such watercourses are found to support riparian mammals, will be utilised. The 8m minimum is not considered to be sufficient, and a 10m buffer should be applied regardless of whether riparian mammals are present. The applicant's attention is drawn to the consultation responses from the EA and West Oxfordshire District Council (appendix 2 of this Opinion) in this regard.
3.4.9	Paragraphs 8.6.10 and 8.7.13	Dormice	The Scoping Report identifies the presence of dormice on the proposed development site however it is not mentioned in terms of the approach to mitigation and design at paragraph 8.6.10. The ES should set out further details of the mitigation measures proposed to avoid, reduce and, where necessary, compensate for effects on this species.
3.4.10	Paragraph 8.7.39 and Table 8-1	Fish	Paragraph 8.7.39 states that fish are scoped into the assessment but this matter is not included within Table 8-1. Impacts to fish should be clearly assessed within the ES, the applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) in this regard.
3.4.11	n/a	Sensitive environmental information	Under Regulation 12(5)(g) of the Environmental Information Regulations 2004 (EIR), public bodies have a responsibility to avoid releasing sensitive environmental information that could bring about harm to sensitive or vulnerable ecological features.

ID	Ref	Description	Inspectorate's comments
			Sections of the ES containing specific survey and assessment data relating to the location of sensitive species (e.g., badgers, rare birds, and plants) or other vulnerable environmental features should be provided in separate annexes by the applicant. This approach reduces the sensitive ecological feature's risk of disturbance, damage, persecution, or commercial exploitation arising from publication. The applicant's approach should be proportionate and only use these separate annexes for species where there is a genuine risk of harm. All other assessment information should be included in an ES chapter, as normal, with a placeholder providing a justification as to why annexes have been withheld and that a full version of the ES has been submitted to the Inspectorate.
3.4.12	n/a	Effects to trees and woodlands	The ES should be informed by comprehensive tree surveys undertaken in accordance with relevant standards and demonstrate how the findings have influenced the design and layout of the proposed development. The assessment should consider direct, indirect and cumulative effects on trees and woodland, including ancient woodland, ancient trees and veteran trees, and identify appropriate avoidance, mitigation and long-term protection measures. The applicant's attention is drawn to the consultation response from the Forestry Commission (appendix 2 of this Opinion) in this regard.
3.4.13	n/a	Woodland connectivity	The ES should assess potential effects on woodland connectivity, including habitat fragmentation and isolation, and identify measures to maintain, restore and enhance ecological connectivity and woodland resilience. The applicant's attention is drawn to the consultation response from the Forestry Commission (appendix 2 of this Opinion) in this regard.
3.4.14	n/a	Woodland cover and tree canopy objectives	The Applicant should provide details of any proposed tree planting and woodland creation, including how such measures contribute to wider woodland cover objectives and incorporate climate resilience and biosecurity considerations through appropriate species selection and management practices. The applicant's attention is drawn to the consultation response from the Forestry Commission (appendix 2 of this Opinion) in this regard.

ID	Ref	Description	Inspectorate's comments
3.4.15	n/a	Management strategy for retained and newly planted trees and woodland	The ES should include a long-term management and stewardship strategy for retained and newly created tree and woodland habitats, including arrangements for maintenance, monitoring, replacement planting, funding, management responsibilities and adaptive management where required. The applicant's attention is drawn to the consultation response from the Forestry Commission (appendix 2 of this Opinion) in this regard.

3.5 Water Environment

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	Paragraph 9.7.2 and Table 9.9	Tidal flood risk – all phases	The Scoping Report proposes to scope this matter out on the basis that the study area is not tidally influenced. The Inspectorate agrees this matter can be scoped out.
3.5.2	Paragraph 9.7.3	Effects from historic landfill sites – all phases	Potential effects from historic landfill sites are proposed be scoped out of the assessment due to the absence of landfill sites within the core study area (which consists of the proposed development boundary only). The Inspectorate is content with this approach and agrees this matter can be scoped out.
3.5.3	Paragraph 9.7.4 and Table 9.9	Ground conditions – all phases	The Scoping Report proposes to scope this matter out as effects are considered to be limited due to the anticipated excavation depths associated with solar PV arrays, the absence of peat deposits and Groundwater Dependent Terrestrial Ecosystems within the proposed development site, and the relatively uniform geological conditions identified. However, the Inspectorate does not agree that effects on ground conditions should be scoped out at this stage. On the basis of the information currently available, it has not been demonstrated that significant effects are unlikely to occur. The applicant's attention is also drawn to the consultation response from the EA (appendix 2 of this Opinion) regarding potential for thermal pollution from buried high voltage cables to impact sensitive groundwater and groundwater-linked receptors during the operational phase. The ES should therefore assess the potential for hydrogeological impacts, including effects on groundwater and water quality arising from the introduction or mobilisation of pollution, and identify any mitigation measures required.
3.5.4	Paragraph 9.7.5	Private Water Supply (PWS) within	The Scoping Report explains that no PWS were identified by Swindon Borough Council within the Water Study Area. The three PWS identified by South Oxfordshire and Vale of

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Swindon Borough Council and South Oxfordshire and Vale of White Horse District Council – all phases	White Horse District Council are located outside the Water Study Area and are not anticipated to be affected by the Proposed Development. The Inspectorate is therefore content with the proposal to scope these receptors out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.5.5	Paragraphs 9.3.32 - 33 and 9.3.37	Aquifer designations	The Applicant should review and clarify the hydrogeological baseline, particularly in relation to aquifer designations within the northern land parcel, where the EA state Principal and Secondary aquifers are present. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) in this regard. The ES should ensure consistency in describing aquifer classifications and environmental setting methodology, including search distances and the presentation of groundwater receptors such as Source Protection Zones.
3.5.6	Paragraph 9.3.38	Groundwater Dependent Terrestrial Ecosystems (GWDTEs)	Paragraph 9.3.38 of the Scoping Report identifies GWDTEs within the study area at the Grafton Lock Meadow (SSSI), Cotswold Water Park (SSSI) and Alvescot Meadows (SSSI), however these are not listed in the receptors at Paragraph 9.5.12 or in Table 9-7. The ES should identify and assess GWDTEs consistently between the water environment chapter and the ecology and biodiversity chapter. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) in this regard.
3.5.7	Paragraph 9.3.44	Wells and springs	The Scoping Report confirms that information requests have been submitted to Local Authorities for details of abstractions within the study area, and that some details are absent. The ES should identify groundwater abstractions within the study area, including private supplies where possible, and consider wells, springs and issues identified from historic mapping. Engagement with both the Environment Agency and the relevant water

ID	Ref	Description	Inspectorate's comments
			undertaker is recommended to obtain information on licensed and public water supply abstractions and associated infrastructure.
3.5.8	Paragraph 9.3.47	Discharges to groundwater and Broadwell Brook	It is unclear within the Scoping Report whether discharges to groundwater and Broadwell Brook are located within the core study area, water supplies study area (WSSA), study area (SA) or some other defined area. The ES should clarify the locations of discharges by producing illustrating figures.
3.5.9	Table 9-4	Determination of receptor sensitivity	Table 9-4 uses WFD classification status to determine sensitivity, with 'High' or 'Good' water bodies deemed High sensitivity and 'Poor' waterbodies deemed of lower sensitivity. 13(1) and 13(5) of The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 explains that the environmental objectives for WFD water bodies are to prevent further deterioration in status of the water bodies. It therefore cannot be presumed that water bodies not achieving 'Good' status are not sensitive to pollutants and other impacts. The applicant's attention is also drawn to the consultation response from the EA (appendix 2 of this Opinion) regarding the use groundwater vulnerability status when determining sensitivity. The ES should reconsider the approach to establishing sensitivity to ensure an accurate assessment of receptors.
3.5.10	Paragraph 9.5.7	Existing fluvial data and results from the St Johns to Evenlode Confluence (2011) model and 2017 climate change re-runs	The Scoping Report states that the FRA will utilise existing fluvial data and results from the St Johns to Evenlode Confluence (2011) model and 2017 climate change re-runs, and that existing EA hydraulic model outputs will provide an appropriate assessment. This data is outdated and may be unsuitable for assessment. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) regarding the use of EA modelling datasets.

ID	Ref	Description	Inspectorate's comments
3.5.11	Paragraph 9.6.2	Horizontal directional drilling	The Inspectorate notes that there is potential for Horizontal Directional Drilling (HDD) (or similar methods) under or adjacent to watercourses. Where HDD is employed, the ES should be accompanied by a drilling fluid breakout plan secured within the DCO, which should provide detail on how any accidental spillages would be managed. Any potential significant effects to hydrological or groundwater receptors should be assessed in the ES.
3.5.12	Paragraph 9.6.4	Impacts during construction and operation Surface water drainage management proposals	The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) regarding the potential for construction and operation activities to impact the water environment.
3.5.13	Paragraph 9.6.12	Surface water drainage management proposals	The ES should provide further detail on the management of surface water runoff and potential contamination risks associated with the proposed development. In particular, the assessment should consider impacts from silt, spills, leaks and other pollutants arising during construction and operation, including from substations, power conversion units, transformers and construction compounds. The ES should clearly set out the measures proposed to contain and manage potentially contaminated runoff, including firewater, fuels, oils and chemicals, to protect sensitive water environment receptors.
3.5.14	Paragraph 9.6.12	BESS and substation mitigation measures	The ES should provide further detail on the proposed surface water drainage and firewater management strategy, including assessment of risks to the water environment from spills, leaks, loss of containment and fire events associated with the BESS and substation. Appropriate mitigation should be considered and secured within the DCO, including sealed drainage systems, automatic drainage isolation, and sufficient firewater containment capacity. The ES should also demonstrate how contaminated firewater and residual pollutants would be managed, including within drainage infrastructure, and consider the use of monitoring systems to enable early detection of pollution incidents.

ID	Ref	Description	Inspectorate's comments
3.5.15	n/a	Artesian groundwater	The Scoping Report does not consider artesian groundwater, the ES should assess the potential for encountering artesian conditions and establish suitable mitigation. The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) in this regard.
3.5.16	n/a	Water Demand	The applicant's attention is drawn to the consultation response from the EA (appendix 2 of this Opinion) regarding the establishment of a source of water supply that can meet the consumptive demands for the full life of the proposed development. The ES should assess the water demands associated with the proposed development and identify the anticipated sources of water supply. The assessment should consider the reasonable water supply options available to the proposed development, identify any potential constraints or issues requiring further consideration through the detailed design process, and explain how these would be addressed prior to any relevant consents or permits being sought. This information may be included within the Water Environment chapter of the ES or presented in a standalone Water Supply Strategy.

3.6 Soils and Agriculture

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Paragraphs 10.5.17 to 10.5.19	Agricultural food production – all phases	The Scoping Report states that the limited amount of agricultural land associated with the proposed development is not expected to result in a significant effect on food production or national food security and that no LSE are identified. The Inspectorate is content that this matter can be scoped out.
3.6.2	Paragraphs 10.7.8 to 10.7.11 and Table 10.9	Impacts to agricultural land and soil resource - operation	This matter is proposed to be scoped out of the ES on the basis that soil resources would remain in-situ beneath the PV panels, further noting that there would be potentially beneficial effects on soil resource from the cessation of agricultural practices and there would be no further impact pathways during operation as the residual change in land-use and soil function would occur as a result of the construction phase. The Inspectorate notes that impacts to agricultural land and soil quality are scoped in during the construction and decommissioning phases. On this basis, the Inspectorate agrees that impacts to agricultural land and soil quality during operation can be scoped out of the ES. However, the Inspectorate considers that the full temporal scope of the impacts to agricultural land should be accounted for in the construction phase assessment.

ID	Ref	Description	Inspectorate's comments
3.6.3	Paragraph 2.2.30-2.2.32	Agricultural land surveyed	The Inspectorate notes that there are areas on site where Agricultural Land Classification (ALC) surveys are yet to be carried out. The results of any outstanding ALC surveys should be reported within the ES, alongside the existing data.
3.6.4	Paragraph 10.6.2	Potential release of contaminants	Effects on soil resources and agricultural land are expected to be temporary as soils and land will be reinstated to the current baseline. The ES should consider the impact

ID	Ref	Description	Inspectorate's comments
			on soil resources as a result of the potential release of contaminants from equipment, for example, from metals, broken glass or other chemicals from damaged solar panels. The ES should assess the likelihood of any LSE from soil contamination from the proposed development across all phases of development, cross-referencing to other relevant chapters in the ES.

3.7 Noise and Vibration

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Paragraph 11.3.2	Noise and Vibration from the Northern Land Parcel – all phases	The Scoping Report states that the northern land parcel is not anticipated to contain any operational plant and so noise effects would not be expected to arise. The Inspectorate agrees with this approach. Providing no plant or infrastructure is sited within the northern land parcel, this matter can be scoped out from the ES. Should the design of the proposed development change to incorporate any infrastructure within this area, then the Inspectorate considers that an assessment of significant effects should be carried out.
3.7.2	Paragraph 11.7.2 and Table 11-3	Road traffic vibration – all Phases	The Scoping Report proposes to scope this matter out on the basis that according to the Design Manual for Roads and Bridges (DMRB) LA 111: Noise and Vibration, vibration from traffic using the road network is unlikely to be significant and BS 5228-2 does not consider vibration from vehicle movements as a notable source. The Inspectorate notes that the guidance provided within the DMRB relates only to the operational phase of a road scheme and does not account for the potential increase in HGV movements during the construction and decommissioning phases. The Inspectorate considers that insufficient information has been provided on vehicle movements and sensitive receptors along transport routes to rule out any significant effects. As such, the Inspectorate is currently not in a position to scope this matter out. The ES should provide the information referred to in order to evidence the claim that road traffic vibration during construction and decommissioning would not be significant or provide an assessment of such matters. The Inspectorate accepts that vehicle movements during the operation of the proposed development are not likely to result in the generation of significant levels of vibration. Operational road traffic vibration can therefore be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.3	Paragraph 11.7.3 and Table 11-3	Traffic noise – operation	This matter is proposed to be scoped out on the basis that vehicle movements associated with the operational phase would be limited to servicing and maintenance trips and the ad-hoc replacement and upgrading of PV panels and BESS components. On this basis, the Inspectorate agrees that noise from traffic movements during the operation of the proposed development can be scoped out of the ES. However, the ES should still provide information on the likely trip generation arising during operation.
3.7.4	Table 11-3	Noise as a result of construction/ decommissioning activities (excluding traffic) – operation	The Inspectorate notes that this matter is included within Table 11-3 but does not pertain to operation. The Inspectorate agrees that out of phase activities can be scoped out of the ES.
3.7.5	Table 11-3	Vibration as a result of construction/decommissioning activities (excluding traffic) - operation	The Inspectorate notes that this matter is included within Table 11-3 but does not pertain to operation. The Inspectorate agrees that out of phase activities can be scoped out of the ES.
3.7.6	Paragraph 11.7.4 and Table 11-3	Vibration - operation	This matter is proposed to be scoped out on the basis that the plant selected for the operation of the proposed development would generate insignificant levels of vibration. Having considered the physical aspects of the operational proposed development, the Inspectorate is content to scope this matter out of further assessment.
3.7.7	Paragraph 11.7.6 and Table 11-3	Noise and vibration from underground cabling - operation	This matter is proposed to be scoped out on the basis that operational cabling would not generate any significant levels of noise and vibration. The Inspectorate agrees that buried cables would not be likely to produce significant levels of noise and vibration. This matter can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.8	Paragraphs 11.6.17, 11.7.7 and Table 11-3	Noise and vibration - decommissioning	The Scoping Report proposes to scope out an assessment of noise and vibration during decommissioning on the basis that the construction phase would represent a suitable worst-case scenario. Whilst the Inspectorate is broadly content that decommissioning phase effects would be unlikely to be more significant than construction phase effects, details of the number and type of traffic movements anticipated for decommissioning and activities during decommissioning are not provided within the Scoping Report. As such, the Inspectorate is not in a position to scope this matter out at this stage. The ES should include an assessment of this matter or provide further justification for the assumption that decommissioning noise and vibration would be less than that during the construction phase, such as clarification of the likely duration of decommissioning phase and the likely traffic movements associated with this phase.

ID	Ref	Description	Inspectorate's comments
3.7.9	Figure 11-1	Ecological receptors	Figure 11-1 displays the location of potential noise sensitive receptors in relation to the proposed development site. The Inspectorate notes that this does not include consideration of ecological receptors. For the avoidance of doubt, ecological receptors should be included within the assessment of noise and vibration impacts. The ES should make use of cross-referencing between the relevant chapters to avoid duplication.
3.7.10	Paragraph 11.5.12	Low sensitivity receptors	The Scoping Report states that receptors of low sensitivity are unlikely to be associated with significant effects and therefore will not be included in the assessment. The Inspectorate agrees that these receptors can be discounted from the analysis provided that information in the ES demonstrates that there would be no LSE, or that these receptors can be discounted with the agreement of relevant statutory bodies.

ID	Ref	Description	Inspectorate's comments
3.7.11	Paragraph 11.4.4 and section 11.10	Guidance	The Inspectorate notes that the reference list refers to Highways England (2019): DMRB – LA111 – Noise and Vibration, Nov 2019. However, a revision was published in May 2020. The applicant should ensure that the most up to date guidance is used in the production of the ES.

3.8 Transport and Access

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	Paragraphs 12.7.3 and 12.7.4	Alternative Modes of Construction Access (Excluding Road)	This matter is proposed to be scoped out on the basis that the origin of materials and equipment for the proposed development is unknown, it is not proposed to assess the shipping of materials to the relevant port and there are no viable alternative modes of transport for construction materials to the site. On this basis, the Inspectorate agrees that this matter can be scoped out of the ES.
3.8.2	Paragraphs 12.7.5 and 12.7.6	Transport and access - operation	The Inspectorate agrees that significant effects related to typical operation and maintenance activities are not likely to occur. This matter can be scoped out of the ES provided that the frequency and mode share during the operational phase would not trigger the thresholds set out within the guidance from the Institute of Sustainability of Environmental Professionals (ISEP). However, the ES does not consider the potential for traffic impacts to arise from major component replacement. The ES should assess these matters or provide further information, such as the phasing and associated traffic movements of major component replacement activities, to rule out potentially significant effects.
3.8.3	Paragraph 12.7.7	Transport and access - decommissioning	This matter is proposed to be scoped out on the basis that the construction phase assessment would also present a feasible worst-case scenario for the decommissioning phase. The Inspectorate notes that a Decommissioning Traffic Management Plan (DTMP) will be set out within the Decommissioning Management Plan (DMP) submitted with the DCO application. Whilst the Inspectorate is broadly content that decommissioning phase effects would be unlikely to be more significant than construction phase effects, details of the number and type of traffic movements anticipated for decommissioning and activities during decommissioning are not provided within the Scoping Report. As such, the Inspectorate is not in a position to scope this matter out at this stage. The ES should include an assessment of this

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			matter or provide further justification for the assumption that decommissioning transport and access impacts would be less than that during the construction phase, such as clarification of the likely duration of decommissioning phase and the likely traffic movements associated with this phase.
3.8.4	Paragraphs 12.7.8 to 12.7.10	Hazardous and large loads – all phases	This matter is proposed to be scoped out on the basis that there are no hazardous features on potential transport routes within the Transport and Access study area and any large loads would be managed by National Highways, the local highway authorities and the Police through the Electronic Service Delivery for Abnormal Loads (ESDAL) system. The Inspectorate considers that insufficient information has been provided on the number and composition of any hazardous or large loads proposed for the scheme. As such, the Inspectorate is not in a position to scope this matter out. The ES should provide an assessment of this matter across all phases of development. The applicant's attention is drawn to the consultation comments from National Highways (Appendix 2 of this Opinion) which requests further information on the likely nature, scale and frequency of abnormal load movements and an outline Abnormal Indivisible Loads (AIL) strategy.

ID	Ref	Description	Inspectorate's comments
3.8.5	Paragraphs 12.3.4 to 12.3.6 and Figure 13-1	Public Rights of Way (PRoW)	The Scoping Report states that a number of PRoW pass alongside boundaries between individual fields. However, Figure 13-1 appears to show some PRoW crossing field areas without any defined boundary. The ES should confirm whether the proposed development would result in the temporary closure or diversion of any PRoW routes and assess any LSE where they might occur. Furthermore, it is noted that PRoW usage surveys are not proposed despite a number of PRoW within and adjacent to the proposed development boundary. The Inspectorate advises that

ID	Ref	Description	Inspectorate's comments
			surveys should be undertaken to provide baseline data in relation to the use of the PRoW affected by the proposed development.
3.8.6	Paragraph 12.3.14 and Figure 12-3	Collision analysis figure	Figure 12-3 presents a Collision Analysis which is labelled as covering the period of 2021-2025 however the Scoping Report text refers to this figure covering the period of 2020 -2024. The ES should ensure that the assessment is based on a consistent and clearly defined study period and that any discrepancies between the figures and supporting text are corrected. In addition, the figure shows the locations of Department for Transport (DfT) road casualties which were serious and slight however the key does not distinguish between which colours on the figure refer to the serious and slight casualties. The ES should ensure that all figures contain clear and accurate legends so that they can be readily interpreted by the reader.
3.8.7	Table 12-1	Receptor Sensitivity	Table 12-1 presents receptor sensitivity to traffic as high, medium or low. The Inspectorate questions the classification of hospitals, surgeries and clinics as receptors of medium sensitivity and requests the applicant to provide a rationale for this sensitivity classification.
3.8.8	Paragraph 12.5.23	Junction capacity assessment	The Scoping Report states that detailed junction capacity modelling is not assumed to be necessary at this stage as deliveries would be managed outside network and school peak periods. The Inspectorate considers that the need for capacity modelling should be informed by a review of baseline traffic data. The applicant's attention is drawn to the consultation response from Oxfordshire County Council (appendix 2 of this Opinion) for further information.
3.8.9	N/A	Construction Traffic, Routeing Strategy and OCTMP Requirements	The applicant's attention is drawn to the consultation comments from National Highways (Appendix 2 of this Opinion) which request further information regarding construction traffic generation, routeing assumptions and the potential use of the Strategic Road Network by construction traffic, including HGVs and AILs. The ES, Transport Assessment and Outline Construction Traffic Management Plan (OCTMP)

ID	Ref	Description	Inspectorate's comments
			should have regard to these comments and provide sufficient information to assess and, where necessary, manage any likely significant effects arising from construction traffic movements.

3.9 Socio-Economics

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	Paragraph 13.7.30	Provision of direct, indirect and induced jobs - operation	The Inspectorate agrees that this matter can be scoped out of the ES on the basis that during its operation, the proposed development is unlikely to support a large number of jobs.
3.9.2	Paragraphs 13.7.13 to 13.7.17 and 13.7.31	Changes in demand for temporary worker accommodation - all phases	The Inspectorate agrees that this matter can be scoped out of the ES on the basis that the number of workers requiring temporary accommodation during construction and decommissioning would represent only a small proportion of the available accommodation capacity within the Local Catchment Area and that operational workforce would be limited and could be readily accommodated within existing local provisions.
3.9.3	Paragraphs 13.7.18 to 13.7.21 and 13.7.32	Spending associated with the workers - all phases	The Inspectorate agrees that this matter can be scoped out of the ES on the basis that worker expenditure during construction would be small relative to the local economy and spread across a wide area and operational and maintenance activities would support only a limited workforce.
3.9.4	Paragraphs 13.7.22 to 13.7.24 and 13.7.33 to 13.7.36	Impact on local property value - all phases	The Inspectorate agrees that this matter can be scoped out of the ES on the basis that property values are influenced by a wide range of factors (such as individual property condition, housing supply and interest rates), making it difficult to reliably attribute any change in property prices to the proposed development. In addition, the relevant amenity impacts that could influence property values, such as visual effects, traffic, noise, dust and residential amenity, will be assessed separately within the relevant ES chapters.
3.9.5	Paragraphs 13.7.25	Disruption to local businesses, including	Impacts on landowners, tenants and existing businesses within the proposed development site primarily relate to private land interests and commercial arrangements rather than

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	to 13.7.27 and 13.7.37 to 13.7.38	agricultural operations - all phases	LSE. The Inspectorate agrees that this matter can be scoped out of the ES. However, the ES and/or supporting documents should identify any measures relied upon to manage disruption to agricultural activities or other businesses where relevant. Potential effects on businesses outside the site, including those arising from construction traffic or access disruption, should be considered through the relevant transport and access assessments where significant effects are likely.
3.9.6	Paragraphs 13.7.28 to 13.7.29 and 13.7.39 to 13.7.41	Changes in crime and community safety - all phases	The Inspectorate agrees that this matter can be scoped out of the ES as the proposed development site is located in an area with low levels of recorded crime with no crime recorded at the site. In addition, the proposed development would incorporate security measures including fencing, CCTV and monitoring systems.

ID	Ref	Description	Inspectorate's comments
3.9.7	n/a	n/a	n/a

3.10 Climate Change

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 14-3 and 14-4	Climate Change Risk Assessment (CCRA) and In-combination Climate Change Impacts (ICCI) Assessment – sea level rise and sea temperature rise – all Phases	The Inspectorate agrees that these matters can be scoped out of the ES due to the inland location and geography of the proposed development.

ID	Ref	Description	Inspectorate's comments
3.10.2	Paragraph 14.3.1	Agricultural GHG emissions	The Scoping Report states that agricultural emissions displaced from the proposed development are not considered, as it is assumed that these agricultural activities would continue either on site or in a new location hence no reduction. The ES should provide justification to support this assumption where it is relied upon in the Greenhouse Gas (GHG) assessment.
3.10.3	Paragraph 14.3.4	CCRA existing baseline conditions	The Scoping Report states that the existing CCRA baseline will be established using historic climatic data obtained from UK Climate Projections 2018 (UKCP18) for the 12 km grid cell in which the proposed development is located. The ES should clarify the dataset used to establish the observed historic climate baseline and distinguish this from the UKCP18 modelled climate projections used to establish the future baseline.

ID	Ref	Description	Inspectorate's comments
3.10.4	Table 14-2	Future climate baseline data	Table 14-2 shows projected climate data for a number of climate variables, providing a range of projections under Representative Concentration Pathway (RCP)8.5. However, the Scoping Report does not explain what the upper and lower values of these ranges represent. The ES should identify the basis of the ranges, including any percentiles applied, and explain how these values will be used to inform the CCRA.
3.10.5	Tables 14-4 to 14-7	CCRA and ICCI assessment criteria	The source and basis of the CCRA and ICCI likelihood and consequence criteria presented in Tables 14-4 to 14-7 are unclear. The ES should identify and justify the source of these criteria.
3.10.6	Paragraph 14.5.23-14.5.24	Grid carbon intensity assumptions	The Scoping Report proposes to quantify emissions reductions over the lifetime of the proposed development by comparison with the average carbon intensity of the existing UK electricity grid. Given the anticipated commencement of operation in 2034, the ES should justify the grid carbon intensity applied and explain how projected grid decarbonisation over the operational lifetime of the proposed development has been accounted for. The Applicant's attention is drawn to the consultation response from Oxfordshire County Council (Appendix 2 of this Opinion), which highlights the need to clearly distinguish between the assessment of the proposed development's absolute whole-life greenhouse gas emissions and any calculation of avoided or displaced emissions arising from renewable electricity generation. Where avoided emissions are quantified, the ES should explain and justify the counterfactual baseline and consider appropriate sensitivity testing against credible future grid decarbonisation scenarios.
3.10.7	Table 14-12 and paragraph 14.6.4	Emissions associated with manufacture and replacement	The Applicant's attention is drawn to the consultation response from Oxfordshire County Council (Appendix 2 of this Opinion), which notes that the whole-life GHG assessment should clearly identify the assumptions applied to the service life and replacement of project components. The ES should explain whether the assessment includes emissions associated with the manufacture and replacement of all major components of the proposed development, including the BESS and associated electrical infrastructure, where relevant.

ID	Ref	Description	Inspectorate's comments
3.10.8	N/A	Wildfire risk	The Scoping Report does not include discussion of the increased risk of wildfire in future climate scenarios. The ES should describe how the risk of wildfire across the proposed development, particularly at the locations of electrical infrastructure, is mitigated and managed. Measures taken should be described in management plans where relevant.
3.10.9	N/A	Climate Resilience Mitigation	The Scoping Report does not identify any embedded or planned mitigation measures relating to climate change resilience. The ES should identify the measures incorporated into the design of the proposed development to improve resilience to future climate change and explain how any additional adaptation or resilience measures have been taken into account within the assessment.
3.10.10	N/A	Presentation of GHG and Resilience assessments	The Climate Change scoping chapter alternates between GHG and CCRA matters. The ES should clearly separate these two assessment topics within the chapter to aid readability and ensure that the methodology, assessment findings and conclusions for each topic can be readily identified.

3.11 Air Quality

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Paragraphs 15.6.4 to 15.6.7 and 15.6.25	Dust and particulate matter – all phases	The Inspectorate agrees that this matter can be scoped out of the ES for all phases of the proposed development on the basis that a construction dust assessment will support the DCO application and that mitigation would be secured through the OCEMP and ODEMP.
3.11.2	Paragraphs 15.6.8 to 15.6.12, 15.6.18 to 15.6.19 and 15.6.27 to 15.6.30	Vehicle Exhaust Emissions – all phases	Paragraph 15.6.9 states that peak construction traffic has the potential to exceed the Environmental Protection UK (EPUK) and IAQM screening criteria, whereas paragraph 15.6.28 concludes that the screening criteria are not expected to be exceeded from construction traffic flows. In the absence of clarity, the Inspectorate does not agree that potential effects from construction vehicle exhaust emissions can be scoped out at this stage. The ES should confirm whether the relevant EPUK and IAQM screening criteria are exceeded once construction traffic flows and routing have been finalised and provide justification for the scope of the assessment. The Inspectorate agrees that this matter can be scoped out of the ES for the operation phase.
3.11.3	Paragraphs 15.6.13 to 15.6.14 and 15.6.26	Non-Road Mobile Machinery (NRMM) – all phases	The Inspectorate broadly agrees that emissions from NRMM are unlikely to result in significant air quality effects as emissions from NRMM are expected to be limited and controlled through compliance with relevant emissions standards and, in accordance with IAQM guidance. However, this conclusion should be kept under review as the design develops and the locations, scale and duration of NRMM activities become clearer, particularly where plant may operate in proximity to sensitive receptors. Subject to this, the matter can be scoped out of the ES.

3.11.4	Paragraphs 15.6.15 to 15.6.17	Ecological Impacts – all phases	The Scoping Report states that the exact construction traffic routing has not yet been finalised and acknowledges that modelling may be required to assess cumulative air quality impacts on nitrogen deposition from road emissions. In the absence of confirmed construction traffic routing and given the proximity to the Cotswold Waterpark SSSI which is within 50m of the potential route for construction traffic, the Inspectorate does not agree that this matter can be scoped out at this stage. The ES should confirm whether the relevant screening criteria are exceeded and assess effects on ecological receptors where required. The Inspectorate agrees that this matter can be scoped out of the ES for the operation phase.
3.11.5	Paragraphs 15.6.21 to 15.6.22 and 15.6.31	BESS Emissions – all phases	The Inspectorate agrees that this matter can be scoped out of the ES for all phases of the proposed development on the basis that a standalone Air Quality Plume Assessment will be undertaken to determine the potential impacts on the local area and inform the Outline Battery Safety Management Plan.

ID	Ref	Description	Inspectorate's comments
3.11.6	N/A	N/A	N/A

3.12 Other Environmental Matters

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	Section 16.2	Electromagnetic Fields (EMF)	The Scoping Report proposes to scope out a standalone EMF chapter and instead states that a separate technical assessment considering operational phase effects only will be included as an appendix to the ES with the findings summarise in the Other Environmental Matters chapter of the ES. The Scoping Report states that this technical assessment will include the location, routing and voltage of any cables over 132kV and include a risk assessment to any human and ecological sensitive receptors within the zone of influence. The Inspectorate is content with this approach and agrees that a standalone chapter on EMF can be scoped out.
3.12.2	Section 16.3	Glint and Glare	The Scoping Report proposes to scope out a standalone chapter on glint and glare and instead states that a separate technical assessment will be included as an appendix to the ES. The Inspectorate is content with this approach, however the standalone glint and glare assessment should assess the worst-case scenario and provide a description of any relevant mitigation or design measures and safety considerations. In the event that glint and glare effects are identified, the assessment should be used to inform the relevant chapters in the ES, in particular the LVIA aspect chapter. The Scoping Report proposes that this glint and glare assessment would only consider the operational phase of the proposed development as effects during construction and decommissioning will be limited and less than at operation. The Inspectorate agrees that significant effects as a result of glint and glare during construction and decommissioning are unlikely to occur, therefore this matter can be scoped out. The Scoping Report proposes to scope PRoW out as receptors within the glint and glare assessment on the basis that the proposed development would not represent an

			adverse safety concern for PRoW users as these can mitigate potential glint and glare effects through simple action. The Inspectorate is content with this approach. The Scoping Report also proposes to scope railways, riverways and canals as receptors out of this assessment, which the Inspectorate agrees is unlikely to result in significant effects.
3.12.3	Section 16.4	Human Health	The Scoping Report proposes to scope out a standalone human health chapter on the basis that potential health effects will be assessed in the ES through the relevant environmental topic chapters, with any LSE arising from the interaction of multiple topics considered through the cumulative effects assessment. The Inspectorate agrees that a standalone chapter is not necessary and that matters related to human health can be included in the relevant environmental topic chapters and cumulative effects assessment. The ES should ensure that sufficient information regarding LSE and the proposed mitigation is provided. Any mitigation measures that are considered necessary should be set out in the ES and secured through the DCO. The Applicant's attention is drawn to the consultation response from Oxfordshire County Council (Appendix 2 of this Opinion), which highlights the need for the ES to set out a clear framework for the assessment of human health and wellbeing effects, including consideration of mental wellbeing, community stress and anxiety, vulnerable populations, health inequalities and the potential for in-combination effects on population health arising from multiple environmental factors.
3.12.4	Section 16.5	Waste	The Scoping Report proposes to scope out a standalone waste chapter and instead proposes a proportionate approach whereby waste matters would be summarised within the Other Environmental Matters chapter of the ES. It is stated that this chapter will summarise waste streams and signpost to relevant mitigation and management plans, as well as consider changes in available landfill void capacity. The Inspectorate agrees that a standalone chapter on waste is not required within the ES and is content with this approach.
3.12.5	n/a	Recycling and disposal of	The Applicant's attention is drawn to the consultation response from Oxfordshire County Council (Appendix 2 of this Opinion) regarding the decommissioning assessment, in

		photovoltaic panels – decommissioning	particular the need to consider the worst-case scenario associated with the recycling and disposal of photovoltaic panels, including the potential absence of suitable local recycling facilities, and to ensure that any resulting environmental effects are appropriately assessed and mitigated in accordance with the Rochdale Envelope approach.
3.12.6	Section 16.6	Major Accidents and Disasters	The Scoping Report proposes to scope out a standalone major accidents and disasters (MAD) chapter on the basis that potential MAD identified will be assessed within other technical chapters of the ES and controlled and managed through other proposed management plans or design. The Inspectorate agrees that a standalone chapter is not necessary. The ES should ensure that sufficient information regarding LSE and the proposed mitigation is provided. Any mitigation measures that are considered necessary should be set out in the ES and secured through the DCO.
3.12.7	Section 16.7	Ground conditions	The Scoping Report proposes to scope out a standalone assessment of ground conditions on the basis that effects would be summarised in the Other Environmental Matters chapter of the ES and a geo-environmental desk study and updated minerals safeguarding assessment would be appended to the ES. In the absence of a Preliminary Risk Assessment (PRA), the Inspectorate considers that insufficient information has been provided at this stage to rule out significant effects from impacts relating to ground conditions. Furthermore, the consultation response from Oxfordshire County Council (appendix 2 of this Opinion) indicates that the sand and gravel supply within the Mineral Safeguarding Area (MSA) where the proposed development is sited has been under-reported within the Scoping Report. As such, the Inspectorate does not agree with the proposed approach. The ES should include a standalone assessment of ground conditions. The assessment should also include consideration of localised contamination and should be informed by further intrusive ground investigations where appropriate. The Applicant's attention is drawn to the consultation response from the Environment Agency (appendix 2 of this Opinion) in this regard.
3.12.8	Section 16.8	Utilities and telecommunications	The Scoping Report states that existing infrastructure will be identified through consultation with relevant utilities and telecommunications providers and will inform the

			design of the proposed development through suitable offset distances from identified assets and protective provisions to avoid impacts on receptors. On this basis, the Inspectorate agrees that significant effects relating to utilities and telecommunications are not likely to occur and that this aspect can be scoped out of the ES. Mitigation measures relating to the protection of utilities and telecommunications infrastructure should be secured through the DCO and implemented through the CEMP, where relevant.

ID	Ref	Description	Inspectorate's comments
3.12.9	Paragraph 16.3.3	Glint and Glare study area	The Scoping Report states that a 1km study area for potential ground-based receptors, 5km for small airfields and helipads, 10km for military aerodromes, 20km for licensed aerodromes and 30km for aviation receptors would be appropriate for the glint and glare assessment, based on best practice, experience and professional judgement. The ES should provide further justification for these study areas with reference to a ZTV and based on the maximum extent of LSE. Where possible, the study area should be agreed with the relevant statutory bodies.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council	Southrop Parish Council
	Lechlade on Thames Parish Council
	Eastleach Parish Council
	Broadwell Parish Council
	Langford Parish Council
	Filkins and Broughton Poggs parish Council
	Alvescot Parish Council
	Carterton Town Council
	Shilton Parish Council
	Clanfield Parish Council
	Bampton Parish Council
	Black Bourton Parish Council
	Faringdon Town Council
	Buckland Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England
The Forestry Commission	The Forestry commission South West

SCHEDULE 1 DESCRIPTION	ORGANISATION
Relevant AONB Conservation Board	Cotswolds Conservation Board
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The relevant Highways Authority	Oxfordshire County Highways Authority
	Gloucestershire County Highways Authority
	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
NHS England	NHS England
The relevant police authority	Police and Crime Comissioner for Thames Valley
	Police and Crime Commissioner for Gloucestershire
The relevant ambulance service	South Central Ambulance Service
	South Western Ambulance Service
The relevant fire and rescue authority	Oxfordshire Fire and Rescue Service
	Gloucestershire Fire and Rescue Service

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

'Statutory undertaker' is defined in The APFP Regulations (as amended) as having the same meaning as in section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Thames Valley Intergrated Care Board
	NHS Gloucestershire Intergrated Care Board
NHS England	NHS England
The relevant NHS Foundation Trust	South Central Ambulance Service NHS Foundation trust
	South Western Ambulance Service NHS Foundation trust
Railways	National Highways Historical Railways Estate
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Thames Water
	Thames Water Commercial Services
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd

STATUTORY UNDERTAKER	ORGANISATION
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Stark Infra-Gas Limited
	National Gas
The relevant electricity distributor with CPO Powers	National Grid Electricity Distribution (South Wales) Limited
	Advanced Electricity Networks Ltd
	AGR Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd
	Edge Utility Networks Ltd
	Eclipse Power Distribution Limited
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited

STATUTORY UNDERTAKER	ORGANISATION
The relevant electricity distributor with CPO Powers	Green Generation Energy Networks Cymru Ltd
	Grid Line Power Networks
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Sphere Energy Connect Ltd
	Stark Infra-Electricity Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	National Grid Electricity Transmission Plc
	National Energy System Operator (NESO)

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 56A OF THE PA2008

LOCAL AUTHORITY
Buckinghamshire council
West Northamptonshire Council
Reading Borough Council
Swindon Borough Council

LOCAL AUTHORITY
West Berkshire Council
Wiltshire Council
Wokingham Borough Council
Warwickshire County Council
Gloucestershire County Council
Oxfordshire County Council
West Oxfordshire District Council
Stratford-on-Avon District Council
Cotswold District Council
Vale of White Horse District Council
Cherwell District Council

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Bampton Parish Council
Buckinghamshire Council
Cotswold District Council
Cotswolds National Landscape
Environment Agency
Forestry Commission
Gloucestershire Fire and Rescue Service
Health and Safety Executive
Historic England
Lechlade Town Council
Ministry of Defence
National Gas
National Grid Electricity Transmission Plc
National Highways
NATS Safeguarding
Natural England
Oxfordshire County Council
Oxfordshire Fire and Rescue Service
Sphere Energy Connect Ltd
United Kingdom Health Security Agency
West Berkshire Council
West Oxfordshire District Council

Wiltshire Council

From: [redacted]@bamptonoxon-parishcouncil.gov.uk>
Sent: Sunday, October 18, 2026 13:41
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Cc: Parish Clerk <clerk@bamptonoxon-parishcouncil.gov.uk>; [redacted]@bamptonoxon-parishcouncil.gov.uk>; [redacted]@bamptonoxon-parishcouncil.gov.uk>; [redacted]@bamptonoxon-parishcouncil.gov.uk>
Subject: West Oxfordshire Energy Park EIA Scoping

You don't often get email from [redacted]@bamptonoxon-parishcouncil.gov.uk. Learn why this is important

FAO Stephanie Hands
Senior Environmental Advisor
Planning Inspectorate

Your reference: EN0110047

Dear Ms Hands

Thank you for consulting Bampton Parish Council on the EIA scoping for the West Oxfordshire Energy Park.

We have no detailed comments with regard to the overall scoping which is naturally comprehensive for this scale of project.

Our interest will be to ask you to ensure that the detail of the Flood Risk assessment is sufficient to clearly establish that the eatsward migration of surface water does not enter the catchment areas of the Shill Brook and Highmoor Brook, which are the causes of regular flooding in the centre and southern parts of Bampton village.

Kind regards

Andrew.

Cllr Andrew Ogg RIBA

Andrew Ogg |

Bampton Parish Council
Bampton Parish Council is the trustee for the Bampton Recreation Ground Charity.

Internet Communications are not secure against interception or modification. Bampton Parish Council therefore cannot guarantee that this message has not been modified in transit and this message on its own should not be viewed as contractually binding. This email has been sent from Bampton Parish Council. The information in this email is confidential and is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure,

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Directorate for Planning, Growth and Sustainability
Walton Street Offices, Walton Street, Aylesbury, HP20 1UA

planning@buckinghamshire.gov.uk
01494 732950 | 01895 837210
www.buckinghamshire.gov.uk

Joseph Jones
The Planning Inspectorate
Environmental Services Infrastructure Decisions and Applications Service
Planning Inspectorate
C/O Quadient
69 Buckingham Avenue
Slough
SL1 4PN
Westoxfordshireenergy@planninginspectorate.gov.uk

Our Ref: PL/26/08257/ADJ
Date: 26th October 2026

Dear Joseph Jones

Application type:	Consultation – Adjacent Authority / Area
Location:	West Oxfordshire Energy Park Project
Proposal	Consultation from The Planning Inspectorate on pre-application EN0110047 - West Oxfordshire Energy Park Project

Thank you for your consultation notification.

Buckinghamshire Council has no comments to make in respect of the proposed scope of the Environmental Statement for the West Oxfordshire Energy Park project (EN0110047) at this stage of the process given the distance between the proposed development and the Buckinghamshire Council administrative area.

The council would like to be consulted on the scheme as it progresses, and more information becomes available on the overall impacts of the scheme, so it has the opportunity to comment upon those wider impacts.

I trust this information is of assistance.

[redacted]

Adam Smith
Principal Planning Officer
Buckinghamshire Council

From: [redacted]@cotswold.gov.uk>
Sent: Wednesday, October 28, 2026 07:53
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Subject: EN0110047 - West Oxfordshire Energy Park EIA Notification

> You don't often get email from [redacted]@cotswold.gov.uk. Learn why this is important

Good morning,

I write in regard to the above Scoping Opinion consultation.

Thank you for sending the consultation. Cotswold District Council do not have any comments to make in relation to this at the current time.

Many thanks,

Andrew Moody

Andrew Moody
Senior Case Officer

COTSWOLD
District Council

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Cotswolds National Landscape

Stephanie Hands
Planning Inspectorate
Environmental Services
Infrastructure Decisions and Applications Service
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

By email only to: westoxfordshireenergy@planninginspectorate.gov.uk

21 October 2026

Dear Stephanie,

REFERENCE NO: EN0110047
DESCRIPTION: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11
Scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested
Proposed application by West Oxfordshire Energy Park Limited (the applicant) for an Order granting Development Consent for the West Oxfordshire Energy Park Project (the proposed development)
LOCATION: West Oxfordshire Energy Park, Oxfordshire

Cotswolds National Landscape Board response to EIA Scoping consultation

Thank you for consulting the Cotswolds National Landscape Board[1] ('the Board') on the information submitted by the Applicant to source a Scoping Opinion as to the information to be provided within an Environmental Statement ('ES') in connection with the above proposed solar park which is located within the setting of the Cotswolds National Landscape ('the CNL')[2].

It is understood that the proposed development is to be advanced under the Nationally Significant Infrastructure Project ('NSIP') regime outlined within the Planning Act 2008, seeking the approval of a Development Consent Order ('DCO') from the Secretary of State for Energy Security and Net Zero. The Board is a statutory consultee in respect of this NSIP as outlined at Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 as the proposed application is likely to affect the Cotswolds National Landscape.

After reviewing the Applicant's Environmental Impact Assessment ('EIA') Scoping Report, the Board considers that the proposal has the **potential to give rise to significant environmental effects upon the Cotswolds National Landscape designation and its setting**.

Annex 1 below provides the Board's assessment of the Applicant's EIA Scoping Report in respect of landscape and visual impact, cumulative impacts and transport movements. We also make several

recommendations for amendments or additions to the Applicant's Environmental Statement ('ES') in order that the potential effects of the proposal upon the CNL and its setting are adequately assessed.

These include:

- The comments at paragraphs 7.3.42 and 7.3.43 are noted. The Board recommends that wintertime and summertime photography should be used for visualisations at both years 1 and 15, or as a bare minimum, wintertime photography;
- The Board considers that provision of photomontages from only three viewpoints is not appropriate for a development of the scale proposed. We recommend that photowires *and* photomontages are provided from a greater number of viewpoints, including, from a CNL perspective, 12, 13, 14 and 16;
- The Board agrees with the coverage of legislation and planning policy outlined within Section 7.4 and refers to the policy and guidance outlined within Annex 1 of this response in relation to our new Technical Lighting Design Guide;
- The Applicant's comments at paragraph 7.5.5 regarding determining significant effects are noted. The Board considers that effects assessed as moderate should be considered significant. This was the case for the LVIA supporting a recent DCO application for a solar development in the setting of the CNL (Lime Down Solar Park, Wiltshire) and would align with the approach taken for other chapters of the EIA for this project (e.g. cultural heritage, ecology, water environment, transport and access), where moderate effects are to be considered significant;
- Confirmation is sought from the Applicant regarding the proposed routing of construction and decommissioning traffic and whether these routes travel through the CNL. If this is to be the case and depending on the proposed route, that traffic may impact the tranquillity of the CNL. Our comments regarding assessment of potential impacts upon the tranquillity of the CNL are outlined in Annex 1.
- The Board recommends that the Applicant makes clear through the application what will happen to the land (both northern and southern sites) at the end of the DCO period and whether that land will revert back to its previous condition or whether mitigation and enhancement regimes will be maintained, and if so, how that will be effectively secured.

The Board looks forward to further engagement with the Applicant's team throughout the DCO process, in the first instance through a site visit to assess representative viewpoints.

Cotswolds National Landscape Board
The Threshing Barn
Marsden Manor Road
Rendcomb
Cirencester
Glos. GL7 7EU
Chair: Rebecca Charley | Vice Chair: Andrea Graham

Cotswolds National Landscape

Please don't hesitate to contact me if you wish to discuss this response further.

Yours sincerely,

[redacted]

Simon Joyce MRTPI
Planning Officer
[redacted]@cotswolds-nl.org.uk | [redacted]

Cotswolds National Landscape Board
The Threshing Barn
Marsden Manor Road
Rendcomb
Cirencester
Glos. GL7 7EU
Chair: Rebecca Charley | Vice Chair: Andrea Graham

ANNEX 1 COTSWOLDS NATIONAL LANDSCAPE RESPONSE TO EIA SCOPING CONSULTATION IN RESPECT OF THE PROPOSED WEST OXFORDSHIRE ENERGY PARK

Preamble

The Board's Planning Officer met with the Applicant's consultant team on 28th September 2026 at a meeting also attended by officers from West Oxfordshire District Council and Oxfordshire County Council.

Policy background

Statutory duty to seek to further the purpose of Cotswolds National Landscape designation

In reaching her decision in respect of a future DCO application, the Secretary of State has a statutory duty to seek to further the statutory purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape[3] ('the duty') and the Secretary of State should explicitly address the duty within the DCO decision letter, including an explanation of how she considers the duty has been discharged.

Further information on this duty is provided in Appendix 1 below and the Board recommends that, in fulfilling this 'duty to seek to further the purpose', the Secretary of State should: (i) ensure that planning decisions are consistent with relevant National Policy Statements, national and local planning policy and guidance; and (ii) take into account the following Board publications[4]:

- Cotswolds National Landscape Management Plan 2025-2030 (link); in particular Policies CE1 (Landscape), CE4 (Tranquillity), CE5 (Dark Skies) and CE11 (Major Development);
- Cotswolds AONB Landscape Character Assessment (link) particularly, in this instance, with regards to Landscape Character Types (LCT) 11 (Dip-Slope Lowland) and 12 (Dip Slope Lowland Valley);
- Cotswolds AONB Landscape Strategy and Guidelines (link) particularly, in this instance, with regards to LCT 11 (link), including Section 11.4 and LCT 12 (link), including Section 12.4;
- Cotswolds AONB Local Distinctiveness and Landscape Change (link);
- Cotswolds National Landscape Climate Change Strategy (link);
- Cotswolds National Landscape Nature Recovery Plan (link);
- Cotswolds National Landscape Board Position Statements (link) particularly, in this instance, with regards to the Renewable Energy Position Statement (link), in particular section 3.4.4, Development in the Setting of the AONB (link), Tranquillity Position Statement (link), in particular sections 4.4 and 5.2 and Dark Skies and Artificial Light (link) and its appendices (link, link, link) as well as our Technical Design Guide (link).

Whilst the discharge of the duty is primarily a matter for the Secretary of State as the 'relevant authority', we also wish to take this opportunity to highlight the duty to the Applicant and strongly recommend that they refer to the Board's policies and guidance referenced above within the Environmental Statement ('ES') and give explicit consideration as to how the proposal seeks to further the statutory purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape in order to assist the Secretary of State in discharging the duty.

National Policy Statements relating to National Landscapes

NPS EN-1

Section 5.10 of the National Policy Statement for Energy ('NPS EN-1') identifies that virtually all NSIPs will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.

Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.

NPS EN-1 states that National Landscapes (AONBs) have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints.

Paragraph 5.10.8 states that the duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be designed sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.

Paragraph 5.10.34 also confirms that the duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.

For projects which may affect a National Landscape, the Applicant's assessment should include effects on the natural beauty and special qualities of these areas (paragraph 5.10.20). The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation (paragraph 5.10.21). The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions, from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised (paragraph 5.10.22).

NPS EN-3

Chapter 2.10 of National Policy Statement for Renewable Energy Infrastructure ('NPS EN-3') deals with solar photovoltaic generation projects and paragraph 2.10.96 states that landscape and visual impacts should be considered carefully pre-application. Potential impacts on the statutory purposes of nationally designated landscapes should form a part of the preapplication process.

Applicants should carry out a landscape and visual assessment and report it in the ES. Visualisations may be required to demonstrate the effects of a proposed solar farm on the setting of heritage assets and any nearby residential areas or viewpoints (paragraph 2.10.97).

Applicants should follow the criteria for good design set out in Section 4.7 of EN-1 when developing projects and will be expected to direct considerable effort towards minimising the landscape and visual impact of solar PV arrays especially within nationally designated landscapes. Whilst there is an acknowledged need to ensure solar PV installations are adequately secured, required security measures such as fencing should consider the need to minimise the impact on the landscape and visual impact. The Applicant should consider as part of the design, layout, construction, and future maintenance plans how to protect and retain, wherever possible, the growth of vegetation on site boundaries, as well as the growth of existing hedges, established vegetation, including mature trees within boundaries.

Development within the setting of the Cotswolds National Landscape

The Board understands the proposed development is a solar photovoltaic (PV) electricity generating station, as well as associated development including a Battery Energy Storage System (BESS), Ancillary Infrastructure, a Main Substation and Grid Connection Infrastructure. The Proposed Development would allow for the generation and export of over 100 megawatts.

The Site in its entirety encompasses approximately 978.9ha of land across two main areas. The smaller area of the Site to the north incorporates Fields 1-10 and the larger Site area to the south incorporates all other fields. It is also understood that the northern land parcel, closest to the CNL boundary (c.190m from the boundary at its closest point), incorporating Fields 1-10 would be used for mitigation and enhancement purposes only.

In addition to the National Policy Statements discussed above, policy N4(1) of the National Planning Policy Framework ('NPPF') states that development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas.

Policy N4(4) also states that development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape.

Any adverse effects on the National Landscape need to be assessed properly and fully taken into account when determining this application, with the appropriate weighting applied in the decision.

The Board's Position Statement on Development in the Setting of the AONB referred to above outlines how the surroundings of the Cotswolds National Landscape are also important to its landscape character and quality. Development proposals that affect both views into and out of the National Landscape need to be carefully assessed to ensure that they conserve and enhance the natural beauty and landscape character of the National Landscape.

The National Planning Policy Guidance ('NPPG', 2014, Paragraph: 039 Reference ID: 8-039-20190721) also confirms in relation to the former Section 85 duty[5] (that relevant authorities 'shall have regard' to their purposes for which these areas are designated) that *"This duty is particularly important to the delivery of the statutory purposes of protected areas. It applies to all local planning authorities, not just National Park authorities, and is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection."* Although the Section 85 duty has now been superseded by the duty at Section 245 of the Levelling Up and Regeneration Act, until the NPPG is updated the Board considers the NPPG to be equally relevant to the new duty in this respect.

A High Court decision (Stroud District Council v Secretary of State for Communities and Local Government (Gladman Development Ltd) February 2015) helps to confirm the application of what is now policy N4 of the NPPF as far as 'substantial weight' is concerned. Mr Justice Ouseley stated in this case that paragraph 115 (now policy N4) of the NPPF *"certainly covers the impact on the scenic beauty of the land actually within the AONB. It seems to me that it would be unduly restrictive to say that it could not cover the impact of land viewed in conjunction with the AONB from the AONB. But to go so far as to say that it must also cover land from which the AONB can be seen and great weight must be given to the conservation of beauty in the AONB by reference to that impact reads too much into paragraph 115."*.

The above decision helps to clarify that there are differing ways of assessing impacts on the setting of the National Landscape which require the application of different policies and guidance: (i) harm directly to land in the designated National Landscape itself from views out of the National Landscape and between parts of the National Landscape towards new development in its setting (where policy N4 of the NPPF is relevant) and: (ii) as a separate material consideration, harm to land outside the designated National Landscape, for example views of new development in the context or backdrop of the National Landscape (where policy N4 is not relevant).

Any impact upon views back towards the National Landscape, from outside the National Landscape, may be a separate material consideration and subject to separate policy and guidance, for example policy N2 of the NPPF also states that to contribute positively to the natural environment, and support nature's recovery, development proposals should a) consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced, c) take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments, d) conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings.

Cotswolds National Landscape Management Plan, Climate Change Strategy and Position Statements

The Cotswolds National Landscape Management Plan 2025-2030 is a material consideration in planning decision making. Policy CE1 states that proposals that have the potential to impact on, or create change in, the landscape of the Cotswolds National Landscape, should be delivered in a way that is compatible with and seek to further the conservation and enhancement of the landscape character of the location, as described by the CNL Board's Landscape Character Assessment and Landscape Strategy and Guidelines. There should be a presumption against the loss of key characteristics identified in the landscape character assessment.

Proposals that have the potential to impact on, or create change in, the landscape of the CNL, should seek to further the conservation and enhancement of the scenic quality of the location and its setting, views, including those into and out of the National Landscape and visual amenity.

The Board's Tranquillity Position Statement recommends that proposals that have the potential to impact on the tranquillity of the National Landscape accord with Policy CE5 of the Cotswolds National Landscape Management Plan 2025-2030 and be delivered in a way that is compatible with and seek to further the conservation and enhancement of this tranquillity, by seeking to avoid and where avoiding is not possible, minimise noise and other aural and visual disturbance.

Policy CE8 states that biodiversity (including the abundance of wildlife) in the Cotswolds National Landscape should be conserved and enhanced by establishing a coherent and resilient nature recovery network across the CNL and in its setting. This should be achieved in accordance with the outcomes, priorities, targets and measures within the Cotswolds Nature Recovery Plan and Local Nature Recovery Strategies (LNRSs), and focus on the priority species and habitats listed in Appendix 8 of the CNL Management Plan. Proposals that have the potential to impact on the biodiversity of the National Landscape should seek to further the conservation and enhancement of this biodiversity. They should have regard to – and be consistent with – the CNL Management Plan and guidance including the Cotswolds Nature Recovery Plan. Measures to conserve and restore biodiversity including the outcomes, priorities, targets and measures within the Cotswolds Nature Recovery Plan should be delivered in a way that is compatible with conserving and enhancing the natural beauty of the Cotswolds National Landscape.

Policy CE13 states that development and infrastructure proposals in the Cotswolds National Landscape and in the setting of the National Landscape should be delivered in a way that is compatible with and seeks to further the conservation and enhancement of the natural beauty of the CNL including its special qualities. In doing so, they should have regard to – and be compatible with the CNL Management Plan and guidance produced by the CNL Board, including the: (i) Cotswolds AONB Landscape Strategy and Guidelines (LS&G); (ii) Cotswolds AONB Landscape Character Assessment; (iii) Cotswolds Nature Recovery Plan; (iv) Cotswolds AONB Local Distinctiveness and Landscape Change; (v) Cotswolds National Landscape Board Position Statements; (vi) CNL Pathway to Net Zero and (vii) CNL Climate Change Strategy.

Development and infrastructure proposals in the CNL should be delivered in a way that is compatible with and seeks to further the purpose of increasing the understanding and enjoyment of the CNL's special qualities. They should also contribute to the economic and social wellbeing of CNL communities, in a way that is compatible with conserving and enhancing the natural beauty of the CNL.

Development and infrastructure proposals in the CNL and its setting should comply with relevant national planning policy and guidance, particularly with regards to those paragraphs of the National Planning Policy Framework (NPPF) that relate to national landscapes.

A landscape-led approach should be applied to the planning, design and implementation of development and infrastructure proposals in the CNL and its setting, proportionate to the type and scale of development being proposed, whereby proposals:

a) Address the natural beauty of the CNL as primary consideration at all stages of the development process, from initial conception through to implementation
b) Address all of the factors that contribute to the natural beauty of the area
c) Address access to natural beauty including the character of the public rights of way network and its role within wider green infrastructure
d) Reflect and enhance the character of the local area
e) Avoid adverse effects where possible and, if adverse effects can't be avoided, minimise them
f) Seek opportunities to enhance the natural beauty of the CNL and
g) Deliver more beneficial effects than adverse effects for the natural beauty of the CNL

The Board's Vision, outlined at Section 2 of the Cotswolds National Landscape Management Plan 2025-2030, was drawn up in the light of the interlinked issues of the climate emergency, nature's decline and the ecological crisis and health and societal changes. Key Issue 1 of the Management Plan relates to climate action, stating that the National Landscape is a place that is mitigating and adapting to the climate emergency, and has a clearly defined pathway towards net zero emissions. Section 3 of the Management Plan clearly outlines that some climate change mitigation and adaptation measures have the potential to adversely affect the natural beauty of the National Landscape, but with careful design and implementation, many of these measures can not only conserve but also enhance natural beauty. The challenge is to develop a pathway to net zero which also conserves and enhances natural beauty.

Management Plan policy CC1 advocates 'greenhouse gas emissions should be minimised through generating and distributing energy from low carbon sources in a manner consistent with the purpose of National Landscape (AONB) designation, this plan and associated guidance including the CNL Renewable Energy Position Statement (June 2023)'

The Board's Climate Change Strategy, adopted in February 2022, highlights how there are opportunities within the Cotswolds to exploit sources of low carbon energy which are, in the right location, consistent with National Landscape designation and can help meet local demand.

The Board's Renewable Energy Position Statement (REPS, adopted in June 2023, identifies how renewable energy will play an important role in mitigating the impacts of climate change and achieving Net Zero in the Cotswolds National Landscape and its setting but how generating energy from low carbon sources should be in a manner consistent with the purpose of National Landscape designation.

As referenced above, paragraph 3.4.4.13 of the REPS details the Board's position on large-scale solar energy proposals such as Lime Down. It states that *"In principle, the Board would not be supportive of solar energy schemes larger than five hectares in size. For larger schemes that might be put forward, applicants should be*

required to demonstrate that the scheme could be accommodated without significantly affecting the natural beauty of the CNL".

As such, the Board considers that it is essential that the ES prepared in support of the DCO application demonstrates that the scheme can be accommodated without significantly affecting the natural beauty of the CNL and at the same time seeks to further the purpose of the National Landscape's designation.

Landscape and Visual Impact (LVIA), Chapter 7 of the ES Scoping Report

We agree with the Applicant's assessment that landscape and visual matters are to be 'scoped into' the ES.

Any Landscape and Visual Impact Assessment ('LVIA') prepared as part of an Environmental Statement should include a detailed consideration of the landscape and visual impact of the proposed solar park upon the National Landscape and its setting, including the potential impacts upon local landscape character (including land within the setting of the CNL which may complement the character of the CNL landscape) and impacts upon views from within the National Landscape or towards the National Landscape.

Having reviewed the Landscape and Visual chapter of the EIA Scoping Report and its associated Appendices, including the proposed LVIA methodology, much of its scope and content is appropriate with regards to matters relating to the CNL. We make the following comments and recommendations:

7.3 Baseline Conditions

We agree with the Applicant's assessment at paragraph 7.3.4 of the EIA Scoping Report that the Proposed Development is not located within a Protected Landscape or a landscape designated in local planning policy. The boundary of the Cotswolds National Landscape (CNL) is located approximately 0.25km west of the Site's northern land parcel and 1.4km to the north-west of the Site's southern land parcel. The Proposed Development is assessed to be within the setting of the CNL.

We agree that the LVIA should include an assessment of effects of the Proposed Development on the natural beauty and special qualities of the CNL as a result of changes within its setting (paragraph 7.3.5).

In respect of paragraph 7.3.23, we agree that the Cotswolds National Landscape including its special qualities are to be scoped into the EIA, LCTs 11 Dip Slope Lowland and 12 Dip Slope Lowland Valley and LCAs 11A South and Mid Cotswolds Lowlands and 12C Lower Leach Valley from the Cotswolds AONB Landscape Character Assessment.

We note the comment at paragraphs 7.3.34 and 7.3.35 that the preliminary ZTV shown at Figure 7-5 does not account for the proposed main substation infrastructure as that location is currently unknown, though the preliminary ZTV has been used to assist with field survey and the identification of representative viewpoints. Representative viewpoints are shown at Figure 7-5 and the comments regarding orientation at paragraph 7.3.41 are noted.

Given that further ZTV modelling will be prepared and the Board's Planning Officer has not yet had an opportunity to visit the site and surrounding areas and further to the comments made by the Applicant at

paragraph 7.3.39, the Board's comments regarding representative viewpoints are not final and the Board will provide further comments on the representative viewpoints shown in the Scoping Report to the Applicant in due course.

As discussed in the meeting with the Applicant on 28 September, the Board would welcome the opportunity to visit the site and surrounding area with the Applicant's team to assess and potentially agree representative viewpoints. The Board's Planning Officer has contacted the Applicant's team to arrange a site meeting.

The comments at paragraphs 7.3.42 and 7.3.43 are noted. The Board recommends that wintertime and summertime photography should be used for visualisations at both years 1 and 15, or as a bare minimum, wintertime photography.

The Board considers that provision of photomontages from only three viewpoints is not appropriate for a development of the scale proposed. We recommend that photowires *and* photomontages are provided from a greater number of viewpoints, including, from a CNL perspective, 12, 13, 14 and 16.

7.4 Legislation, Planning Policy and Guidance

The Board agrees with the coverage of legislation and planning policy outlined within Section 7.4 and refers to the policy and guidance outlined earlier in this response in relation to our new Technical Lighting Design Guide. In respect of the relevant legislation, Section 245 of the Levelling Up and Regeneration Act 2023 has amended the wording of Section 85 of the Countryside and Rights of Way Act 2000 rather than replacing it.

7.5 Assessment methodology

The Applicant's comments at paragraph 7.5.5 regarding determining significant effects are noted. The Board considers that effects assessed as moderate should be considered significant. This was the case for the LVIA supporting a recent DCO application for a solar development in the setting of the CNL (Lime Down Solar Park, Wiltshire) and would align with the approach taken for other chapters of the EIA for this project (e.g. cultural heritage, ecology, water environment, transport and access), where moderate effects are to be considered significant.

We note and agree that cumulative impacts are to be scoped into the ES as outlined at paragraphs 7.5.9 to 7.5.14.

7.6 Potential Landscape and Visual Effects

The Board notes the Applicant's comments at Section 7.6 regarding potential landscape and visual effects, including 'Effects on the natural beauty and special qualities of the CNL arising from views to construction activity' during construction and decommissioning stages'.

Further to this, confirmation is sought from the Applicant regarding the proposed routing of construction and decommissioning traffic and whether these routes travel through the CNL. If this is to be the case and depending on the proposed route, that traffic may impact the tranquillity of the CNL.

Tranquillity is one of the 'special qualities' of the Cotswolds National Landscape, being one of the features of the Cotswolds that makes the area so outstanding that it is in the nation's interest to safeguard it. The Cotswolds National Landscape has relatively high levels of tranquillity, especially when compared with the surrounding urban areas, though we acknowledge that both the relative tranquillity and dark skies of the National Landscape are affected by the noise and artificial lighting of the neighbouring built environment.

Policy CE5 of the CNL Management Plan states that proposals that have the potential to impact on the tranquillity of the CNL should be delivered in a way that is compatible with and seek to further the conservation and enhancement of this tranquillity, by seeking to avoid and where avoiding is not possible, minimise noise and other aural and visual disturbance. Proposals that have the potential to impact on the tranquillity of the CNL should have regard to – and be compatible with – the CNL Board's Tranquillity Position Statement.

Section 4.5 of the Board's Tranquillity Position Statement referenced above outlines how The Institute of Environmental Assessment's 'Guidelines for the Environmental Assessment of Road Traffic' recommends using two 'rules of thumb' for identifying the scale at which increases in traffic movements should be considered in an Environmental Impact Assessment (EIA):

• Rule 1: Where traffic flows will increase by more than 30% (or the number of heavy goods vehicles (HGVs) will increase by more than 30%).
• Rule 2: Any other sensitive areas where traffic flows have increased by 10% or more.

National Landscapes (AONBs) are specifically identified as 'sensitive areas' in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, Rule 2 should be applied in the Cotswolds National Landscape and should relate to both traffic flows and HGV movements. On this basis, it can be argued that an increase in traffic flows or HGV movements of more than 10% from a development proposal or in combination with other proposals is likely to be significant and have an adverse impact on the tranquillity of the Cotswolds National Landscape. This would apply to traffic movements on roads along the CNL boundary as well as to traffic movements on roads within the CNL.

Sections 11.12 and 12.9 of the Cotswolds AONB Landscape Strategies and Guidelines referred to above identify 'Road upgrading and improvements, especially of minor country roads, as a result of development or general improvement schemes' as a local force for change with potential adverse landscape implications. Sections 11.13 and 12.8 identify 'Excessive traffic and/or speed on minor local roads and lanes and increase in size of vehicle using lanes' as a further local force for change. These sections identify increased traffic movements, loss of tranquillity, danger to walkers/riders and other non-motorised users and damage to verges and roadside boundaries by HGVs as potential adverse landscape implications.

These matters need to be considered fully in the LVIA if construction and/or decommissioning traffic is proposed to travel through the CNL or on roads along its boundary.

The Applicant's comments at paragraph 7.6.12 and 7.6.13 are noted. The Board recommends that the Applicant makes clear through the application what will happen to the land (both northern and southern sites) at the end of the DCO period and whether that land will revert back to its previous condition or whether mitigation and enhancement regimes will be maintained, and if so, how that will be effectively secured.

NOTES:

1. The name used for the organisation associated with the AONB designation is the Cotswolds National Landscape Board. At times this is abbreviated to National Landscape Board or The Board. The legal name of the organisation remains the Cotswolds Conservation Board but this name is no longer used in most circumstances.

2. Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.

3. Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023. https://www.legislation.gov.uk/ukpga/2023/55/enacted

APPENDIX 1: THE STATUTORY DUTY ON RELEVANT AUTHORITIES TO SEEK TO FURTHER THE STATUTORY PURPOSE OF THE COTSWOLDS NATIONAL LANDSCAPE, SECTION 245 OF THE LEVELLING UP AND REGENERATION ACT 2023

Section 245 of the Levelling Up and Regeneration Act 2023[1] (LURA) introduced a statutory duty on relevant authorities[2] to seek to further the statutory purposes of protected landscapes[3] (the 'seek to further' duty). With regards to National Landscapes, this requirement has been incorporated into Section 85 of the Countryside and Rights of Way (CROW) Act 2000, which now states:

- *In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*[4]

This replaces the previous version of Section 85 of the CROW Act, which required relevant authorities to have regard to the statutory purpose of national landscape designations (the 'duty of regard').

Section 245 of the LURA and Section 85 of the CROW Act also state that '*the Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty*'. These regulations are likely to be enacted during the lifetime of this iteration of the CNL Management Plan. However, the application of the duty is not dependent on these regulations.

The 'seek to further' duty is in force now, as it has been since 26 December 2023, and must be complied with.

Guidance and advice

Guidance on the 'seek to further' duty has been published by Defra[5] and the National Landscapes Association[6]. In addition, Natural England has provided advice on the 'seek to further' duty in relation to a nationally significant infrastructure project[7] and the Campaign for National Parks has obtained a legal opinion on the duty[8]. Other useful reference points include the Government's explanatory note on the Lords' amendments to the Levelling Up and Regeneration Bill[9] and the Government's LURA press release[10].

This appendix pulls together key aspects of this guidance and advice, as outlined below (with references being provided for the relevant guidance / advice), in order to provide a coherent narrative.

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[1] Section 245 of the Levelling Up and Regeneration Act 2023.
[2] As specified in Section 85 of the Countryside and Rights of Way Act 2000, 'relevant authority', in this context, includes any Minister of the Crown, public body, statutory undertaker or person holding public office.
[3] 'Protected landscapes' means national parks, the Broads and National Landscapes.
[4] Section 85 of the Countryside and Rights of Way Act 2000.
[5] Defra (2024) *Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes*.
[6] National Landscapes Association (2024) *Applying the CRoW Act section 85 duty to 'seek to further the purposes' in National Landscapes - guidance for local planning authorities*.
[7] Natural England (2023) *Letter from Natural England to the Planning Inspectorate regarding the application by National Highways for an order granting development consent for the Lower Thames Crossing*. Annex 2.
[8] Landmark Chambers (2024) *Re: section 245 of the Levelling Up and Regeneration Act 2023*. Instructed by the Campaign for National Parks.
[9] UK Parliament (2023) *Levelling Up and Regeneration Bill – Explanatory Notes on Lords Amendments*. Updated version, 12 October 2023. Page 35.
[10] https://www.gov.uk/government/news/new-laws-to-speed-up-planning-build-homes-and-level-up

Strengthened duty

The 'seek to further' duty is a strengthened duty compared to the previous 'duty of regard'.[11] If 'have regard to' was the same as 'seek to further', then there would be no need for the amendment.[12] The duty is therefore clearly intended to impose new and more onerous requirements with respect to the statutory purposes than existed before.[13]

Outcome focussed

The 'seek to further' duty is intended to facilitate better outcomes for National Landscapes, which are in line with their statutory purpose (i.e. to conserve and enhance their natural beauty).[14] As stated in the Government's LURA press release, the duty '*will enhance our national network of beautiful, nature-rich protected landscapes that can be enjoyed right across the country*'.[15] In this context, natural beauty should be considered in its holistic sense and 'conserve and enhance' should be treated as a singular purpose. [16,17]

Active / pro-active duty

The 'seek to further' duty is an active duty, not a passive one.[18] This means that the duty should be pro-actively considered when exercising or performing any functions to which the duty applies.[19] For example, a relevant authority must factor in the duty before the adoption of a proposed policy and not merely as a 'rearguard action' following a concluded decision.[20]

Relevant authorities would be well-advised not treat the new duty as 'business as usual'.[21] 'Seek' and 'further' both imply demonstrable action in the form of assistance and promotion of the statutory purpose of conserving and enhancing natural beauty of National Landscapes. It is not enough that a decision simply does not conflict with that purpose: it must seek to further it.[22]

Reasonable and proportionate

A relevant authority should take all reasonable and proportionate steps to explore how the statutory purpose of conserving and enhancing the natural beauty of National Landscapes can be furthered.[23]

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[11] National Landscapes Association (2024), Landmark Chambers (2024) (paragraphs 6, 16d and 21), Government Explanatory Notes (2023).
[12] Landmark Chambers (2024). Paragraph 16d.
[13] Landmark Chambers (2024). Paragraph 6.
[14] Defra (2024), NLA (2024), Landmark Chambers (2024) (paragraph 17g).
[15] https://www.gov.uk/government/news/new-laws-to-speed-up-planning-build-homes-and-level-up
[16] National Landscapes Association (2024).
[17] Please refer to Appendix 2 for further information on natural beauty.
[18] Defra (2024), National Landscapes Association (2024), Natural England (2023), Landmark Chambers (2024) (paragraphs 2a, 16d, 17b, 19ii, 21).
[19] Landmark Chambers (2024). Paragraph 17b.
[20] Landmark Chambers (2024). Paragraph 17c.
[21] Landmark Chambers (2024). Paragraph 21.
[22] Landmark Chambers (2024). Paragraph 17c.
[23] Defra (2024), National Landscapes Association (2024), Natural England (2023).

Going beyond avoidance and mitigation of harm

As far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to conserving and enhancing of the natural beauty of National Landscapes.[24]

This goes beyond mitigation and like for like measures and replacement. The proposed measures to further the statutory purpose of a National Landscape should explore what is possible in addition to avoiding and mitigating the effects of the development, and should be appropriate, proportionate to the type and scale of the development and its implications for the area and effectively secured.[25] Consideration should be given to the appropriateness of compensation measures.[26]

The setting of National Landscapes

As well as being applied within National Landscapes, the 'seek to further duty' also applies to functions undertaken outside of the designation boundary which affects land within a National Landscape.[27]

Management Plans

When seeking to further the purpose of conserving and enhancing natural beauty, relevant authorities should consider the information contained in a National Landscape's Management Plan.[28] Relevant authorities should make efforts to understand the Management Plan and relate their functions to it.[29]

Conserving and enhancing the natural beauty of the specific National Landscape will normally mean, as a minimum:

- conserving and enhancing the character components or special qualities identified in the Management Plan;
- supporting the Management Plan Objectives, Policies and/or Principles (as applicable) as set out for each of these; and
- following any Management Plan actions set out for each.[30]

Consideration should also be given to whether the measures being taken by the relevant authority align with and help to deliver the targets in the Management Plan.[31]

Protected Landscapes Targets and Outcomes Framework

Relevant authorities should refer to the Protected Landscapes Targets and Outcome Framework.[32]

Dialogue with the National Landscapes team

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[24] Defra (2024).
[25] Natural England (2023).
[26] Defra (2024).
[27] Defra (2024).
[28] Defra (2024).
[29] Defra (2024).
[30] National Landscapes Association (2024).
[31] Defra (2024).
[32] Defra (2024).

Dialogue with the National Landscape team can assist the relevant authority[33] (i.e. in this instance, dialogue with the Cotswolds National Landscape Board).

Scenarios where there would be a neutral effect on the purpose of conserving and enhancing natural beauty

If the measures taken by a relevant authority, in relation to the 'seek to further' duty, would have a neutral effect on the purpose of conserving and enhancing natural beauty, consideration should be given to what modifications would help to further this purpose.[34]

Scenarios where a relevant authority concludes that their decision / action would not seek to further the purpose of conserving and enhancing natural beauty

If, having considered the implications of a decision, a relevant authority reaches the view that the decision does not 'seek to further' the purpose of conserving and enhancing natural beauty, it would be hard to argue that the decision would, in fact, be open to the relevant authority. This is because it would appear to be in breach of the duty. In those circumstances, the decision would need to either be withdrawn or modified such that the relevant authority could confidently say that it did seek to further the relevant purpose. [35]

Scenarios where the natural beauty of a National Landscape would not be conserved and enhanced

The 'seek to further' duty does not preclude decisions that are 'net harmful' to the natural beauty of a National Landscape. If that were so, the duty would be to 'further the purpose' rather than to 'seek to further the purpose'. However, positive evidence is required to demonstrate that the relevant authority has, in all the circumstances, sought to further the purpose, not merely through mitigation of harm but by taking all reasonable steps to further the purpose.[36]

Evidence

A relevant authority should be able to demonstrate with proportionate, reasoned, and documented evidence that they have complied with the 'seek to further' duty. This evidence should include the measures that have been taken, or to which consideration has been given, to further the statutory purpose of conserving and enhancing the natural beauty of National Landscapes.[37]
If it is not practicable or feasible to take measures to further this purpose, the relevant authority should provide evidence to show why it is not practicable or feasible.[38]

Monitoring and Compliance

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[33] Defra (2024).
[34] National Landscapes Association (2024).
[35] Landmark Chambers (2024). Paragraph 17g.
[36] Landmark Chambers (2024). Paragraph 17h.
[37] Defra (2024), National Landscapes Association (2024), Natural England (2023), Landmark Chambers (2024).
[38] Natural England (2023).

A relevant authority may consider it appropriate to instigate a formal compliance monitoring and reporting system to ensure adherence to the duty.[39]

Potential errors in law

A failure to consider the 'seek to further' duty, or a failure to understand its pro-active and mandatory nature, would be an error of law.[40,41]

If a relevant authority makes a decision that engages the duty and it cannot demonstrate that it has done all it reasonably can to further the statutory purpose of conserving and enhancing natural beauty as part of the decision, that decision will be open to legal challenge.[42]

If a relevant authority applies the principles that are set out in this appendix conscientiously, it will be less open to a judicial review challenge on the basis of an alleged breach of the new duties.[43]

[39] Defra (2024).
[40] Landmark Chambers (2024). Paragraph 16e.
[41] An example of this 'error in law' is a case relating to works undertaken by Greater Anglia at Manningtree train station, in Dedham Vale National Landscape, in Essex. In this case, the Secretary of State for Housing, Communities and Local Government accepted that their failure to apply the 'seek to further' duty, when making an Environmental Impact Assessment screening decision, constituted an error in law and that the outcome might have been different if the duty been applied.
[42] Landmark Chambers (2024). Paragraph 20.
[43] Landmark Chambers (2024). Paragraph 18.

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Environment Agency

Planning Inspectorate
Sent via email:
westoxfordshireenergy@planninginspectorate.gov.uk

Reference: OR-0013379/01
Customer reference: EN0110047

30 October 2026

ENVIRONMENTAL IMPACT ASSESSMENT SCOPING REPORT

WEST OXFORDSHIRE ENERGY PARK LIMITED

Dear Ms Hands ,

Thank you for consulting the Environment Agency on the Scoping Report submitted under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in support of the application by West Oxfordshire Energy Park Limited (the Applicant) for a Development Consent Order (DCO) for the proposed West Oxfordshire Energy Park. This is our response to your consultation OR-0013379/01. We received this consultation on 2 October 2026 and have reviewed the information provided in relation to matters within our remit.

Based on the information submitted, there is a significant risk the development will impact on the aspects and issues below. We therefore request they be scoped in for assessment to ensure they are adequately assessed and mitigated.

Further detailed comments are provided within the following appendices:

- APPENDIX A – Comments on the scope of the EIA
- APPENDIX B – General advice on the proposals and EIA content
- APPENDIX C – Additional advice for the Applicant

We have listed our headline comments below in Table 1.1. We recommend the use of a commitments register to aid further scoping out of topics.

Table 1.1 Headline Comments

Aspect	Issue	Developer position	EA position
Fisheries	Assessment of impacts on fish	Unclear if scoped in or out	Scope into the EIA
Water resources	Water supply	Scoped out	Scope into the EIA
Groundwater and Contaminated Land	Ground conditions	Scoped out	Scope into the EIA
	Thermal impacts from buried cables	Scoped out	Scope into the EIA

Flood Risk	EA modelling datasets	Accurate	Inaccurate

Any requests to disapply any permits or consents should be sent to us in writing as soon as possible, to allow us sufficient time for their consideration (minimum 6 months). Sufficient time is required to ensure we can appropriately respond to discharge of requirements and protective provision consultations. Please ensure in your DCO, a minimum of 21 days is stipulated as a response time for the discharge of requirements, and a minimum of 61 days for protective provisions.

Please note this response does not represent our final view in relation to any future DCO, or any environmental permit applications made to us. Our final views will be based on all relevant information including applications and guidance available at the time of submission.

If you have any questions regarding our response, please contact NIteam@environment-agency.gov.uk.

Yours sincerely,

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APPENDIX A – Comments on the scope of the EIA

Our comments in the below appendix outlines issues we would like to be scoped in for further assessment.

Fisheries

Scoping Request	**Scope in: Fish**	
Document reference(s) Chapter 8 Ecology and Biodiversity Table 8-1 and Paragraph 8.7.38	**Issue**	It is unclear if fish are being scoped into the EIA.
	Impact	If impacts on fish are not assessed, fish may be harmed and there could be loss or damage to their habitat and deterioration in WFD status.
	Solution	We request Fish be clearly scoped in and included in Table 8-1.
Additional Comments: According to Table 8-1, fish have not been scoped in however in paragraph 8.7.39 it is stated that fish are scoped in. Fish species are likely present in the River Leach, Langford Brook and Broadwell Brook. Fish habitat assessment and fish surveys are required where impact-pathways exist to inform the baseline. Impact-pathways (such as in-channel work) should be identified and assessed in the EIA, which should include (but not limited to): • impacts on fish from EMFs where high voltage cables pass underwater watercourses • impacts from noise and vibration associated with construction • impacts from pollution and increased sedimentation • impacts from open cut crossing of watercourses and potential loss or damage to habitat • impacts from light pollution on watercourses and aquatic ecology		

Water Resources

Scoping Request	**Scope in: Water demand**	
Document reference(s) Chapter 2 Site Context and Description; Chapter 9 Water Environment	**Issue**	The Environment Agency seeks confidence that a practical and sustainable source of water supply can be established, meeting the consumptive demands for the full life of the project, and not compromise the viability of the scheme.
	Impact	Water supply may not be available from different sources of supply; sources may be restricted or limited as: • Water company supply needs to be confirmed by the Water undertaker. • Tankering should be reflected in traffic and transport estimates. • Groundwater may be closed to new abstractions, as per the abstraction licensing strategy.

		• Surface water abstraction will be restricted to periods outside of low flows only, as per the abstraction licensing strategy.
	Solution	We require the Applicant to assess all water demands of the project in the Environmental Statement (ES), with all intended options considered for supply water, appraised and water supply issues identified, that detailed design will need to overcome before any permits are applied for. This can be incorporated into the Water Environment and Flood Risk Chapter or, it can be in the form of a separate Water Supply Strategy.

Additional Comments:

Consumptive water demands during the construction and operation of the project have not been included in the scope of assessment or in the project description. The location of this development is in an area of serious water stress (as identified in our report Water stressed areas – 2021 classification (https://www.gov.uk/government/publications/water-stressed-areas-2021-classification). NPS EN1 Section 5.16.7 outlines that developments must demonstrate how proposals minimise the use of water resources and consumption. The Applicant has not considered the water demands and impacts the Proposed Development will have on water resources. We have outlined below our requirements of the Applicant to ensure the Proposed Development assess and understands its water demand/impacts on local water resources.

Consumptive uses of water during construction often include (but are not limited to):

- Dust suppression
- Wheel/plant machinery wash
- Welfare station (potable/domestic) supply
- Concrete batching
- Drilling fluids (bentonite mixing)
- Landscaping (Irrigation)

The EIA should include estimate volumes of water required and provide a basic appraisal of supply options available to the project which includes an appraisal of the abstraction licensing strategy for the catchment. For example (in no order):

- Thames Water company supply (engagement should be as early as possible as supply is not always guaranteed at peak demand during prolonged dry weather and drought.)
- 3rd party tankered water (should also be reflected in traffic assessments)
- Surface water abstraction
- Groundwater abstraction
- Existing licences/trades
- Rainwater harvesting

It is understood that exact volumes and extent of activities are not determined until detailed design and contractor onboarding however, this is not required to establish a

basic level of confidence that a practical and sustainable source of supply is available to meet demands of the proposal.

NPS EN-1 (Energy infrastructure) section 5.16.7 states:
The Environmental Statement should in particular describe existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance.

Groundwater and Contaminated Land

Scoping Request	**Scope in: Ground Conditions**	
Document reference(s) Chapter 16 Other Environmental Matters Paragraph 16.7 Ground Conditions Paragraph 16.7.42	**Issue**	Ground Conditions have been scoped out of the EIA.
	Impact	Proposed mitigation measures are insufficient to address risks to the water environment from existing soil and/or groundwater contamination without further assessment.
	Solution	We request Ground Conditions remain scoped in to the EIA across the construction, operational and decommissioning phases.

Additional Comments:
Whilst mitigation measures are proposed, it has not been demonstrated that these would reduce residual risks to a level that can be considered not significant. Furthermore, key mitigation measures, including contamination investigation, remediation requirements, contamination discovery protocols and foundation risk assessments, remain high-level and are proposed to be developed at a later stage. Insufficient information has therefore been provided to demonstrate that potential effects on groundwater and surface water receptors can be adequately characterised, assessed and mitigated.

The Applicant has provided a summary of Ground Conditions within Chapter 9 Water Environment and Chapter 16.7 Ground Conditions, along with a Desk Based Study and Preliminary Risk Assessment (PRA) in Appendix 16.2. The PRA concludes that identified contamination sources pose Medium to Low risks to controlled waters, including Secondary A and Principal Aquifers, Broadwell Brook, Langford Brook, the River Leach and Cotswold Water Park Sites of Special Scientific Interest (SSSIs).

Section 16.6.11 refers to the presence of an Exolum fuel pipeline within the southern land parcel, trending approximately north-east to south-west. This is not identified as a potential source of localised historic/current contamination. We require further information on the proposals to manage risks to the water environment from potentially infilled pond and ground working features, former railway land, the fuel pipeline and agricultural practices such as fuel, oil and chemical storage and use.

The Environment Agency's Land Contamination Risk Management guidance requires the assessment of potential contamination by a suitably competent person. This commitment should be explicitly secured. Refuelling and material delivery activities should be undertaken away from all surface water receptors, including watercourses and waterbodies, and oil and fuel storage should comply with the relevant regulatory requirements and guidance. The oCEMP and CEMP should clearly reference all applicable standards and guidance.

If contamination is identified, the scope of any remediation should be agreed with the Local Planning Authority in consultation with the Environment Agency, where appropriate. In addition, a Foundation Works Risk Assessment should be undertaken for all piled or deep foundation structures to assess risks to groundwater and controlled waters, including consideration of alternative foundation and ground improvement techniques.

Taken together, these uncertainties indicate that the potential for likely significant effects on controlled waters has not been robustly ruled out. The Environment Agency therefore considers that Ground Conditions should be scoped into the EIA and assessed throughout the construction, operational and decommissioning phases.

Additional Information
We recommend the Applicant contacts the Animal and Plant Health Agency for details on any known animal burial pits within the Proposed Development.

Section 16.7.32 cites relevant industry guidance for ground conditions. This refers to BS10175:2011+A2 2017. The Applicant should note that this standard has been superseded and is now published as BS10175:2026: https://knowledge.bsigroup.com/products/investigation-of-potentially-contaminated-sites-code-of-practice-1.

Scoping Request	**Scope in: Thermal Impacts from Buried High Voltage Cables**	
Document reference(s) Chapter 9 Water Environment	**Issue**	Assessment of effects from buried high voltage cables to the water environment during the operational phase has not been scoped in.
	Impact	Thermal pollution of sensitive groundwater and groundwater-linked receptors during the operational phase.
	Solution	We request thermal impacts from buried cables during the operational phase be scoped in to the EIA and mitigations provided where necessary.

Additional Comments:
Heat as a groundwater pollutant was introduced in 2023 via the Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023 SI No.2023/651.
Discharge of heat to water should be a material consideration for developments involving emissions of heat such as high voltage buried electrical cables, particularly for Nationally Significant Infrastructure Projects or large-scale infrastructure developments. To date,

heat input to ground has been considered lower risk to groundwater, on the understanding it readily disperses in the surface layers and air and in general does not have any widespread adverse impacts on the ground and groundwater. However, in very sensitive locations, we may want to regulate higher risk activities to prevent further increase/ deterioration of the groundwater quality.

Underground electrical cables generate heat that dissipates naturally to the surrounding ground during power transmission. The levels of heat loss and dissipation will be dependent on numerous factors including cable design, soil structure, transmission voltage and engineering design. Where underground cables interact with groundwater bodies this could result in local degradation of groundwater quality and negatively impact nearby abstractions via the generation of a heat plume.

The Environment Agency is currently developing guidance about heat as a pollutant to groundwater and to date has published a regulatory position statement, guidance on the exemptions, and a permitting regime for open and closed loop Ground Source Heating and Cooling (GSHC) systems. The guidance will draw upon the Environment Agency's Chief Scientist's Group published report for Ground Source Heating and Cooling (GSHC) systems. This report examines the potential for ground source heating and cooling systems to change the temperature in the ground and identifies receptors that could be impacted. In this study, a 'thermal plume' was defined as the region around a GSHC system that experiences a 1 degree C temperature change or greater. While the study is not directly applicable to thermal emission from underground cables, an equivalent benchmark could be considered when assessing heat pollution from underground high voltage cables. The Chief Scientist's Group states that the environmental factors with the greatest influence on thermal plume development include groundwater flow and bulk thermal conductivity. It identifies that impacts may occur by direct (temperature change) and indirect (e.g. changes in water chemistry) means.

Please see our guidance in Appendix C regarding desk-based risk assessment.

Flood Risk

Scoping Request	**Review: Environment Agency (EA) Modelling Datasets**	
Document reference(s) Chapter 9 Water Environment Paragraph 9.5.7	**Issue**	The existing fluvial St Johns to Evenlode Confluence (2011) model data and 2017 climate change re-runs are outdated. It is assumed that EA modelling datasets should be utilised for the Flood Risk Assessment (FRA).
	Impact	The assessment of flood risk to and from the site could be inaccurate.
	Solution	We require the Applicant to reconsider their hydraulic modelling methodology as this data is outdated and may be unsuitable for assessment. The assumption that EA models may be used should not be made.
Additional Comments:		

We are pleased to see the applicant has scoped in flood risk to all phases of the proposed development. Additionally, we agree with the applicant that tidal flood risk can be scoped out of assessments.

The applicant has stated they will gain hydraulic modelling data from the EA, however some of our model data is old and may present limitations. More recent data may also be unsuitable, therefore any modelling work will require checks that confirm the data used represents:

- current risk,
- uses the latest available datasets,
- complies with current modelling standards,
- is at a scale suitable for the assessment you are undertaking,
- captures the detail required for a site-specific assessment
- makes use of current climate change allowances.

The applicant should undertake a range of return periods within modelling studies and assess the impact climate change may have on the development across its lifetime. Smaller tributaries and/or watercourses may not be included within the catchment-wide models, however they may pose a risk to the site.

This is emphasised within the guidance on Using Modelling for Flood Risk Assessments (December 2023) available online at Using modelling for flood risk assessments - GOV.UK (www.gov.uk).

APPENDIX B – General advice on the proposals and EIA content

Below we provide the Applicant with the following advice that should be considered as the projects proposals develop further. The advice given identifies the current proposals risks to the environment, our concerns and our appropriate guidance to de-risk the project.

Fisheries

Document reference(s) Chapter 8 Ecology and Biodiversity Paragraph 8.4.1	**Issue**	The Salmon and Freshwater Fisheries Act 1975 and The Eels (England and Wales) Regulations 2009 have not been included in the list of legislation that is relevant to biodiversity.
	Impact	The impacts on these fish species from the construction, operation and decommissioning have not been fully considered.
	Solution	Both pieces of legislation must be listed as relevant in the biodiversity chapter of the ES and submitted as part of the DCO.
Additional Comments:		

Document reference(s) Chapter 8 Ecology and Biodiversity Paragraph 8.6.9	**Issue**	An insufficient minimum buffer has been stated for all watercourses.
	Impact	The BNG watercourse metric will be negatively impacted, due to encroachment into the riparian corridor.
	Solution	Use 10m buffer as the default minimum for watercourses.
Additional Comments: A reduced riparian buffer will mean there is less capacity for reducing run-off, pollutants and acting as a nutrient sink to improve channel conditions for fish, and there will be less area for the natural succession of aquatic plants which provides habitat for fish. A 10m buffer should be applied particularly where they are statutory main rivers, regardless of whether riparian mammals are present. Please see the guidance included in Appendix C regarding the BNG watercourse metric, which considers any development within 10m of a banktop to be encroaching on the watercourse.		

Groundwater and Contaminated Land

Document reference(s) Chapter 3 The Proposed Development Paragraph 3.5.3, 3.2.22-3.2.24	**Issue**	Cables left in situ.
	Impact	Cables left in situ may represent an unacceptable risk of pollution of controlled waters via degradation.
	Solution	An assessment of the impacts of removal vs in situ retention of buried cabling prior to the decommissioning phase in accordance with then-current guidance should be completed and captured in the Commitments Register.

Additional Comments: The report states that cable decommissioning will be dependent on government policy and best practice at the time of decommissioning. Prevailing guidance at the time of decommissioning may indicate that removal of cables is the most environmentally suitable option. We do not currently have specific guidance or a regulatory position about this in the context of groundwater and land contamination. However, we recommend that cables are removed entirely at the end of the project's functional lifespan. We ask the applicant to consider the potential effects of cables being left in situ, such as deterioration of plastic and metal over extended time periods, and for cables left in-situ within ploughing depth on agricultural land which may be damaged by agricultural practices, causing release of pollutants into soil and groundwater. We strongly recommend that the applicant considers full cable removal in their designs and that allowance should be made at this stage for cable removal should it be later deemed necessary, so that the method of installation does not mean this cannot be reasonably achieved. Following the assessment of impacts regarding cable removal vs being left in situ, findings should inform the detailed Decommissioning Environmental Management Plan (DEMP), specifying how cables retained in-situ would be cut and sealed to minimise the rate of degradation and potential contaminant release. Underground cabling should have a design lifespan at least commensurate with the operational phase of the Proposed Development. A minimum depth should be stated above which cabling will be removed in areas subject to agricultural practices. It is important to consider that use of plastic ducting to facilitate easy removal of cables may have its own impacts. This ducting could degrade over time in a similar manner to plastic cable housing, with some residual risk to sensitive receptors. PFAS should also be avoided wherever possible in construction materials used for the project, including buried infrastructure such as cabling: please refer to the below issue. We strongly recommend that fluid-filled cables should not be used, however if they are used, they would need to be removed during decommissioning, or the applicant would need to demonstrate they wouldn't pose a significant risk to water quality after decommissioning. The Environment Agency will normally object to pipelines or fluid-filled cables that transport pollutants, particularly hazardous substances that pass through SPZ1 or SPZ2 where this is avoidable or are below the water table in principal or secondary aquifers. If cables containing hazardous fluid are to be left in the ground indefinitely, we consider it likely that leakage will occur in the long term. This would be uncontrolled and unmonitored, so poses a potentially unacceptable risk to controlled waters. Consider referencing position A4 from 'The Environment Agency's Approach to Groundwater Protection' (Feb 2018): *Responsibility for assessments The Environment Agency expects developers and operators to assess the area of influence of their activities and to take account of all current and future groundwater uses and dependent*		

ecosystems. Developers and operators are expected to assess and mitigate the potential impact on groundwater, throughout planning, construction, operation, and decommissioning phases of the development or operation.

Document reference(s) Chapter 2 Site Context and Description Paragraphs 2.2.24-2.2.27 and 2.2.34-2.2.37	**Issue**	Groundwater designation and WFD Groundwater Body receptors have not been reviewed or assessed.
	Impact	Effects on sensitive groundwater receptors may not be adequately considered.
	Solution	Review and assess groundwater designation and WFD Groundwater Body receptors within the Study Area
Additional Comments:		

Document reference(s) Chapter 9 Water Environment	**Issue**	No reference is made to the potential for artesian groundwater to be encountered.
	Impact	Artesian groundwater conditions could result in pollution and/or mixing of groundwater bodies.
	Solution	Assess the potential for encountering artesian conditions and establish suitable mitigation.
Additional Comments: A BGS record at Leaze Farm, Lechlade (SU29NW2), approximately 1km from the site, records artesian conditions.		

Document reference(s) Chapter 2 Site Context and Description Paragraph 2.2.5	**Issue**	Several environmental receptors have been identified within and in the vicinity of the Site Boundary, however the report text and figures are not consistent.
	Impact	Lack of clarity relating to environmental receptors.
	Solution	Ensure the report and figure provide consistent information.
Additional Comments: With relevance to the water environment and land contamination, Figure 2.3 shows the locations of Sites of Special Scientific Interest (SSSIs) and Conservation Areas in relation to the DCO Site Boundary. Section 2.2 further lists rivers and lakes, and statutory and locally designated ecologically sensitive sites which are stated to include Local Wildlife Sites and Upper Thames Conservation Target Area. Of these, only SSSIs are shown on the figure.		

Document reference(s) Chapter 3 The Proposed	**Issue**	Maximum Design Scenario (MDS) parameters for several key aspects of the development are not provided.
	Impact	Effects on the water environment from subsurface infrastructure is difficult to determine.

Development Table 3-1	**Solution**	MDS parameters for foundations for all key infrastructure must be provided as part of the ES.

Additional Comments:
Table 3-1 provides little or no information on anticipated maximum foundation/ground improvement/intrusive works depths for the following infrastructure:

- Power Conditioning Units
- Collector Substation (described as having ground bearing concrete slab and/or piled foundations)
- Battery Energy Storage System (BESS)
- Main Substation
- Trenchless crossing methods

Although anticipated trenchless drilling compound dimensions are provided, no indicative MDS parameters are given for the launch and reception pits themselves.

Document reference(s) Chapter 3 The Proposed Development Paragraph 3.2.45	**Issue**	The surface water drainage description does not refer to the application of Sustainable Drainage Systems (SuDS) or measures to manage potentially polluting substances.
	Impact	Lack of consistency in report.
	Solution	Clarify the use of SuDS and systems to manage the potential for polluting substances to enter the surface water drainage system.

Additional Comments:
Chapter 9: Water Environment addresses these issues, but they should also be referenced earlier in Chapter 3.

Document reference(s) Chapter 3 The Proposed Development Paragraph 3.3.11, 3.4.4 and 3.5.6	**Issue**	Discharging authority for control documents.
	Impact	Secured measures to mitigate risks to controlled waters could be inadequate if consultation with relevant key stakeholders does not take place.
	Solution	We request to be a consultee for the below control documents.

Additional Comments:
We request to be a named consultee on the approval of the following documents:

- Construction Environmental Management Plan (CEMP)
- Operational Environmental Management Plan (OEMP)
- Decommissioning Environmental Management Plan (DEMP)
- Drainage Strategy
- Battery Safety Management Plan (BSMP)

Document reference(s)	**Issue**	There is no mechanism to secure mitigation measures for potential effects on controlled waters arising from Permitted Preliminary Works, such as

Chapter 3 The Proposed Development Paragraph 3.3.11		ground investigation and any necessary soil or groundwater remediation works.
	Impact	This creates uncertainty as to whether appropriate pollution prevention and water protection measures would be implemented during Permitted Preliminary Works.
	Solution	Commit to undertaking Permitted Preliminary Works in accordance with an approved CEMP, or a separate Permitted Preliminary Works Environmental Management Plan, to be approved by the relevant planning authority in consultation with the Environment Agency and secured through the DCO.
Additional Comments:		

Document reference(s) Chapter 8 Ecology and Biodiversity Figure 8-1; Chapter 9 Water Environment Paragraph 9.3.38 and 9.5.12, Appendix 16-2, Table 2-8	**Issue**	Effects on Groundwater Dependent Terrestrial Ecosystems (GWDTEs) have not been assessed.
	Impact	There is a potential for unidentified and unmitigated effects to GWDTEs if key receptors are not assessed.
	Solution	Chapter 8 must identify and assess GWDTEs consistently with Chapter 9 and include designated and potential GWDTEs as potential sensitive water environment receptors.

Additional Comments:

Potential GWDTEs should also be considered and if present within influencing distance of the site, assess the risks to these alongside designated GWDTEs, based on a suitably robust understanding of ground conditions.

Chapter 8 does not identify or assess effects to Groundwater Dependent Terrestrial Ecosystems (GWDTEs). Chapter 9 identifies designated GWDTEs but does not assess sites which could potentially be designable as GWDTEs. Table 9-7 presents water environment receptors which have been scoped in for further assessment. This list does not include GWDTEs. Table 2-8 of Appendix 16-2 does not identify GWDTEs. Figure 8-1 depicts designated and non-designated sites for nature conservation. This does not identify designated GWDTEs.

Grafton Lock Meadow SSSI, Cotswold Water Park SSSI and Alvescot Meadows SSSI are all listed as GWDTEs in the Defra dataset hosted here: Groundwater Dependent Terrestrial Ecosystems (England only) - National Data Library. Note that the dataset is not exhaustive, and other groundwater dependent wetlands also exist in England. As such we consider the Applicant should assess all ecologically sensitive sites within influencing distance of the Proposed Development for potential to be a GWDTE, and the potential for significant effects from the Scheme.

Document reference(s) Chapter 9 Water Environment Paragraph 9.5.12	**Issue**	The Applicant does not list relevant water environment receptors such as groundwater (Superficial aquifers), designated and potential GWDTEs or springs.
	Impact	Potential for key receptors not to be assessed and impacts to these to be insufficiently mitigated.
	Solution	Include groundwater (superficial aquifers), designated and potential GWDTEs and springs as potential sensitive water environment receptors.
Additional Comments:		

Document reference(s) Chapter 9 Water Environment Paragraph 9.3.44	**Issue**	Wells and springs have not been adequately assessed.
	Impact	Potential for effects to abstractions and springs to be insufficiently mitigated.
	Solution	Make all reasonable efforts to determine details of abstractions and springs which could be affected by the Proposed Development.

Additional Comments:

The Applicant confirms that information requests have been submitted to Local Authorities for details of abstractions within the Study Area, and that some details are absent. The Applicant should where possible identify the locations, abstraction depth and target strata of private groundwater abstractions. Please note that groundwater abstractions for potable and food production purposes have a default 50m diameter Source Protection Zone 1 applicable. In reviewing historic Ordnance Survey maps provided within Appendix 16-2 multiple records of wells, springs and issues have been noted within the Core Study Area (CSA) and close to the CSA boundary.

Section 9.8.1 states that the Applicant is proposing to engage with the Environment Agency for details of licensed abstractions, which will be used to inform the ES. We encourage the Applicant to also engage with the statutory undertaker for details of public water supply abstractions and infrastructure, as the Environment Agency may not be able to release information which is designated as commercially sensitive.

Document reference(s) Chapter 9 Water Environment Paragraph 9.3.47	**Issue**	It is unclear whether discharges to groundwater and Broadwell Brook are located within the CSA, Water Supplies Study Area (WSSA), Study Area (SA) or some other defined area.
	Impact	There is a risk that the site has been inadequately characterised.
	Solution	The Applicant should clarify the locations of discharges in reporting submitted in support of the ES by producing illustrating figures.
Additional Comments:		

We encourage the Applicant to ensure that up to date information is sought to support the ES.

Document reference(s) Chapter 9 Water Environment Paragraph 9.3.1 and Appendix 16-2	**Issue**	The list of key sources of information which has been used to establish baseline conditions is lacking detail.
	Impact	There is uncertainty regarding specific information sources used.
	Solution	Clearly specify the information sources used to establish baseline conditions when submitting the ES.
Additional Comments: The following sources are cited: • Publicly available datasets • EA information • Local Authority information • Groundsure report • Site visit/walkover Although details of the site walkover and copies of the Groundsure reports are provided within Appendix 16-2, these are not referenced in 9.3.1.		

Document reference(s) Chapter 9 Water Environment Paragraph 9.3.20	**Issue**	British Geological Survey (BGS) 1:625,00 scale hydrogeological mapping is broad scale and should not be relied upon for accuracy at the scale of the Proposed Development.
	Impact	The potential for the presence of groundwater able to supply potable abstractions within the southern land parcel may be underestimated.
	Solution	The accuracy of 1:625,000 scale hydrogeological mapping relative to the CSA must be reflected in the report.
Additional Comments: We have reviewed the 1:625,000 Hydrogeological map of England and Wales (published 1977), which according to the report shows the southern land parcel of the CSA to be predominantly underlain by 'rocks with essentially no groundwater'. This appears to show the presence of Quaternary Sands and Gravels (described as of limited importance as aquifers) underlying the majority of the southern part of the Site, and Cornbrash, Great Oolite, Fullers' Earth and Inferior Oolite of S England in the northern part of the site, described as yielding up to 40 litres/second. Part of the Site is also shown as potentially locally underlain by Oxford Clay and Kellaways Beds, which are stated to be bituminous clays yielding small, often saline, supplies where Kellaways Sand is present. Kellaways Clay Formation (Ancholme Group) is designated as Unproductive strata however Kellaways Sand Member (Ancholme Group) bedrock (interbedded sandstone		

and siltstone), present within the Southern land parcel, is designated as Secondary A aquifer. Cornbrash (centre N of CSA, Great Oolite Group) and Forest Marble Formation (Great Oolite Group) are designated as Secondary A/Principal aquifers.

We acknowledge that larger scale geological, aquifer typology and groundwater vulnerability maps are also referred to and considered within Chapter 9.

Document reference(s) Chapter 9 Water Environment Paragraph 9.3.32, 9.3.33, 9.3.37; Chapter 16 Other Environmental Matters Paragraph 16.7.20 - 16.7.25	**Issue**	The report does not indicate that the Proposed Development is partially underlain by Principal aquifer.
	Impact	Risks to controlled waters may be underestimated.
	Solution	Confirm the aquifer designations applicable to the CSA.

Additional Comments:

The northern parcel of the CSA is stated to be 'outside aquifer designations' regarding superficial aquifer status, however it is underlain by Forest Marble Formation and White Limestone Formation bedrock, both of which are designated as Principal aquifers. Superficial deposits are shown to be absent across the majority of the northern land parcel in 1:50,000 scale aquifer typology mapping, however localised areas of designated Secondary A and Secondary (undifferentiated) aquifer are recorded in the south of the northern CSA parcel, and adjacent to the eastern and southern boundaries of the northern CSA parcel.

Section 9.3.37 is unclear, stating that the north of the CSA ranges from 'unproductive aquifer' to secondary superficial aquifer, and the north of the CSA is within secondary bedrock aquifer. The northern land parcel is then described as predominantly located within secondary bedrock aquifer and principal bedrock aquifer. This is contradictory, as in 9.2.2 the CSA is defined as comprising the southern and northern land parcels. It should also be noted that unproductive strata are by definition not designated as aquifers. Section 16.7.20 to 16.7.25 uses inconsistent distances from the CSA to describe the environmental setting. Some features are considered only in relation to being within or outside the CSA boundary, with other features described in relation to a 2km search area.

We also note that although described consistently, groundwater Source Protection Zones are discussed multiple times.

Document reference(s) Chapter 9 Water Environment	**Issue**	The locations of mining and quarrying features are not represented spatially.
	Impact	Lack of clarity to the reader regarding the spatial locations of potentially contaminative features.

Paragraph 9.3.29	**Solution**	Provide a figure showing potentially contaminative features including potentially infilled historic pits and quarries and ponds.
Additional Comments: Two ceased mining and quarrying features within the CSA are identified however the locations of these features (and the numerous other mining and quarrying features within 250m of the Site) are not represented in a supporting figure. The positional data for former pits and quarries is recorded as point data, meaning that the extents of offsite ground working features could extend closer to the Proposed Development than indicated by the points.		

Document reference(s) Chapter 9 Water Environment Table 9-4	**Issue**	Current WFD water body status has been used as a measure of sensitivity.
	Impact	Effects to WFD water bodies may be significantly underestimated.
	Solution	WFD water body status must not be used to determine the sensitivity of WFD water bodies to adverse effects. Propose another measure for Sensitivity Criteria.
Additional Comments: Table 9-4 sets out criteria for the sensitivity of receptors. This uses WFD classification status to determine sensitivity, with 'High' or 'Good' water bodies deemed High sensitivity and 'Poor' waterbodies deemed of lower sensitivity. This is inappropriate: as set out in 13(1) and 13(5) of The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, the environmental objectives for WFD water bodies are to prevent further deterioration in status of the water bodies, and to protect, enhance and restore water bodies. It cannot be presumed that water bodies not achieving 'Good' status are not sensitive to pollutants and other impacts. Preventing the deterioration of WFD water bodies and restoring WFD water bodies to 'good' status are both critical aspects.		

Document reference(s) Chapter 9 Water Environment Table 9-4	**Issue**	'Medium' groundwater vulnerability class has been established to denote 'Medium' receptor vulnerability.
	Impact	Effects on groundwater bodies may be underestimated.
	Solution	Adopt a precautionary approach and assign 'Medium-High' groundwater vulnerability to 'High' sensitivity.
Additional Comments: Groundwater vulnerability status has been established as a distinguishing factor for determining receptor sensitivity. Table 9-4 adopts 'Medium-High' and 'Medium' groundwater vulnerability class to denote 'Medium' receptor vulnerability.		

Document reference(s) Chapter 9 Water Environment Table 9-5	**Issue**	The downgrading of a single WFD quality class is assigned only 'Medium' magnitude.
	Impact	Risks could be underestimated and unacceptable impacts to WFD water bodies would be incorrectly classified as ‘Medium’ severity.
	Solution	Reassess the magnitude of effect to WFD Groundwater bodies, including the downgrading of WFD quality classification to be considered unacceptable and 'high' in magnitude.
Additional Comments: A high impact is identified as “a major shift in hydrochemistry or hydrological conditions sufficient to negatively change the function of the receptor. This change would result in a downgrading of an WFD quality classification by two classes, for example, from ‘High’ to ‘Moderate’.” The downgrading of a single WFD quality class is then assigned ‘Medium’ magnitude. The Applicant should note that any downgrading of WFD quality classification would be unacceptable and should be considered ‘High’.		

Document reference(s) Chapter 9 Water Environment Table 9-4	**Issue**	Groundwater Source Protection Zone 3 has been assigned 'low' sensitivity, which incorrectly implies it does not support abstractions.
	Impact	Risks to public water abstractions may be underestimated.
	Solution	Review and revise the receptor sensitivity criteria provided within the report.
Additional Comments: Groundwater Source Protection Zone 3 is assigned ‘low’ sensitivity in Table 9-4, which sets it as equivalent to ‘the hydrological receptor does not support abstractions for public water supply or private water abstractions’ and ‘poor groundwater quality and/or very low permeability make exploitation of groundwater unfeasible’. This is contradictory, as Groundwater source protection zones (SPZs) - GOV.UK states that SPZ3 is “the area around a supply source within which all the groundwater ends up at the abstraction point”, i.e. groundwater within SPZ3 should be presumed to directly support a potable or food production groundwater abstraction. We acknowledge that no part of the CSA lies within any part of a defined groundwater Source Protection Zone serving a licensed potable water abstraction. However, the categorisation of risks to the water environment should be set appropriately, and it should be noted that unlicensed private abstractions for potable or food production use are assigned 50m diameter SPZ1 by default.		

Document reference(s) Chapter 9 Water Environment Table 9-	**Issue**	Impacts to springs and smaller private water abstractions used for potable supply and food production have not been adequately assessed, as no sensitivity category has been established for these receptors.

4, Appendix 16-2 Table 2-3; Chapter 3 The Proposed Development Paragraph 3.3.2	**Impact**	This could result in the sensitivity of the water environment being underestimated and impacts being overlooked.
	Solution	Include private water abstractions providing potable water for 25 people or fewer, or for food production purposes (not on a mass production scale) and springs as receptors.

Additional Comments:
The receptor sensitivity table does not account for private water abstractions providing potable water for 25 people or fewer, or for food production purposes other than on a mass production scale. Springs have not been included as a receptor despite several of these features being recorded on historic mapping within the Proposed Development and surrounding area.

Groundwater (Secondary A and Principal aquifers) have been identified as potential environmental receptors however other aquifers present onsite (Secondary (undifferentiated)) have not been considered. Whilst not as high sensitivity as Secondary A and Principal aquifers, these still have inherent value and could be impacted.

Section 16.7.25 of Chapter 16 states that there are no records of active potable groundwater abstractions within 2km of the Site. This is incorrect – abstractions for general farming and domestic use should be presumed to include potable and/or food production use and therefore should be considered. The same issue applies to Table 2-3 of Appendix 16-2.

The environmental data report appended to Appendix 16-2 shows the presence of multiple well, spring and 'issues' features within the Proposed Development site and surrounding area on historic Ordnance Survey mapping.

Document reference(s) Chapter 9 Water Environment Table 9-5	**Issue**	The magnitude of effect established for loss of GWDTE and peat deposits is insufficiently protective.
	Impact	Effects to GWDTE and peat receptors may be underestimated.
	Solution	Provide suitable justification for selected criteria and clearly reference any information sources used in determining these.

Additional Comments:
Table 9-5 assigns High adverse magnitude to 'A greater than 50% loss of geological receptor or peat/GWDTE habitat site, or where there would be complete severance of a site such as to fundamentally affect the integrity of that site (e.g., severing hydrological connectivity)' and Medium adverse magnitude to 'A loss of between 15% and 50% of a hydrogeological receptor or peat habitat site, complete or substantial severance and effects to its integrity as a feature, or disturbance such that the value of that site would be affected, but could still function.'

This does not correlate directly to the definitions of High and Medium adverse impact given in the overview in Section 4.3.19, i.e. High adverse 'Loss of a resource and/or quality and integrity of a receptor; severe damage to key characteristics, features or elements' and Medium adverse 'Loss of resource, but not adversely affecting integrity; partial loss of and/or damage to key characteristics, features or elements.' In the criteria provided in Chapter 9 an example Medium adverse effect on a receptor could include "complete or substantial severance and effects to its integrity," which may more closely align with the High adverse definition in 4.3.19. In the absence of up-to-date English guidance on the assessment of impacts to GWDTEs the Applicant should refer to the following SEPA guidance.

Document reference(s) Chapter 9 Water Environment Paragraph 9.6.2	**Issue**	Construction phase activities that can impact the water environment are not considered.
	Impact	Contamination of controlled waters in the construction phase.
	Solution	Assess and mitigate for concrete batching/mixing activities and foul drainage from welfare facilities.
Additional Comments: Section 3.4.3 states that approximately 10 to 20 full-time workers would be employed onsite during the operation and maintenance phase. The Applicant should provide details of proposed foul drainage systems serving the Proposed Development and demonstrate that these would not result in effects to the ground or surface water environment.		

Document reference(s) Chapter 9 Water Environment Paragraph 9.6.4	**Issue**	Operational phase activities that can impact the water environment are not considered.
	Impact	Contamination of controlled waters in the operational phase.
	Solution	Assess and mitigate for; • storage, handling and disposal of damaged /end of life BESS batteries, • substation fire suppression and emergency response activities, • foul drainage from welfare facilities.
Additional Comments: The Applicant should also consider whether other components of the Proposed Development such as substations and Power Conversion Units pose a potentially significant pollution risk to the water environment in the event of fire, and confirm how these would be mitigated.		

Document reference(s)	**Issue**	Lack of detail for the proposed mitigation measures to the water environment at the BESS and Substation Developments.

Chapter 9 Water Environment Paragraph 9.6.12	**Impact**	Risks to the water environment may not be adequately mitigated.
	Solution	Provide further detail on mitigation of risks associated with spills/leaks, and from firefighting runoff, at the BESS and substation developments in support of the ES.

Additional Comments:

Section 9.6.12 sets out the proposed development of an oBSMP and Drainage Strategy to set out details of the management of surface water drainage and firewater management at the BESS site. Further detail is required to support the ES.

The Applicant should assess the potential for release of contaminants (e.g. from oil filled transformers) which could enter the water environment from spills, leaks, loss of containment and fire events at the proposed Substation facilities and confirm proposed mitigation to manage these risks.

We strongly recommend that all BESS sites have fully sealed drainage systems, with penstock valves (or equivalent drainage isolation systems) which activate automatically when a fire breaks out. The drainage system should have sufficient capacity to contain potentially contaminated firewater during a reasonable worst-case event, taking account of potential flooding and heavy rainfall events. The capacity for such systems should be determined by the applicant in liaison with the fire and rescue service.

Where BESS sites are designed with fire extinguishing systems that do not rely on water, fire crews may still use water for boundary cooling, and this can contain pollutants from the burning units, including any associated chemical leakage, and dust and ash from the air. As such, we expect firewater capture to be included in any design. Operation and activation of penstocks should be included within any maintenance schedule. Firewater must be tested for relevant contaminants to determine if it can be released, or if it needs to be removed from the site for disposal elsewhere.

Where gravel is proposed to be used within an impermeable drainage basin, the operator must demonstrate how they will manage accumulation of silt and pollutants within the base of the gravel. Contaminants from a fire event may accumulate in the gravel even if firewater runoff is identified as being suitable for release. These contaminants would then be released into the natural environment over longer periods of time. Remediation of residual contamination within the drainage system should be managed such that damage to the impermeable barrier(s) is avoided and can be readily identified and repaired should damage occur.

The National Fire Chief's Council has published detailed guidance on recommended fire protection measures for BESS sites. We recommend the applicant refers to this when designing the scheme: Grid Scale Battery Energy Storage System planning – Guidance for FRS (nfcc.org.uk).

We encourage the Applicant to utilise sentinel monitoring systems at outfalls from the BESS and substation drainage systems to enable early detection and management of spills or leaks during normal operation of the Proposed Development.

Document reference(s) Chapter 3 The Proposed Development Paragraph 3.2.45 and 3.2.46; Chapter 9 Water Environment Paragraph 9.6.12	**Issue**	There is a lack of detail in the surface water drainage management proposals.
	Impact	Impacts to sensitive surface and/or groundwater receptors.
	Solution	Assess the likely significant effects on the water environment and demonstrate how embedded mitigation measures, including those incorporated within the drainage strategy and pollution prevention measures, will protect surface water and groundwater receptors in the ES.
Additional Comments: Sections 3.2.45 and 3.2.46 outlines the intentions for the proposed development intentions to design a new drainage strategy to manage runoff rates and quantity. However, these sections do not address the potential for adverse impacts to sensitive water environment receptors from runoff, such as silt, spills and leaks. Whilst Section 9.6.12 confirms the surface water drainage strategy for the BESS compound will include the capture and attenuation of fire suppression water, limited information is provided regarding the management of potentially contaminated runoff from other elements of the Proposed Development. Clarification is required on how runoff, spills/ leaks or mobilised contaminants associated from the substations and Power Conversion Units (e.g. oil filled transformers if present) and construction compounds (e.g. fuel, oil and chemicals storage, refuelling activities, concrete batching) will be managed and contained.		

Document reference(s) Chapter 9 Water Environment Paragraph 9.6.12	**Issue**	Insufficient assessment for trenchless crossings at Main Rivers.
	Impact	Unacceptable impacts to controlled waters other than exposure due to erosion.
	Solution	Commit to the production of a Hydrogeological Impact Assessment for trenchless crossings beneath watercourses and ecologically sensitive sites, and where these may interact with groundwater within Principal and Secondary aquifers.
Additional Comments: The Hydrogeological Impact Assessment should be based on site specific data, include Water Features Surveys to identify and mitigate potential effects to sensitive water receptors, and take account of dewatering requirements. All trenchless crossings should also be supported by a drilling fluid breakout plan.		

Document reference(s) Chapter 9 Water Environment Paragraph 9.6.12	**Issue**	BESS and substation infrastructure may be located in areas of high groundwater and/or surface water vulnerability.
	Impact	Increased risk of groundwater and surface water contamination.
	Solution	Consider groundwater and surface water vulnerability during siting and, where practicable, locate BESS and substation infrastructure in areas of lower vulnerability.
Additional Comments:		

Document reference(s) Chapter 16 Other Environmental Matters Paragraph 16.7.42	**Issue**	Localised contamination during operation phase.
	Impact	Insufficient assessment and mitigation for encountering localised buried contamination.
	Solution	Impacts from contaminated soil and/or groundwater during excavation activities during the operational phase must be assessed and mitigations identified.
Additional Comments: A contamination watching brief and discovery protocol should be maintained for intrusive activities during the operational phase. Personnel carrying out such activities should be briefed on these protocols and made aware of indicators of soil and water contamination.		

Document reference(s) Chapter 16 Other Environmental Matters Paragraph 16.7.42	**Issue**	Contamination risks from deep pilling and foundation works are not proposed to be assessed.
	Impact	Insufficient mitigation for impacts to controlled waters.
	Solution	Commit to the production of a Foundation Works Risk Assessment for all piled and deep foundation structures associated with the BESS and Substation developments, based on site specific intrusive data.
Additional Comments: The report states that *"Piling design and construction works will be completed following the preparation of a piling risk assessment. If required, a piling risk assessment will be undertaken before the start of construction works. This will minimise impacts on groundwater as a result of piling activities."* Deep foundation construction and penetrative ground improvement activities also could result in the creation of new flow pathways enabling the mixing of groundwater bodies and mobilisation of contamination.		

Document reference(s) Chapter 16 Other Environmental Matters Paragraph 16.7.45, Appendix 16-2	**Issue**	There is no commitment to carry out geoenvironmental investigation.
	Impact	Contamination which may be present may not be identified and adequately mitigated.
	Solution	Confirm that intrusive ground investigations would include geoenvironmental characterisation of the Site in accordance with BS10175:2026 and Land Contamination Risk Management.

Additional Comments:
The Applicant states that a geotechnical investigation will be undertaken to support the foundation design of the Proposed Development. The potential risks to receptors associated with the anticipated excavation works need to be fully understood and assessed during the detailed design stage.

Part 4.1 of the Preliminary Risk Assessment (Appendix 16-2) concludes that, prior to mitigation, potential risks to human health and wider environmental receptors (including water receptors), are considered Moderate to Low. However, it is unclear whether the identified mitigation measures would reduce these risks to an acceptable level and whether any residual risks would remain.

Document reference(s) Chapter 16 Other Environmental Matters Appendix 16-2; Chapter 3 The Proposed Development Paragraph 3.1.1	**Issue**	The Conceptual Site Model (CSM) presented within the Geoenvironmental Desk Study does not consider the potential for localised and/or dispersed agricultural pollution.
	Impact	Certain potential contamination sources have not been considered and represented spatially.
	Solution	Provide a plan identifying all potential pollutant sources including contamination from agriculture land uses.

Additional Comments:
Table 3-1 outlines ‘given the Site’s largely agricultural history, widespread contamination is not anticipated’. Agricultural land use could be associated with the presence of the localised or dispersed presence of pesticides, herbicides, pathogens associated with animal burial pits, and spills and leaks from agricultural plant and fuel, oil and chemical storage and use.

We agree that the likelihood of this land use does not represents a significant widespread source of contamination. However, it should be accounted for as a discrete source within the Conceptual Site Model.

A visual representation of the occurrence and distribution of potentially significant sources of contamination should be provided as part of the Preliminary Risk Assessment and should inform the assessment of ground conditions in the ES.

Flood Risk

Document reference(s) Chapter 9 Water Environment Paragraph 9.5.7	**Issue**	Existing EA hydraulic model outputs are anticipated to provide an appropriate assessment of flood risk.
	Impact	Flood Map for Planning does not show all flood risk associated with rivers
	Solution	Complete detailed hydraulic modelling to suitably assess flood risk posed to and from this development.

Additional Comments:

The application site lies partly within Flood Zones 2 and 3 defined by the National Planning Policy Framework (NPPF) and associated Flood risk and coastal change Planning Policy Guidance (PPG) as having a medium and high probability of flooding respectively.

In addition, part of the application site is likely to lie within the 3.3% annual exceedance probability (AEP) flood outline which is identified by the West Oxfordshire District Council Strategic Flood Risk Assessment 2025 and the PPG as within Flood Zone 3b (the functional floodplain). Please be aware that development should be avoided within Flood Zone 3b where possible, which is defined by the PPG as land where water from rivers or the sea has to flow or be stored in times of flood.

Section 9.5.7 states that "…it is anticipated that existing EA hydraulic model outputs will provide an appropriate assessment [of flood risk]." We do not support this statement because not all flood risk associated with rivers is shown on the Flood Map for Planning. It should not be assumed that the absence of mapped flood risk reflects an absence of flood risk. Flood Zone mapping should be treated as an initial screening tool. If a development is proposed near an unmapped watercourse, further investigations and modelling may be required.

It is likely that detailed hydraulic modelling will be required due to the scale and nature of the development, as well as there being several unmodelled watercourses in this location including:

- Langford Brook
- Broadwell Brook
- Kelmscot Brook
- River Leach

There are also unmodelled, unnamed watercourses and ditches on site. It is the responsibility of the applicant to determine what type of modelling is appropriate and identify which locations are at fluvial flood risk, which ones are at surface water flood risk, and if there is any combined risk.

For any detailed modelling that is undertaken, a range of flood events including the 3.3% AEP, 1% AEP and 1% AEP plus an appropriate allowance for climate change should be modelled.

The Environment Agency will review any flood modelling to ensure it provides a suitable basis to assess flood risk. Once the modelling is agreed, a detailed comparison should be made between the modelled flood levels and a detailed topographic survey. This will help establish the likely flood extents. The proposed scheme should then be designed considering agreed flood extents and levels.

There are two existing detailed models available that can be used to provide information on flooding from the River Thames, and we welcome that these have been identified in section 9.3.55:

- Thames (MRL to St Johns) 2014
- Thames (St Johns to Shifford) 2011

It is the responsibility of the applicant to check the suitability of these models for use in flood risk assessments and to make any necessary updates to the model. There may also be new information available since the creation of the model that should be considered, such as hydrological and topographical information. Please note additional River Thames modelling may be required to determine the 1% AEP plus an appropriate allowance for climate change event.

Water Quality

Document reference(s) Chapter 3 The Proposed Development Paragraph 3.2.16 and 3.2.20	**Issue**	Transformers and other electrical equipment associated with the PCU, substations and the BESS may not be bunded.
	Impact	Transformers could leak or spill, and hydrocarbons could all pose an unacceptable risk to the water environment receptors.
	Solution	All transformers must be bunded for all phases of development.
Additional Comments: They will need to be suitably sized to contain 110% of the volume. Where they are exposed to rainwater, the Applicant must have a mechanism to regularly remove accumulated rainwater.		

Document reference(s) Chapter 4 EIA Methodology Paragraph 4.3.7; Chapter 9 Water Environment Paragraph 9.3.1	**Issue**	There is no commitment to undertake water quality monitoring.
	Impact	Trends in water quality deterioration or improvement due to the development may not be understood.
	Solution	Provide a water quality monitoring plan with the ES.
Additional Comments: The plan must clarify locations, frequency, quantity and possible methods of monitoring during pre-construction, construction and post-construction phases.		

Document reference(s) Chapter 3 The Proposed Development Paragraph 3.3.4	**Issue**	Installing temporary drainage and silt fencing is not listed as part of the 'Indicative Construction Activities'.
	Impact	If the site is cleared and vegetation is stripped, there is a risk of silt laden water being discharged to nearby watercourses, triggering a pollution incident.
	Solution	Include temporary drainage and silt management as part of the 'Indicative Construction Activities'.
Additional Comments:		

Document reference(s) Chapter 9 The Water Environment Paragraph 9.6.2, 9.6.4, 9.6.6; Chapter 3 The Proposed Development Paragraph 3.3.4	**Issue**	Unknown foul sewage arrangements.
	Impact	If the discharge is made to ground or watercourse without a suitable treatment system and impact assessment, this could lead to the pollution of controlled waters.
	Solution	Plan where the potential discharge of sewage effluent could be required.
Additional Comments: If the discharge from foul sewage derived from the permanent & temporary compounds and welfare facilities is not to the mains sewer, then a sewage treatment plant and permit may be required before any discharge can take place. Consider the space required for the treatment system and discharge route. Please note that any such discharge could require a permit under EPR.		

APPENDIX C – Additional advice for the Applicant

Watercourse crossings

Due to the presence of a number of streams and drainage ditches within the red line boundary, we advise the applicant to consider the design and siting of any temporary or permanent watercourse crossings. Where new crossings may be necessary, the applicant should look to implement a minimal number of new crossings as possible. Additionally, all new crossings should be bridges which are as clear span as possible. No main rivers should be culverted.

Crossings should be designed to minimise encroachment into riverbanks and watercourses and avoid unnecessary disturbance to riparian habitats. For example, bridge abutments should be set back by at least 1m from the top of the bank wherever practicable to help maintain bank stability and facilitate future maintenance and ecological connectivity.

The following are general guiding principles to consider when designing watercourse crossings to avoid negatively affecting geomorphology and natural processes:

- Avoid unnecessary interference with natural processes. For instance, the use of trenchless techniques such as Horizontal Directional Drilling (HDD) to minimise the likelihood of cables entering the water environment, is encouraged.
- Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change.
- Position of HDD/trenchless crossing should also take into consideration lateral movement of the watercourse. Ideally trenchless crossings should be launched/received outside of the floodplain.
- Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels which are left in-situ after decommissioning could be exposed by river movement, becoming an impediment to natural processes. Decommissioning plans should therefore take these factors into consideration and consider removal of such infrastructure at decommissioning or at any time after.
- Consider opportunities to deliver WFD mitigation measures, including Nature based Solutions, as part of the design.
- Avoid preventing delivery of mitigation measures, e.g. avoid bringing cables/pipelines to surface level in floodplains earmarked for future river restoration.

Please note that WFD applies to all surface waterbodies, not just those designated for monitoring purposes. Watercourses with a catchment less than 10km/2 connected to a downstream WFD waterbody take the classification of that downstream waterbody. BNG guidelines indicate that structures built within 10m of the bank top of a watercourse qualify as encroachment, which may affect the uplift score calculated using the BNG Watercourse metric.

- Any potential construction, operational, and decommissioning phase impacts that the proposed scheme may have on the river must be subject to a WFD Assessment to the satisfaction of the EA.

- Any infrastructural developments on river/floodplain environments should be designed and delivered to have a minimal impact on natural river dynamics (e.g. erosion, deposition, meander migration etc.) and should not place any significant limitations on future river restoration projects.
- Geomorphologically dynamic behaviour is deemed likely to intensify in the next decades in line with Flood Estimation Handbook (Flood Estimation Handbook (FEH) | UK Centre for Ecology & Hydrology (ceh.ac.uk). Therefore, any infrastructure developments should also take some account of the likelihood for increased lateral and vertical river dynamics anticipated to result from continued hydro-climatic intensification (e.g. 'a flood-rich epoch') over the remainder of the 21st century (i.e., future proofed designs that are not just based on present-day baseline geomorphological configuration/behaviour).
- If river crossings (bridges, culverts, and buried cables) are required as part of the development, we would expect to see geomorphologically robust designs that will cause minimal impacts on natural fluvial processes operating in the river/floodplain environment over the course of the 21st century.

In terms of crossings and their impact on flood risk, it is best practice to follow the following requirements:

- Soffit height of the bridge must be a minimum of 600mm above the 1 in 100yrs + Climate change allowance flood level.
- All abutments must be set back a minimum 1m from the top of bank and as minimal as possible.
- Any loss of floodplain due to abutments and ramps will need to be compensated for.
- All parapets and railings need to be permeable and open as possible with a minimum 100mm spacing.

Watercourse sensitivity

- Care should be taken by applicants when determining watercourse sensitivity, especially the use of Q95 scores. Rivers with a higher Q95 flow are not more sensitive than rivers with a lower Q95. In the case of water quality, the reverse of this is true, with less dilution meaning a higher sensitivity to change. Some watercourses with low Q95 may also be winterbournes, and therefore cannot accommodate change easily, as they would be dry for most of the year.
- WFD designation is a method of monitoring and classifying the ecological health of the water environment and not an indication of greater or lesser sensitivity to change. Therefore, watercourses with a WFD designation are no more sensitive than those which have not been designated.

Sensitivity to change cannot be determined from a desk study alone. When determining the sensitivity of a watercourse, the applicant should ensure that professional judgement and the results of any surveys are also incorporated into the assessment.

Operating in times of flood

Flood resistant and resilient measures should be explored in the FRA to ensure the proposed development is designed and constructed to remain operational and safe in times of flood, in accordance with the National Policy statement and the Planning Practice Guidance (PPG).

Building within the flood plain
Any land raising or increases in built footprint within the 1% AEP plus an appropriate allowance for climate change flood extent (the design extent) can lead to increases in flood risk elsewhere due to a loss of available floodplain storage and/or impedance of flood flows. This includes any footprint of the proposed PV panel footings, which may cumulatively cause a significant loss of storage due to the scale of the proposed development. Floodplain compensation must be provided for any loss in floodplain storage within the design flood extent. Level for level floodplain compensation is the preferred method of mitigation and should be considered within the FRA. Providing additional floodplain storage compared to that lost by the proposed development may also be a way to provide betterment and reduce flood risk in the wider area as part of the Exception Test.

To avoid losses in floodplain storage from the impendence of flood flows, access roads should be set at existing ground level. If there are safe access and escape issues relating to access routes in the floodplain, we recommend you discuss these with the Local Planning Authority. Similarly, cables that are to be set above ground may need to be located outside the 1% AEP plus an appropriate allowance for climate change flood extent to prevent impedance of flood flows, unless they are set above flood levels (such as by using pylons).

Any changes in land level, such as for earthworks or in decommissioning (section 3.5) within the 1% AEP plus an appropriate allowance for climate change flood extent must also be assessed and compensated for within the FRA.

Sequential approach
The applicant should take a sequential approach when designing the site. This should situate the most vulnerable development within areas of at the lowest risk. Specifically, the applicant should avoid any development within Flood Zone 3b. Where it is not possible to place infrastructure outside of flood risk areas additional mitigation may be required.

Environmental permits
If dewatering is required, it will require an abstraction licence if it doesn't meet the criteria for exemption in *The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works.* It may also require a discharge permit if it falls outside of our regulatory position statement for de-watering discharges.

If the applicant does not meet the exemption and requires a full abstraction licence, applicants should be aware that some aquifer units may be closed for new consumptive abstractions in this area. More information can be found on GOV.UK: Abstraction licensing strategies (CAMS process) and Apply for a water abstraction or impounding licence.
If the dewatering activity can be demonstrated to be discharged to the same source of supply without intervening use (i.e. non-consumptive), this will increase the likelihood of a licence being granted.

Please note that the typical timescale to process a licence application is 9-12 months. The applicant may wish to consider whether a scheme-wide dewatering application rather than individual applications would be beneficial. We suggest talking to our National Permitting Service early in the project planning.

Temporary dewatering of wholly or mainly rainwater that has accumulated in an excavation may be exempt from an Environmental Permit for a Water Discharge Activity. More information can be found on our website: Temporary dewatering from excavations to surface water: RPS 261.
Note that this does not permit discharge of groundwater from a passive or active dewatering activity or permit the abstraction of groundwater.

Also note Small-scale abstractions for construction dewatering: RPS 368 - GOV.UK

The applicant may also need to consider discharge of groundwater, especially if it is contaminated. More information can be found on our website: Discharges to surface water and groundwater: environmental permits.

The use of drilling muds for the directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

Groundwater Flooding
The Environment Agency has a strategic overview for groundwater flooding, which includes monitoring groundwater levels. We do not have powers, duties or resources to control groundwater levels to prevent flooding of land, property or infrastructure and have no statutory obligation to respond. We are empowered (but have no duty) to provide warning services for any source of flooding and we have taken responsibility for providing the warning services that have been set up in certain locations (those with a history of groundwater flooding).

We receive queries and requests for help from the public about rising groundwater levels affecting their property. We have no specific remit to investigate these problems or the causes, though we may collect this information to help our understanding of groundwater flooding.

We are the statutory body responsible for the protection and management of groundwater resources. Where an overall reduction in historical abstraction is resulting in groundwater levels 'rebounding' to the point where they are likely to cause problems, we will encourage increased abstraction through the relevant abstraction licensing framework. However, we can't force abstractors to continue pumping to protect infrastructure.

The Flood & Water Management Act 2010 puts a statutory duty on Lead Local Flood Authorities to map, model and manage the risk of flooding from groundwater sources and they are required to produce local flood risk management strategies to demonstrate how they plan to manage the risk.

Desk-based risk assessment for buried high voltage cables

Currently, the main driver for the prevention of heat pollution is to protect surface water ecology, protected sites and ancient woodlands. Heat should also not impact quality or quantity of water in existing groundwater or surface water abstractions. In the first instance the developer should ensure that where practicable the proposed cabling:

- is fully sealed
- does not discharge pollutants other than transfers heat to the environment
- does not cause pollution of surface water or groundwater
- is not within a groundwater source protection zone 1 (SPZ1) that's used to supply water for domestic or food production purposes
- is not within 50m of a well, spring or borehole used to supply water for domestic or food production purposes
- installation does not mobilise any contaminants present in the subsurface to the extent that the pollution of groundwater occurs
- is not adjacent to a septic tank or cesspit, including the infiltration system

Desk-based assessments at the planning stage should scope in heat from electricity cables. The GSHC exemption criteria and resources referenced in this document could help assess the risk. For example: either by de-risking, if all criteria are met or further assess the risk, where the criteria are not met and mitigate the risk, where required. In other words, sections of the cabling route that meet all criteria, and where the developer is satisfied that the cables will not cause harm via discharge of heat and heat pollution, can be scoped out from requiring further risk assessment.

You do not need to complete any further assessments or apply for a permit if your cabling route meets all the exemption conditions.

If cabling sections require further assessment following application of these exemptions, a conceptual site model (drawing) should be produced. We ask for the model to demonstrate the proposed installation depth, anticipated depth to groundwater, and specification of the cable installation, including thermal insulation measures. An understanding of the expected normal and maximum operating temperature of the cables, and the depth of any nearby abstraction boreholes will be useful in determining risk.

In those rare instances where we are concerned that there are risks which require ongoing control or management, you may require a groundwater activity under schedule 22 of the Environmental Permitting Regulations (EPR) 2016.

Heat is a pollutant, so discharges that might lead to an input of heat into groundwater are groundwater activities. Groundwater activities are defined in section 3.34 pp20 of DEFRAs Environmental permitting: Core guidance. However, we take a proportionate and pragmatic approach in our application of the principles of the Environmental Permitting Regulations. Requiring a permit would feel disproportionate for many activities at or near the ground surface.

Accountability to comply with extant environmental legislation lies with the developer and the landowner. They should consider the thermal implications of developments which emit heat such as buried electricity cables, and the potential risks to the water environment via a desk-based assessment, as a minimum.

Waste on-site
Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- CL:AIRE Definition of Waste: Code of Practice
- EA Regulatory Position Statement 215: Treating small volumes of contaminated soil and groundwater

Waste to be taken off site
Contaminated soil that is, or must be, disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan'. The permitting status of any proposed treatment or disposal activity should be clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to our website for more information.

Sustainable drainage systems
The Government's expectation is that sustainable drainage systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation.

Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:

- be suitably designed
- meet Governments non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the National Planning Policy Framework and Planning Practice Guidance
- use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater

Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply.

See the Environment Agency's approach to groundwater protection, position statement G13: Groundwater protection position statements.

Per- and polyfluoroalkyl substances (PFAS)

We strongly recommend that all solar panels are free from PFAS substances. Some solar panels are treated with a PFAS coating. If panels containing PFAS are used, we suggest that there is consideration of this in the Operational Environmental Management Plan (OEMP) and Decommissioning Environmental Management Plan (DEMP). For example, if PFAS coating is damaged there is a risk of persistent chemicals entering the natural environment during heavy rainfall, washing, maintenance, and removal. The OEMP should also incorporate measures to minimise the risk of panel coatings becoming damaged via 'thermal shock' such as if cleaned whilst at a high temperature due to prolonged exposure to sunlight.

The applicant should where possible avoid the use of PFAS-containing products in buried cabling.

The applicant should ensure that any bentonite used for trenchless drilling, or elsewhere in the scheme, has not been treated with chemicals containing PFAS. Fuel, oils and other chemicals, such as cleaning agents and decontaminants, should be PFAS-free wherever possible.

Forestry Commission

South East and London Area Team
Bucks Horn Oak
Farnham
Surrey
GU10 4LS

Tel: 0300 067 4420
planningconsultationSEL@forestrycommission.gov

Environmental Services
Infrastructure Decisions and Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Via email to: westoxfordshireenergy@planninginspectorate.gov.uk

30 October 2026

Dear Stephanie Hands,

Your reference: EN0110047
Site: West Oxfordshire Energy Park
Stage: EIA Scoping Consultation

Thank you for consulting the Forestry Commission on this Scoping Opinion.

The Forestry Commission considers that the Environmental Statement (ES) should fully assess the effects of the proposed development on trees and woodlands. In particular, the ES should include:

- Comprehensive site-wide tree surveys undertaken in accordance with **BS 5837:2012 Trees in relation to design, demolition and construction**, together with a clear explanation of how survey findings have informed the design, layout and construction of the scheme.
- A comprehensive assessment of the direct, indirect and cumulative effects on **ancient woodland**, **ancient trees** and **veteran trees**, undertaken in accordance with Natural England and Forestry Commission's Standing Advice. This should be supported by detailed proposals demonstrating how these irreplaceable habitats will be protected for the lifetime of the development.
- An assessment of the potential effects of the development on **woodland connectivity** in the area, including the fragmentation and isolation of woodland habitats, the implications for biodiversity and woodland resilience, and measures to maintain, restore and enhance ecological connections across the landscape.

- An assessment of how the development will contribute to the statutory national target to **increase tree canopy and woodland cover** in England to at least 16.5% of total land area by 2050, including details of proposed woodland creation and tree planting.
- Details of how **resilience** has been incorporated into proposed woodland creation and management plans, including species and provenance selection to support adaptation to future climate conditions and biosecurity measures to minimise the introduction of pests and diseases through planting stock.
- A clear strategy for the **successful establishment, long-term management** and stewardship of retained and newly planted trees and woodland. This should include arrangements for maintenance, monitoring, replacement of failed planting, funding, management responsibilities and adaptive management measures where objectives are not being achieved.

The Forestry Commission considers that these matters should be assessed within the ES to enable a robust understanding of the likely significant effects of the proposed development on trees and woodland, and to demonstrate how adverse effects will be avoided, mitigated or compensated where necessary.

Further guidance on policy and legislation relevant to ancient woodland is set out in the appendix to this letter.

If you have any questions regarding our advice or would like further information, please do not hesitate to contact us.

Yours sincerely,

Annie Weddle
Local Partnership Advisor

Forestry Commission

Annex 1: Policy Framework, Related Guidance and Sources of Further Information

Policy and Guidance:

Keepers of Time – A Statement of Policy for England's Ancient and Native Woodland (updated May 2022). Includes definitions of ancient woodland, ancient and veteran trees, and sets out the importance of these habitats.

Policy Principles and Strategic Objectives include:

- *Maintaining and enhancing the existing area of ancient woodland*
- *Conserving and enhancing the existing resource of ancient and veteran trees.*

National Planning Policy Framework (published August 2026)

N2 (1d) - existing natural features

N3 – trees in new development

N6 (2) – irreplaceable habitats

Standing Advice for Ancient Woodland and Veteran Trees (first published October 2014, revised January 2022)

This advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It provides advice on how to avoid and mitigate impacts, and on compensation schemes where the tests set out in the NPPF are met The Standing Advice also includes an Assessment Guide, which can help planners assess the impact of the proposed development on the ancient woodland.

National Planning Practice Guidance – Natural Environment Guidance. (updated July 2019)

This Guidance outlines the Forestry Commission's role as a non-statutory consultee and supports the implementation and interpretation of the National Planning Policy Framework in relation to ancient woodland and ancient and veteran trees and clarifies that existing woodland condition should not affect the planning authority's consideration of proposals.

Felling Licences and Environmental Impact Assessment

Felling Licences - Under the Forestry Act (1967) a Felling Licence is required for felling more than 5 cubic metres per calendar quarter. Failure to obtain a Licence may lead to prosecution and the issue of a restocking notice.

Environmental Impact Assessment - Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended, some proposals involving afforestation, deforestation, forest roads or forestry quarries may require 'stage 2' Consent from the Forestry Commission before they can be carried out. For these project types the applicant should determine if their proposal needs Consent (referring to guidance as necessary) or approach the Forestry Commission for a 'stage 1' opinion as to whether or not Consent is required.

From: [redacted]@glosfire.gov.uk>
Sent: Thursday, October 08, 2026 12:39
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Cc: [redacted]@glosfire.gov.uk>; [redacted]
[redacted]@glosfire.gov.uk>; [redacted]@glosfire.gov.uk>
Subject: FW: EN0110047 West Oxfordshire Energy Park EIA notification

> You don't often get email from [redacted]@glosfire.gov.uk. Learn why this is important

Good Afternoon,

Thanks for sending Gloucestershire Fire and Rescue Service the attached letter to comment upon.

Our only comment would be our standard response to these types of proposal which is outlined in the text below:

Whilst GFRS would not object in principle to the lawful development of a Solar farm and Battery Energy Storage System (BESS), it is recognised that these installations pose some specific hazards in the event of fire. Any fire involving grid scale Li-ion battery storage would be treated as a hazardous materials incident.

To extinguish a BESS fire copious amounts of water for a prolonged period would be required. In addition to hydrants on site, GFRS resources for the provision of water include standard fire engines, bulk water carriers and High-Volume Pumps (HVPs) with additional resources available from neighbouring services through National Resilience capabilities if required. The delivery of water to a BESS site would inevitably require multiple vehicles for a prolonged period.

The potential for contaminated fire water runoff is acknowledged as an area for further consideration, although the type and level of contamination is not easily quantifiable. Our default position is therefore one of containment where possible although this is very difficult to achieve for large volumes of water during a dynamic incident.

Consideration should also be given to engaging with the Environment Agency in relation to protection of water sources or aquifers in the event of fire water runoff and any pollution control measures as may be appropriate.

Automatic suppression systems which aim to prevent thermal run-away within cells are a feature of most systems however the effectiveness of these systems is variable. Alternative extinguishing media are not considered appropriate at this time.

Early detection of a potential fire situation is critical and fast response detection system linked to the battery management system is considered an essential component of the design. It is considered unlikely that fire service resources would be in attendance within the timeframe required to prevent a thermal run-away event once it has begun.

If a BESS is in thermal run-away, current NFCC guidance recommends defensive firefighting tactics. The emphasis is on life safety, isolation, protection of surrounding modules and infrastructure, monitoring, exposure protection and allowing the affected battery system to burn under controlled conditions where necessary. It is likely that this would be undertaken on advice and with agreement from the Environment Agency and technical support services.

Airborne smoke and products of combustion would inevitably contain toxic effluents. Liaison with other agencies to support the air monitoring and warning and informing of local residents would form an essential part of the emergency response.

It would be our recommendation that in the event a development is being considered for planning approval, that the layout, access and provision of a suitable water supply comply as far as is reasonably practicable with the minimum requirements of Approved Document B to the Building Regulations, specifically part B5, regarding access and water supplies for firefighting, or other industry or sector specific guidance as published by the National Fire Chiefs Council (NFCC)

In February 2026, The National Fire Chiefs Council (NFCC) updated their standard advice for BESS sites, which is available through this link: NFCC has published its revised Grid-Scale Energy Storage System Planning Guidance for FRSs

Particular regard should be given to the terrain over which fire service vehicles may have to drive in order to access the site. This is particularly relevant where remote sites may not have good access to fire hydrants and where multiple vehicles may be required to ensure continuous water supply. The provision of suitable turning space and appropriately sized footprint for hard standing to enable an effective firefighting response with multiple vehicles is essential.

The inclusion of drenchers or fire service inlets to battery modules may be a design consideration.

Site contingency plans must consider the impact of wind direction on access and egress from the site which may impose operational constraints and an inevitable delay in firefighting. Alternative access points and the ability to access all parts of the site should be considered within the design.

Kind regards

Dave Willis
Station Manager Service Delivery
Gloucestershire Fire and Rescue Service
Quayside House
Quay Street
Gloucester
GL1 2TZ
Mob: [redacted]
www.glosfire.gov.uk



From: Fire Safety Admin Mailbox <fsamailbox@glosfire.gov.uk>
Sent: 07 October 2026 10:23
To: [redacted]@glosfire.gov.uk>; [redacted]@glosfire.gov.uk>

Cc: [redacted]glosfire.gov.uk>; [redacted]
[redacted]@glosfire.gov.uk>; Fire Safety Admin Mailbox <fsamailbox@glosfire.gov.uk>
Subject: FW: EN0110047 West Oxfordshire Energy Park EIA notification
Importance: High

Good morning both,

Please could you respond to this consultation request?

Kind regards
[redacted]

Andrew Sutcliffe
Logistics Administrator
Business Fire Safety/Prevention/Response
Gloucestershire Fire and Rescue Service
Quayside House, Quay Street, Gloucester, Gloucestershire, GL1 2TZ
Tel : [redacted] – Mobile
www.glosfire.gov.uk



I work flexibly. If I'm sending this email outside of regular hours it is because it suits my work pattern just now, and importantly, I don't expect you to read, respond or action it outside of your regular hours.

From: Fire Safety Admin Mailbox <fsamailbox@glosfire.gov.uk>
Sent: 07 October 2026 09:25
To: [redacted]@glosfire.gov.uk>
Cc: Fire Safety Admin Mailbox <fsamailbox@glosfire.gov.uk>
Subject: FW: EN0110047 West Oxfordshire Energy Park EIA notification
Importance: High

Hi Simon,

I am sending this one to you as a query. I don't think that we would normally make a response at this stage of the BR consultation process.

I also queried whether they had sent to the correct FRS and I received the attached response.

Just to be on the safe side, please could you confirm? Many thanks.

Kind regards
[redacted]

Andrew Sutcliffe
Logistics Administrator
Business Fire Safety/Prevention/Response
Gloucestershire Fire and Rescue Service
Quayside House, Quay Street, Gloucester, Gloucestershire, GL1 2TZ
Tel : [redacted] – Mobile
www.glosfire.gov.uk



I work flexibly. If I'm sending this email outside of regular hours it is because it suits my work pattern just now, and importantly, I don't expect you to read, respond or action it outside of your regular hours.

From: General Mailbox <fire@glosfire.gov.uk>
Sent: 02 October 2026 11:45
To: Fire Safety Internet Mailbox <fire.safety@glosfire.gov.uk>
Subject: FW: EN0110047 West Oxfordshire Energy Park EIA notification

Historic England

Mr Joseph Jones
West Oxfordshire Energy Park - Planning Inspectorate

Direct Dial: [redacted]

Our ref: PL00802998
28 October 2026

Dear Mr Jones

West Oxfordshire Energy Park

Thank you for consulting us on this request for a scoping opinion. This proposal is for a solar farm. There are three scheduled monuments within the proposed Order Limits, and we understand that there are potentially significant remains elsewhere within the proposed Order Limits.

Designated sites during construction.

We note the proposal to scope out direct impacts to designated archaeological heritage assets during construction and that an Archaeological Management Plan will be put in place to ensure that the Scheduled Monuments are protected from any physical impacts (Planning Inspectorate Reference: EN0110047 Environmental Impact Assessment EIA Scoping Report, para 6.7.11). But as that report has yet to be produced, we feel that potential impacts during the construction period (e.g. inadvertent vehicle movements) need to be considered and addressed within the Environmental Statement.

We note also that an appropriate management regime for the designated sites would be produced and presumably that would be established during the construction period (e.g. establishment of a grassland sward), and any potential impacts of that (which may well be beneficial) need to be considered in the Environmental Statement.

For the above reasons we consider that direct impacts to designated archaeological assets should not be scoped out.

Designated sites during decommissioning

For similar reasons as above, we think that potential impacts to designated sites during decommissioning need to be considered, given the possibility of inadvertent damage during decommissioning (forty years after construction). We therefore conclude that impacts to designated sites during decommissioning should not be scoped out.

Non-designated sites during operation

Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

Historic England

Para 6.6.4 of the EIA Scoping Report notes that impact upon significant assets might be avoided by buffers or exclusion zones surrounding heritage assets or adjustment of the Proposed Development layout. If significant archaeological remains are identified and the design altered to avoid them, their subsequent management would then need to be considered (in effect, bringing them within the same potentially beneficial management regime as identified for designated assets in para 6.7.13.). For this reason, we consider that the impact upon non-designated sites during operation should not be scoped out.

Non-intrusive investigation

We note the proposed consultation with Historic England at para 6.8.2 and welcome this. In particular, we would strongly encourage detailed consideration of the potential for further non-intrusive investigation beyond the magnetometry currently being carried out, following the guidance in Archaeology and Solar farms; Good Practice Guide (CIfA, 2026). We also recommend that sufficient time is given for the results of that investigation, together with the results of any intrusive investigation, to properly inform the final design of the Proposed Development.

Conclusion

We recommend that the potential impacts upon designated sites should not be scoped out during construction or decommissioning, and that the impact on non-designated sites during operation should not be scoped out. We look forward to offering further constructive advice as the application proceeds.

Yours sincerely,

Allison Sharpe
Business Officer
[redacted]@HistoricEngland.org.uk

Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

By email only:
westoxfordshireenergy@planninginspectorate.gov.uk

CEMHD - Land Use Planning,
NSIP Consultations,
Building 1.2, Redgrave Court
Merton Road, Bootle,
Merseyside L20 7HS.
NSIP.applications@hse.gov.uk

Date: 05/10/2026

Dear Sir/Madam,

PROPOSED WEST OXFORDSHIRE ENERGY PARK PROJECT
PROPOSAL BY WEST OXFORDSHIRE ENERGY PARK LIMITED
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (AS AMENDED) REGULATIONS 10 AND 11

Thank you for your e-mail of dated 2/10/2026 regarding the information to be provided in an environmental statement relating to the above project.

HSE's land use planning advice:

Will the proposed development fall within any of HSE's consultation distances?

1. With reference to the redlined ***DCO Site Boundary*** shown on **Figure 1-1: Site Boundary** found in **[https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/EN0110047/documents Document: EN0110047-000014-EN0110047_EIA Scoping Report_Volume III Figures_Chapter 1.pdf]** the proposed project does not fall within the consultation distances of any Major Hazard Installation(s) or Major Accident Hazard Pipeline(s).
2. Please note if at any time a new Major Accident Hazard Pipeline is introduced or existing Pipeline modified prior to the determination of a future application, then the HSE reserves the right to revise its advice.
3. Likewise, if prior to the determination of a future application, a Hazardous Substances Consent is granted for a new Major Hazard Installation or a Hazardous Substances Consent is varied for an existing Major Hazard Installation in the vicinity of the proposed development, again the HSE reserves the right to revise its advice.

Would Hazardous Substances Consent be needed?

4. The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

5. Hazardous Substances Consent would be required if the proposed development site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

6. Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives Sites:

Explosives Inspectorate has no comment to make as there are no HSE licenced explosives sites in the vicinity of the proposed development.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk. We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

CEMHD NSIP Consultation Team

From: [redacted]@lechladeonthames-tc.gov.uk>
Sent: Friday, October 30, 2026 13:20
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Cc: Clerks <Clerks@lechladeonthames-tc.gov.uk>
Subject: West Oxfordshire Energy Park Project

[You don't often get email from [redacted]@lechladeonthames-tc.gov.uk. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear sir / madam

I represent Lechlade Town Council and we have been asked to comment on the scoping process for the Environmental Statement for the above project.

The ES sets out the potential impacts and likely significant effects of the proposed development.

Lechlade Town Council requests that the ES scope includes the likely impact on Lechlade-on-Thames particularly the increased traffic on the A361 through Lechlade and over the Thames .

Yours Faithfully

Cllr Steve Trotter

Mayor of Lechlade

MICHEAL HOWELLS

Ministry of Defence
Safeguarding Department
DIO Head Office
St George's House
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Email:
[redacted]@mod.gov.uk

27 October 2026

Stephanie Hands
Planning Inspectorate
Environmental Services
Infrastructure Decisions and
Applications Service
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

Your reference: EN0110047
Our reference: 10072318

Dear Stephanie,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Proposed application by West Oxfordshire Energy Park Limited for an Order granting Development Consent for the West Oxfordshire Energy Park Project – Request for Environmental Impact Assessment Scoping Opinion.

Thank you for consulting the Ministry of Defence (MOD) on the request for a Scoping Opinion made by West Oxfordshire Energy Park Limited (the applicant) in respect of their proposal to build and operate West Oxfordshire Energy Park (the development) a solar photovoltaic electricity generating station on land located to the north of Kelmsccott, West Oxfordshire.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that

development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant has submitted an Environmental Impact Scoping Report (the scoping report) in relation to the construction, operation and decommissioning of the proposed energy park.

The proposed development will feature solar photovoltaic fixed or tracker type (PV) panels mounted on dedicated solar PV mounting structures, together with associated electrical infrastructure including low voltage (LV), medium voltage (MV), and high voltage (HV) switchgear, protection and control equipment, power conversion units (PCUs), collector substations, and a main substation. The development also includes a Battery Energy Storage System (BESS), underground cabling, and ancillary infrastructure such as combiner boxes and weather stations. In addition, the development incorporates security and operational measures including fencing, access tracks, and other supporting infrastructure. Biodiversity and landscaping enhancements will also be delivered as part of the scheme to support environmental integration.

The scoping report defines the area that is likely to be encompassed by a Development Consent Order (DCO) site boundary. This development area is located approximately 2.6km from the boundary of the aerodrome at RAF Brize Norton and approximately 6.3km from the boundary of the aerodrome at RAF Fairford. The development area occupies statutory height, technical and birdstrike safeguarding zones that encompass these air bases which serve to protect their operational capabilities.

Aerodrome height safeguarding zones

The aerodrome height safeguarding zones define areas around aerodromes to regulate the height of structures to prevent the obstruction of the critical air space above and surrounding the aerodrome in which the principal take-off, landing and circuiting procedures are undertaken.

The development area occupies aerodrome height safeguarding zones in which the MOD must be consulted upon developments with a height of, or exceeding, 15.2m above ground level (AGL), 45.7m AGL and 91.4m AGL in relation to RAF Brize Norton and 91.4m AGL in relation to RAF Fairford.

Based upon the information provided in section 3.2 of the report regarding the expected dimensions of the principal components that will feature in the proposed development, it is not anticipated that it will cause any physical impacts upon aerodrome height safeguarding requirements.

Aerodrome Safeguarding- Potential Glint and Glare Effects

The introduction of solar PV development in the locality of RAF Brize Norton and RAF Fairford has the potential to have an impact on aviation safety through glint and glare effects.

Section 16.3 of the scoping report identifies the need to consider potential glint and glare effects in relation to aviation safety. Relevant receptors within 30km of the proposed development are considered, RAF Brize Norton and RAF Fairford are identified in this respect. At sections 16.3.35 to 16.3.37 the need to assess potential glint and glare effects upon aviation receptors is set out

and it is confirmed that a full geometric study will be undertaken in relation to the aerodromes identified. The potential impacts on aircraft completing landing approaches to runways are identified as the main consideration. However, the potential for personnel in air traffic control towers to be affected by glint or glare will need to be assessed and it may also be relevant for potential impacts to regular air traffic circuit patterns at RAF Brize Norton and RAF Fairford to be included in the assessment too.

The scoping report does identify legislation, policy and guidance relevant to undertaking glint and glare assessments and an appropriate approach to undertaking a geometric assessment of possible effects has been outlined.

Noting the statements made at section 16.3.23 concerning green glare, it is recommended that all green glint or glare effects upon relevant aviation receptors identified through a geometric assessment should be included in assessment findings.

The MOD agrees with the conclusions reached in section 16.3.69 which confirms that aviation receptors are scoped into the glint and glare assessment that will be undertaken to ensure that no adverse aviation safety impacts are caused.

Aerodrome birdstrike safeguarding zones

The proposed development is within the statutory birdstrike safeguarding zones surrounding RAF Brize Norton and RAF Fairford. Within these zones, the principal concern of the MOD relates to the creation of new habitats which may attract and support populations of large and/or flocking bird species hazardous to air traffic.

The scoping report indicates that the development proposal will entail some habitat creation to offset habitat loss that may be caused and to enhance habitats to increase biodiversity. At this stage details of what forms of habitat will be created are not available. It is possible the proposed development may also include features to manage drainage such as balancing ponds or swales. The design of new habitats, drainage basins, waterbodies or wetland areas that may be included in the development should be undertaken to minimise the attractants that are afforded to bird species considered hazardous to air traffic operating at RAF Brize Norton or RAF Fairford.

Technical safeguarding zone

Technical safeguarding zones are designed to ensure that new development will not impact upon the effective operation of technical assets (which include communication and air navigation transmitter/receiver systems). The performance of these technical assets may be impacted by the physical attributes of a solar farm development such as their position, massing, and the materials they feature. In addition, electrical infrastructure featured in solar farms can also produce electro-magnetic fields or electrical noise emissions that may impact upon technical sites.

The development area identified does extend into a statutory technical site safeguarding zones relating to the Precision Approach Radar (PAR) at RAF Brize Norton and is in proximity to the southwestern most extent of the technical safeguarding relating to the Instrument Landing System (ILS)at RAF Brize Norton.

At this stage details of where the various components of the proposed development will be located and how they will be configured are not available. It is noted that at section 16.6.8 of the report, it is identified that the applicant will be undertaking early consultation to establish potential impacts to the operation of RAF Fairford and RAF Brize Norton. As part of this it is recommended that details of the location and configuration of the main components of the scheme relating to electricity generation, processing, transmission and storage are provided to enable the MOD to identify if the proposed development is likely to adversely affect the operation of technical assets.

The above issues will need to be addressed in the preparation of an EIA and any subsequent application(s) relating to this proposal and the MOD should be consulted at all future application stages of this proposal to allow detailed safeguarding assessments to be completed.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed on the planning inspectorate's website as of the date of this letter. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact us.

Yours Sincerely,

[redacted]

Micheal Howells

Assistant Safeguarding Manager

From: West Oxfordshire Energy Park
To: [redacted]
Subject: Fw: EN0110047 West Oxfordshire Energy Park EIA notification
Date: 10 November 2026 11:37:09
Attachments: image006.png
image007.png
image008.png
image009.png
image010.png
image011.png

From: box.assetprotection <box.assetprotection@nationalgas.com>
Sent: 05 October 2026 13:36
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Subject: RE: EN0110047 West Oxfordshire Energy Park EIA notification

> You don't often get email from box.assetprotection@nationalgas.com. Learn why this is important

Hi,

Thank you for your email.

Regarding planning application at site location EN0110047 there are no National Gas assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with www.lsbud.co.uk. Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

Jordane Maples
Asset Protection Assistant
Asset Protection

[redacted]@nationalgas.com

National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA
nationalgas.com I Twitter I LinkedIn

Please consider the environment before printing this email.

National Gas | Business Use

From: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Sent: 02 October 2026 11:20
Subject: EN0110047 West Oxfordshire Energy Park EIA notification

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Dear Sir/Madam

Please see attached correspondence on the proposed West Oxfordshire Energy Park.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **30 October 2026**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards

Joseph Jones

The Planning Inspectorate

Joseph Jones
Environmental Advisor
The Planning Inspectorate

@PINSgov The Planning Inspectorate planninginspectorate.gov.uk

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DPC:76616c646f72



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Land, Planning and External Affairs (LPEA)
National Grid Electricity Transmission (NGET)
www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
westoxfordshireenergy@planninginspectorate.gov.uk

30 October 2026

Dear Sir/Madam

RE: APPLICATION BY WEST OXFORDSHIRE ENERGY PARK LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE WEST OXFORDSHIRE ENERGY PARK PROJECT (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION RESPONSE

We refer to your letter dated 02nd October 2026 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

Having reviewed the scoping report, I would like to make the following comments regarding NGET existing or future infrastructure in close proximity to the current red line boundary.

NGET has high overhead transmission lines within close proximity the scoping area. The overhead lines form an essential part of the electricity transmission network in England and Wales.

Existing Infrastructure

Overhead Lines

4TE ROUTE 400 kV OHL	COWLEY - WALHAM
	COWLEY - MINETY

We enclose a plan showing the location of NGET's apparatus in the scoping area.

In addition, GIS shapefiles of approximate locations of our national electricity transmission network are freely available from here: https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/network-route-maps. You can also check if your works will affect our transmission network by using the Line search website: https://lsbud.co.uk/.



Figure 1: NGET Assets in proposed development area

New infrastructure

The National Energy System Operator (NESO) took over the electricity network planning responsibility from National Grid Electricity System Operator Limited (NGESO) on the 1st October 2024. Please consult with NESO separately from NGET where further information on the strategic need or capacity is sought.

Please refer to the Holistic Network Design (HND) and the NESO website to view the strategic vision for the UK's ever growing electricity transmission network:https://www.neso.energy/publications/beyond-2030/holistic-network-design-offshore-wind; and https://www.neso.energy/publications/beyond-2030

Onshore Infrastructure

It should be noted that there may be further interactions with additional new strategic infrastructure where the projects are in their early development.

NGET requests that all existing and future assets are given due consideration given their criticality to the high-voltage transmission of electricity across the UK. We remain committed to working with the promoter in a proactive manner, enabling both parties to deliver successful projects wherever reasonably possible. As such we encourage that ongoing discussion and consultation between both parties is maintained on interactions with existing or future assets, land interests, connections or consents and any other NGET interests which have the potential to be impacted prior to submission of the Proposed DCO.

The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage. https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-

projects. Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.

These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed.

The following points should be taken into consideration.

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 5 (2019)".
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines, then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors. When those conductors are under their worst conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence, we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Further Advice

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove

the requirement for objection. All consultations should be sent to the following email address: **box.landandacquisitions@nationalgrid.com**

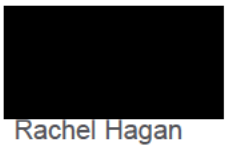
We hope the above information is useful. If you require any further information, please do not hesitate to contact the Land Development Liaison team. In the meantime, we look forward to receipt of further information and consultation relating to potential impacts on our assets.

The information in this letter is provided not withstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully,



Tiffany Bate
Lead Development Liaison Officer
Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)



Rachel Hagan
Development Liaison Support Officer
Customer Connections Site Solutions (CCSS)
Land, Planning and External Affairs (LPEA)

Technical Guidance Note 287

Third-party guidance for working near National Grid Electricity Transmission equipment

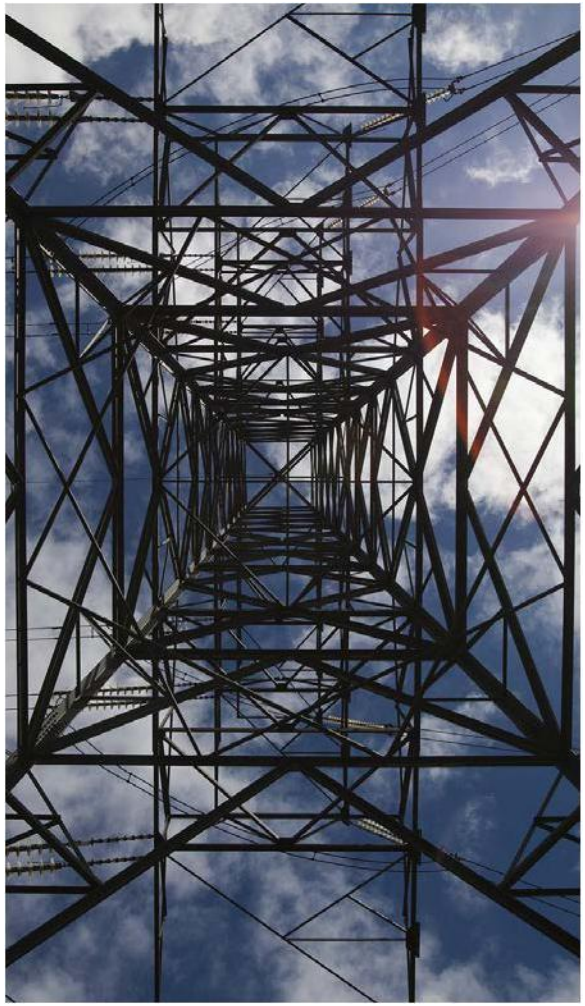


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Purpose and scope

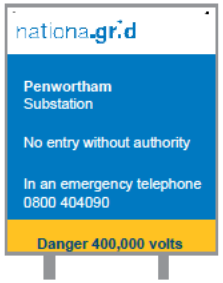
The purpose of this document is to give guidance and information to third parties who are proposing, scheduling or designing developments close to National Grid Electricity Transmission assets.

The scope of the report covers information on basic safety and the location of our assets – and also highlights key issues around particular types of development and risk areas.

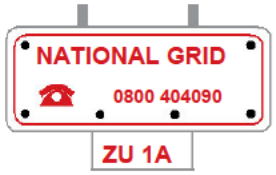
In the case of electrical assets, National Grid does not authorise or agree safe systems of work with developers and contractors. However, we will advise on issues such as electrical safety clearances and the location of towers and cables. We also work with developers to minimise the impact of any National Grid assets that are nearby.

How to identify specific National Grid sites

Substations
The name of the Substation and emergency contact number will be on the site sign.



Overhead Lines
The reference number of the tower and the emergency contact number will be on this type of sign.



Contact National Grid

Plant protection

For routine enquiries regarding planned or scheduled works, contact the Asset Protection team online, by email or phone.

www.lsbud.co.uk

Email: assetprotection@nationalgrid.com

Phone: 0800 001 4282

Emergencies

In the event of occurrences such as a cable strike, coming into contact with an overhead line conductor or identifying any hazards or problems with National Grid's equipment, phone our emergency number 0800 404 090 (option 1).

If you have apparatus within 30m of a National Grid asset, please ensure that the emergency number is included in your site's emergency procedures.

Consider safety

Consider the hazards identified in this document when working near electrical equipment

Part 1

Electricity transmission infrastructure

National Grid owns and maintains the high-voltage electricity transmission network in England and Wales (Scotland has its own networks). It's responsible for balancing supply with demand on a minute-by-minute basis across the network.

Overhead lines

Overhead lines consist of two main parts – pylons (also called towers) and conductors (or wires). Pylons are typically steel lattice structures mounted on concrete foundations. A pylon's design can vary due to factors such as voltage, conductor type and the strength of structure required.

Conductors, which are the 'live' part of the overhead line, hang from pylons on insulators. Conductors come in several different designs depending on the amount of power that is transmitted on the circuit.

In addition to the two main components, some Overhead Line Routes carry a Fibre Optic cable between the towers with an final underground connection to the Substations.

In most cases, National Grid's overhead lines operate at 275kV or 400kV.

Underground cables

Underground cables are a growing feature of National Grid's network. They consist of a conducting core surrounded by layers of insulation and armour. Cables can be laid in the road, across open land or in tunnels. They operate at a range of voltages, up to 400kV.

Substations

Substations are found at points on the network where circuits come together or where a rise or fall in voltage is required. Transmission substations tend to be large facilities containing equipment such as power transformers, circuit breakers, reactors and capacitors. In addition Diesel generators and compressed air systems can be located there.

Part 2

Statutory requirements for working near high-voltage electricity

The legal framework that regulates electrical safety in the UK is *The Electricity Safety, Quality and Continuity Regulations (ESQCR) 2002*. This also details the minimum electrical safety clearances, which are used as a basis for the Energy Networks Association (ENA) TS 43-8. These standards have been agreed by CENELEC (European Committee for Electrotechnical Standardisation) and also form part of the *British Standard BS EN 50341-1:2012 Overhead Electrical Lines exceeding AC 1kV*. All electricity companies are bound by these rules, standards and technical specifications. They are required to uphold them by their operator's licence.

Electrical safety clearances

It is essential that a safe distance is kept between the exposed conductors and people and objects when working near National Grid's electrical assets. A person does not have to touch an exposed conductor to get a life-threatening electric shock. At the voltages National Grid operates at, it is possible for electricity to jump up to several metres from an exposed conductor and kill or cause serious injury to anyone who is nearby. For this reason, there are several legal requirements and safety standards that must be met.

Any breach of legal safety clearances will be enforced in the courts. This can and has resulted in the removal of an infringement, which is normally at the cost of the developer or whoever caused it to be there. Breaching safety clearances, even temporarily, risks a serious incident that could cause serious injury or death.

National Grid will, on request, advise planning authorities, developers or third parties on any safety clearances and associated issues. We can supply detailed drawings of all our overhead line assets marked up with relevant safe areas.

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Your Responsibilities - Overhead lines

Work which takes place near overhead power lines carries a significant risk of coming into proximity with the wires. If any person, object or material gets too close to the wires, electricity could ‘flashover’ and be conducted to earth, causing death or serious injury. You do not need to touch the wires for this to happen. The law requires that work is carried out in close proximity to live overhead power lines only when there is no alternative, and only when the risks are acceptable and can be properly controlled. Statutory clearances exist which must be maintained, as prescribed by the Electricity Safety, Quality and Continuity Regulations 2002.

Under the Health and Safety at Work etc. Act 1974 and Management of Health and Safety at Work Regulations 1999, you are responsible for preparing a suitable and sufficient risk assessment and safe systems of work, to ensure that risks are managed properly and the safety of your workforce and others is maintained. Your risk assessment must consider and manage all of the significant risks and put in place suitable precautions/controls in order to manage the work safely. You are also responsible for ensuring that the precautions identified are properly implemented and stay in place throughout the work.

Work near overhead power lines must always be conducted in accordance with GS6, ‘avoiding danger from overhead power lines’, and any legislation which is relevant to the work you are completing.

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What National Grid will provide

National Grid can supply profile drawings in PDF and CAD format showing tower locations and relevant clearances to assist you in the risk assessment process.

What National Grid will not provide

National Grid will not approve safe systems of work or approve design proposals

Part 3

What National Grid will do for you and your development

Provision of information

National Grid should be notified during the planning stage of any works or developments taking place near our electrical assets, ideally a minimum notification period of 8 weeks to allow National Grid to provide the following services:

Drawings

National Grid will provide relevant drawings of overhead lines or underground cables to make sure the presence and location of our services are known. Once a third party or developer has contacted us, we will supply the drawings for free.

400kV

The maximum nominal voltage of the underground cables in National Grid's network

Risk or impact identification

National Grid can help identify any hazards or risks that the presence of our assets might bring to any works or developments. This includes both the risk to safety from high-voltage electricity and longer-term issues, such as induced currents, noise and maintenance access that may affect the outcome of the development. National Grid will not authorise specific working procedures, but we can provide advice on best practice.



Risks or hazards to be aware of

This section includes a brief description of some of the hazards and issues that a third party or developer might face when working or developing close to our electrical infrastructure.

Land and access

National Grid has land rights in place with landowners and occupiers, which cover our existing overhead lines and underground cable network. These agreements, together with legislation set out under the *Electricity Act 1989*, allow us to access our assets to maintain, repair and renew them. The agreements also lay down restrictions and covenants to protect the integrity of our assets and meet safety regulations. Anyone proposing a development close to our assets should carefully examine these agreements.

Our agreements often affect land both inside and outside the immediate vicinity of an asset. Rights will include the provision of access, along with restrictions that ban the development of land through building, changing levels, planting and other operations. Anyone looking to develop close to our assets must consult with National Grid first.

For further information, contact Asset Protection:

Email: assetprotection@nationalgrid.com
Phone: 0800 001 4282

Electrical clearance from overhead lines

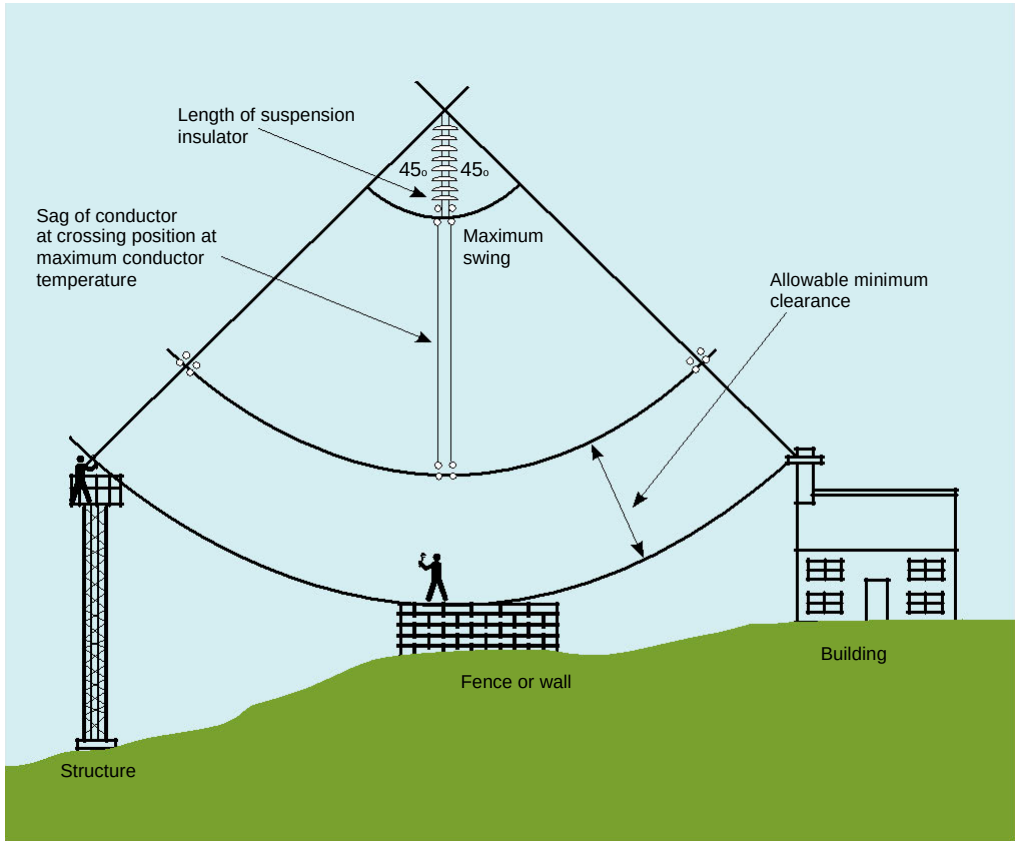
The clearance distances referred to in this section are specific to 400kV overhead lines. National Grid can advise on the distances required around different voltages i.e. 132kV and 275kV.

As we explained earlier, *Electrical Networks Association TS 43-8* details the legal clearances to our overhead lines. The minimum clearance between the conductors of an overhead line and the ground is 7.3m at maximum sag. The sag is the vertical distance between the wire's highest and lowest point. Certain conditions, such as power flow, wind speed and air temperature can cause conductors to move and allowances should be made for this.

The required clearance from the point where a person can stand to the conductors is 5.3m. To be clear, this means there should be at least 5.3m from where someone could stand on any structure (i.e. mobile and construction equipment) to the conductors. Available clearances will be assessed by National Grid on an individual basis.

National Grid expects third parties to implement a safe system of work whenever they are near Overhead Lines.

Diagram not to scale



There should be at least 5.3m between the conductors and any structure someone could stand on

We recommend that guidance such as *HSE Guidance Note GS6 (Avoiding Danger from Overhead Power Lines)* is followed, which provides advice on how to avoid danger from all overhead lines, at all voltages. If you are carrying out work near overhead lines you must contact National Grid, who will provide the relevant profile drawings.

7.3m

The required minimum clearance between the conductors of an overhead line, at maximum sag, and the ground

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The undergrounding of electricity cables at Ross-on-Wye

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Underground cables Underground cables operating at up to 400kV are a significant part of the National Grid Electricity Transmission network. When your works will involve any ground disturbance it is expected that a safe system of work is put in place and that you follow guidance such as *HSG 47 (Avoiding Danger from Underground Services)*.

You must contact National Grid to find out if there are any underground cables near your proposed works. If there are, we will provide cable profiles and location drawings and, if required, on-site supervision of the works. Cables can be laid under roads or across industrial or agricultural land. They can even be layed in canal towpaths and other areas that you would not expect.

Cables crossing any National Grid high-voltage (HV) cables directly buried in the ground are required to maintain a minimum seperation that will be determined by National Grid on a case-by-case basis. National Grid will need to do a rating study on the existing cable to work out if there are any adverse effects on either cable rating. We will only allow a cable to cross such an area once we know the results of the re-rating. As a result, the clearance distance may need to be increased or alternative methods of crossing found.

For other cables and services crossing the path of our HV cables, National Grid will need confirmation that published standards and clearances are met.

Impressed voltage

Any conducting materials installed near high-voltage equipment could be raised to an elevated voltage compared to the local earth, even when there is no direct contact with the high-voltage equipment. These impressed voltages are caused by inductive or capacitive coupling between the high-voltage equipment and nearby conducting materials and can occur at distances of several metres away from the equipment. Impressed voltages may damage your equipment and could potentially injure people and animals, depending on their severity. Third parties should take impressed voltages into account during the early stages and initial design of any development, ensuring that all structures and equipment are adequately earthed at all times.

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Earth potential rise

Under certain system fault conditions – and during lightning storms – a rise in the earth potential from the base of an overhead line tower or substation is possible. This is a rare phenomenon that occurs when large amounts of electricity enter the earth. This can pose a serious hazard to people or equipment that are close by.

We advise that developments and works are not carried out close to our tower bases, particularly during lightning storms.

Noise

Noise is a by-product of National Grid's operations and is carefully assessed during the planning and construction of any of our equipment. Developers should consider the noise emitted from National Grid's sites or overhead lines when planning any developments, particularly housing. Low-frequency hum from substations can, in some circumstances, be heard up to 1km or more from the site, so it is essential that developers find adequate solutions for this in their design. Further information about likely noise levels can be provided by National Grid.

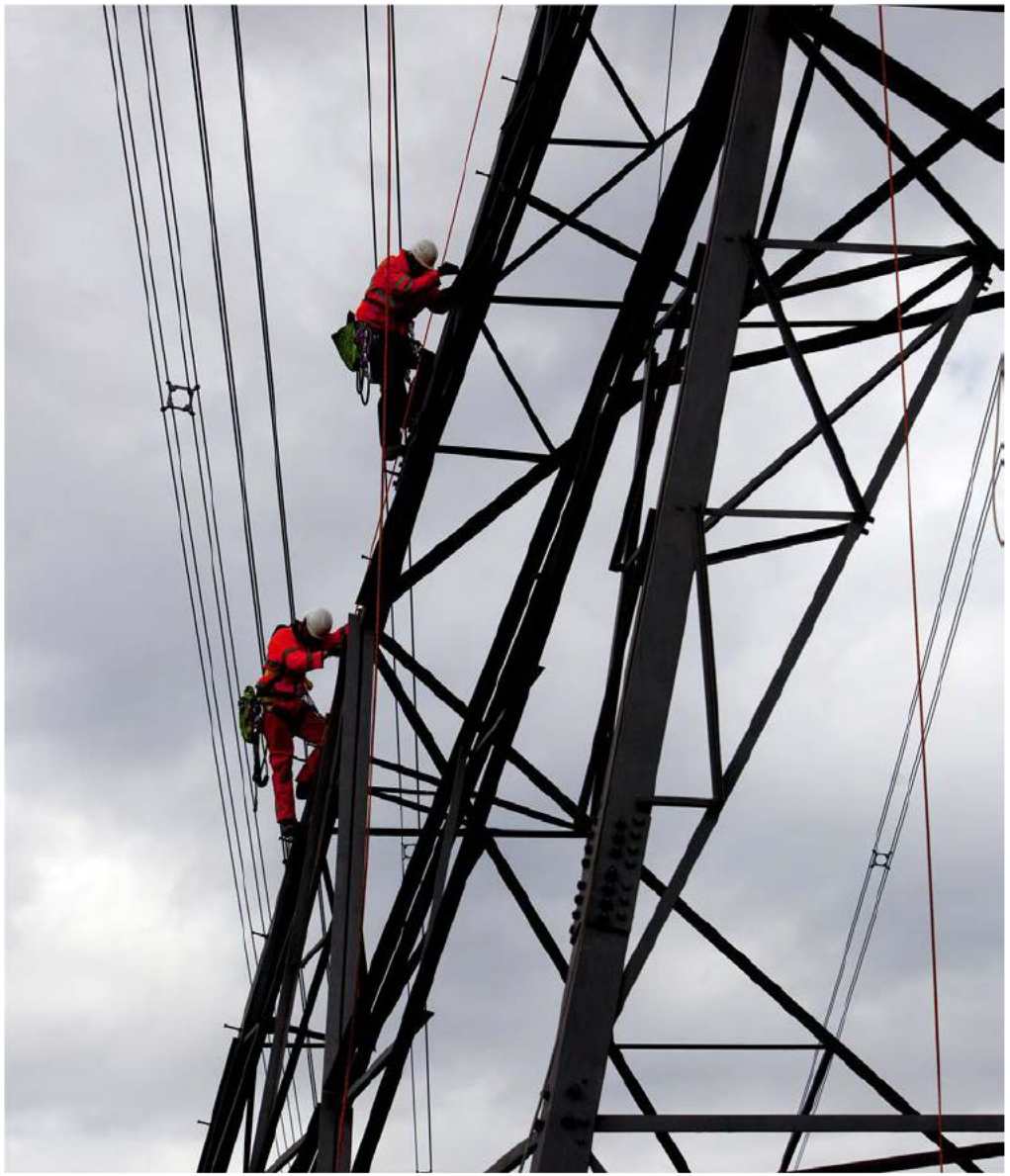
Maintenance access

National Grid needs to have safe access for vehicles around its assets and work that restricts this will not be allowed. In terms of our overhead lines, we wouldn't want to see any excavations made, or permanent structures built, that might affect the foundations of our towers. The size of the foundations around a tower base depends on the type of tower that is built there. If you wish to carry out works within 30m of the tower base, contact National Grid for more information. Our business has to maintain access routes to tower bases with land owners. For that reason, a route wide enough for an HGV must be permanently available. We may need to access our sites, towers, conductors and underground cables at short notice.

30m

If you wish to carry out work within this distance of the tower base, you must contact National Grid for more information

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Fires and firefighting

National Grid does not recommend that any type of flammable material is stored under overhead lines. Developers should be aware that in certain cases the local fire authority will not use water hoses to put out a fire if there are live, high-voltage conductors within 30m of the seat of the fire *(as outlined in ENA TS 43-8)*.

In these situations, National Grid would have to be notified and reconfigure the system – to allow staff to switch out the overhead line – before any firefighting could take place. This could take several hours.

We recommend that any site which has a specific hazard relating to fire or flammable material should include National Grid's emergency contact details (found at the beginning and end of this document) in its fire plan information, so any incidents can be reported.

Developers should also make sure their insurance cover takes into account the challenge of putting out fires near our overhead lines.

Excavations, piling or tunnelling

You must inform National Grid of any works that have the potential to disturb the foundations of our substations or overhead line towers. This will have to be assessed by National Grid engineers before any work begins.

BS ISO 4866:2010 states that a minimum distance of 200m should be maintained when carrying out quarry blasting near our assets. However, this can be reduced with specific site surveys and changes to the maximum instantaneous charge (the amount of explosive detonated at a particular time).

All activities should observe guidance layed out in *BS 5228-2:2009*.

Microshocks

High-voltage overhead power lines produce an electric field. Any person or object inside this field that isn't earthed picks up an electrical charge. When two conducting objects – one that is grounded and one that isn't – touch, the charge can equalise and cause a small shock, known as a microshock. While they are not harmful, they can be disturbing for the person or animal that suffers the shock.

For these reasons, metal-framed and metal-clad buildings which are close to existing overhead lines should be earthed to minimise the risk of microshocks. Anything that isn't earthed, is conductive and sits close to the lines is likely to pick up a charge. Items such as deer fences, metal palisade fencing, chain-link fences and metal gates underneath overhead lines all need to be earthed.

For further information on microshocks please visit **www.emfs.info.**



200m

The minimum distance that should be maintained from National Grid assets when quarry blasting

Specific development guidance

Wind farms

National Grid's policy towards wind farm development is closely connected to the *Electricity Networks Association Engineering Recommendation L44 Separation between Wind Turbines and Overhead Lines, Principles of Good Practice.* The advice is based on national guidelines and global research. It may be adjusted to suit specific local applications.

There are two main criteria in the document:

(i) The turbine shall be far enough away to avoid the possibility of toppling onto the overhead line

(ii) The turbine shall be far enough away to avoid damage to the overhead line from downward wake effects, also known as turbulence

The toppling distance is the minimum horizontal distance between the worst-case pivot point of the wind turbine and the conductors hanging in still air. It is the greater of:

- the tip height of the turbine plus 10%
- or, the tip height of the turbine plus the electrical safety distance that applies to the voltage of the overhead line.

To minimise the downward wake effect on an overhead line, the wind turbine should be three times the rotor distance away from the centre of the overhead line.

Wake effects can prematurely age conductors and fittings, significantly reducing the life of the asset. For that reason, careful consideration should be taken if a wind turbine needs to be sited within the above limits. Agreement from National Grid will be required.

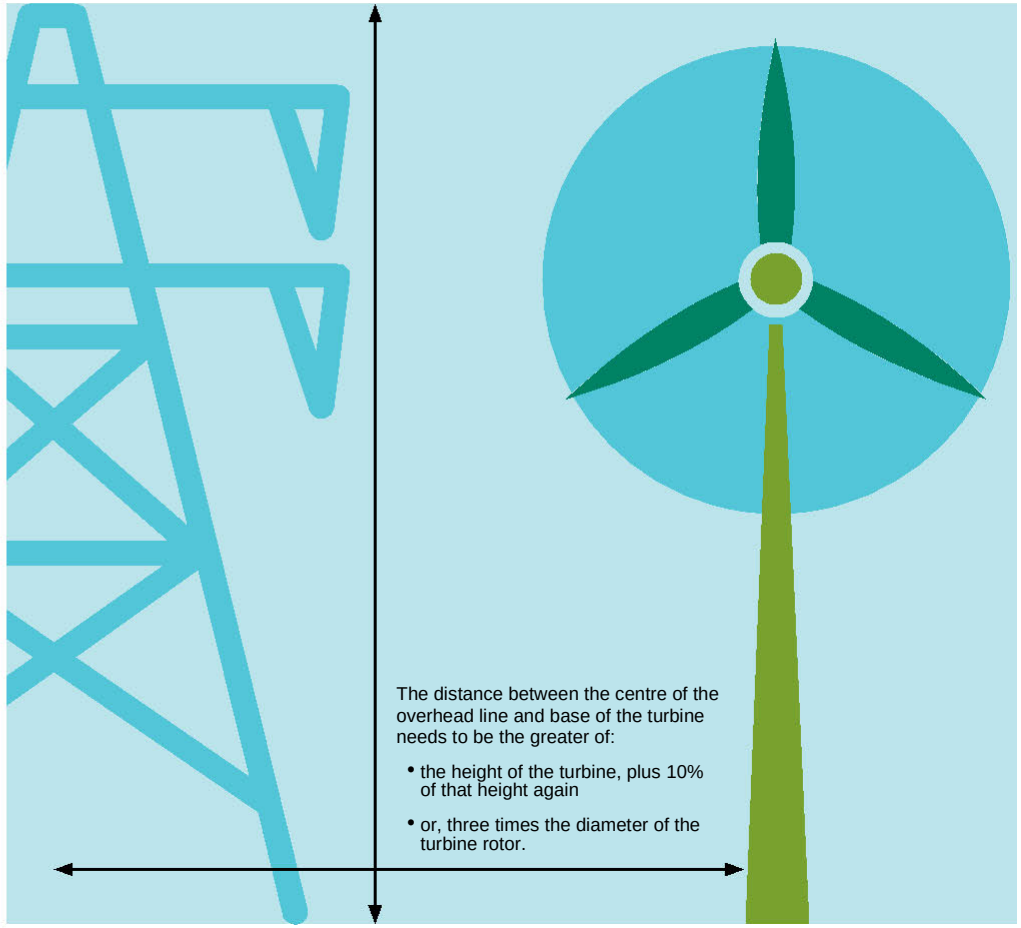
Commercial and housing developments

National Grid has developed a document called *Design guidelines for development near pylons and HVO power lines*, which gives advice to anyone involved in planning or designing large-scale developments that are crossed by, or close to, overhead lines.

The document focuses on existing 275kV and 400kV overhead lines on steel lattice towers, but can equally apply to 132kV and below. The document explains how to design large-scale developments close to high-voltage lines, while respecting clearances and the development's visual and environmental impact.

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Diagram not to scale



Turbines should be far enough away to avoid the possibility of toppling onto the overhead line

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The advice is intended for developers, designers, landowners, local authorities and communities, but is not limited to those organisations.

Overall, developers should be aware of all the hazards and issues relating to the electrical equipment that we have discussed when designing new housing.

As we explored earlier, National Grid's assets have the potential to create noise. This can be low frequency and tonal, which makes it quite noticeable. It is the responsibility of developers to take this into account during the design stage and find an appropriate solution.

Solar farms

While there is limited research and recommendations available, there are several key factors to consider when designing Solar Farms in the vicinity of Overhead Power Lines.

Developers may be looking to build on arable land close to National Grid's assets. In keeping with the safety clearance limits that we outlined earlier for solar panels directly underneath overhead line conductors, the highest point on the solar panels must be no more than 5.3m from the lowest conductors.

This means that the maximum height of any structure will need to be determined to make sure safety clearance limits aren't breached. This could be as low as 2m. National Grid will supply profile drawings to aid the planning of solar farms and determine the maximum height of panels and equipment.

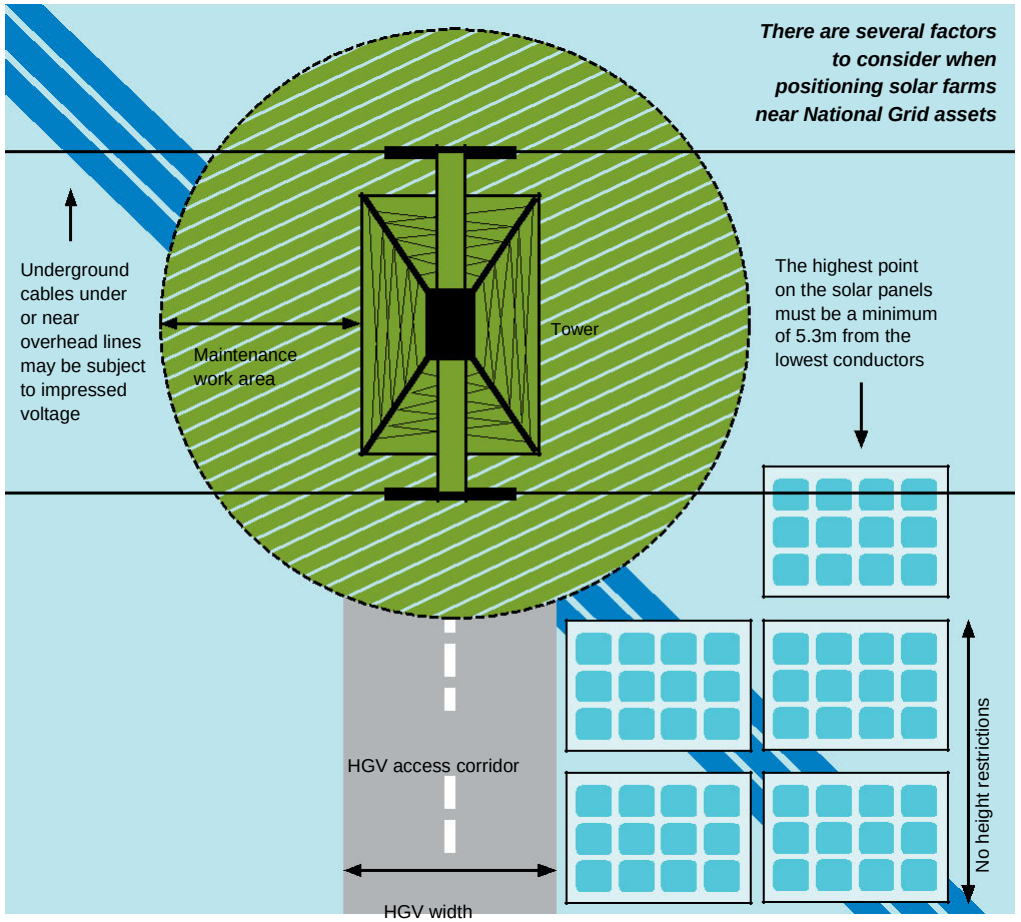
Solar panels that are directly underneath power lines risk being damaged on the rare occasion that a conductor or fitting falls to the ground. A more likely risk is ice falling from conductors or towers in winter and damaging solar panels.

There is also a risk of damage during adverse weather conditions, such as lightning storms, and system faults. As all our towers are earthed, a weather event such as lightning can cause a rise in the earth potential around the base of a tower. Solar panel support structures and supply cables should be adequately earthed and bonded together to minimise the effects of this temporary rise in earth potential.

Any metallic fencing that is located under an overhead line will pick up an electrical charge. For this reason, it will need to be adequately earthed to minimise microshocks to the public.

For normal, routine maintenance and in an emergency National Grid requires unrestricted access to its assets. So if a tower is enclosed in a solar farm compound, we will need full access for our vehicles, including access through any compound gates. During maintenance – and especially re-conductoring – National Grid would need enough space near our towers for winches and cable drums. If enough space is not available, we would require solar panels to be temporarily removed.

Diagram not to scale



Asset protection agreements

In some cases, where there is a risk that development will impact on National Grid's assets, we will insist on an asset protection agreement being put in place. The cost of this will be the responsibility of the developer or third party.

Contact details

Emergency situations

If you spot a potential hazard on or near an overhead electricity line, do not approach it, even at ground level. Keep as far away as possible and follow the six steps below:

- Warn anyone close by to evacuate the area
- Call our 24-hour electricity emergency number: 0800 404 090 (Option 1)[1]
- Give your name and contact phone number
- Explain the nature of the issue or hazard
- Give as much information as possible so we can identify the location – i.e. the name of the town or village, numbers of nearby roads, postcode and (ONLY if it can be observed without putting you or others in danger) the tower number of an adjacent pylon
- Await further contact from a National Grid engineer

[1] It is critically important that you don't use this phone number for any other purpose. If you need to contact National Grid for another reason please use our Contact Centre at www2.nationalgrid.com/contact-us to find the appropriate information or call 0800 0014282.

Routine enquiries

Email:
assetprotection@nationalgrid.com

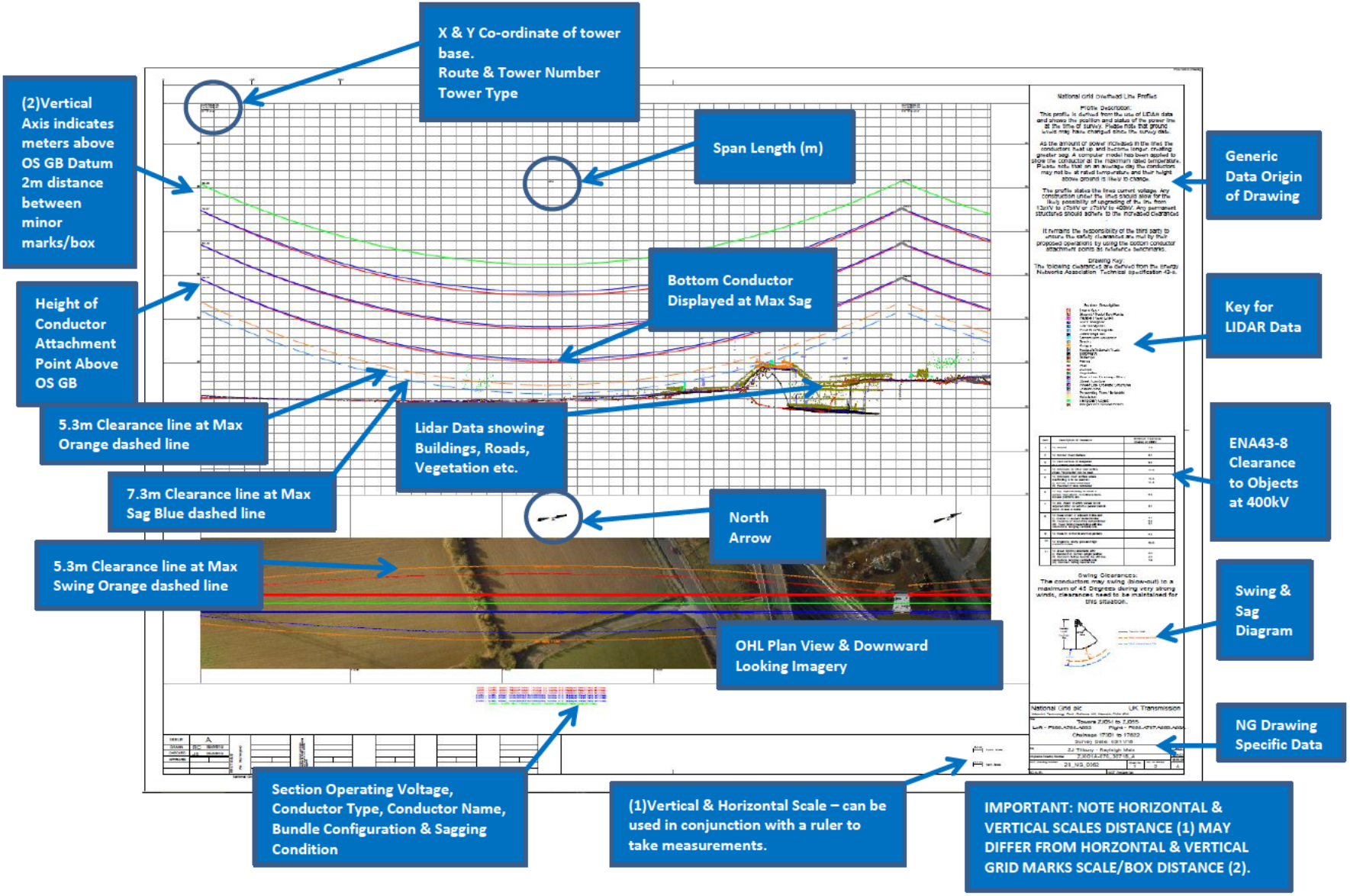
Call Asset Protection on:
0800 0014282

Opening hours:
Monday to Friday 08:00-16:00

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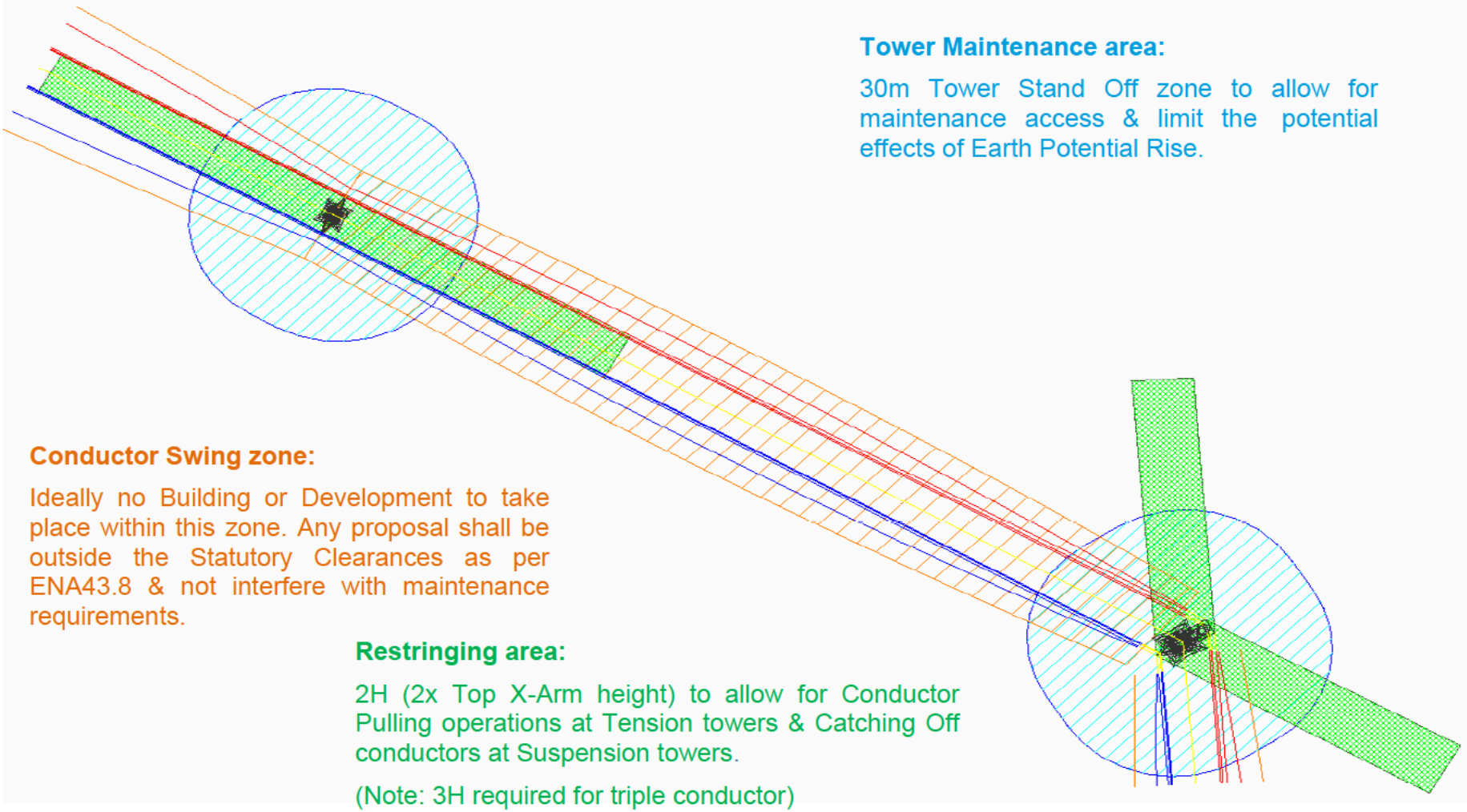
14 APPENDIX A

OHL Profile Drawing Guide



15 APPENDIX B

OHL Tower Stand Off & Reconductoring Area



Tower Maintenance area:

30m Tower Stand Off zone to allow for maintenance access & limit the potential effects of Earth Potential Rise.

Conductor Swing zone:

Ideally no Building or Development to take place within this zone. Any proposal shall be outside the Statutory Clearances as per ENA43.8 & not interfere with maintenance requirements.

Restringing area:

2H (2x Top X-Arm height) to allow for Conductor Pulling operations at Tension towers & Catching Off conductors at Suspension towers.

(Note: 3H required for triple conductor)

NH Ref: NH/26/18540
Planning Inspectorate Reference: EN0110047

Email:
westoxfordshireenergy@planninginspectorate.gov.uk

Letty Askew
Operations Directorate
Spatial Planning Team
South
National Highways
Ground Floor Building
1000 Cathedral
Square Guildford GU2
7YL

28 October 2026

Dear Sir / Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (The EIA Regulations) – Regulations 10 and 11

Thank you for consulting National Highways on the Environmental Impact Assessment (EIA) Scoping Report for the proposed West Oxfordshire Energy Park (the Proposed Development), submitted by West Oxfordshire Energy Park Limited (the Applicant) as part of the scoping process under the Planning Act 2008 and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

National Highways is responsible for operating, maintaining and improving England's Strategic Road Network (SRN). Having reviewed the information provided at this stage, we offer the following comments to inform the scope of the Environmental Statement (ES).

National Highways has focused its review on Chapter 12 (Traffic and Access) of the EIA Scoping Report. It is noted that the nearest SRN route is the A34, located approximately 22 km east of the Proposed Development and accessible via the local highway network, including the A40 and A420.

Based on the information currently available, National Highways considers that the Proposed Development is located a substantial distance from the SRN and is therefore unlikely to result in significant impacts on the safe and efficient operation of the A34.

The Applicant has identified the A40 and surrounding local highway network as the principal routes for construction traffic accessing the Proposed Development. Whilst these routes provide connectivity towards the wider SRN, the information currently available suggests that the majority of traffic movements would be accommodated on the local and county road network rather than directly on the A34.

Whilst impacts on the SRN are anticipated to be limited, National Highways agrees that Traffic and Access should remain scoped into the EIA given the scale, geographical extent and duration of the proposed construction activities. Further information should be provided to confirm construction traffic generation, routeing assumptions and the extent to which the A34 may be utilised by construction vehicles, HGVs, workforce traffic and any Abnormal Indivisible Loads (AILs).

The ES and supporting Transport Assessment (TA) should therefore include:

- Forecast construction traffic generation, including HGV, workforce and AIL movements.
- Details of the proposed routeing strategy and anticipated distribution of trips across the highway network.
- Identification of any anticipated use of the A34 corridor.
- Assessment of locations where construction traffic may interact with the SRN, including key junctions connecting the strategic and local highway networks.
- Consideration of cumulative impacts arising from other committed developments in the area.

National Highways notes that the Applicant proposes to prepare an Outline Construction Traffic Management Plan (OCTMP) to support the Development Consent Order (DCO) application.

The OCTMP should provide sufficient detail regarding:

- Approved construction vehicle routes.
- HGV management and driver routeing measures.
- Arrangements for abnormal load movements, where required.
- Traffic monitoring and review procedures.
- Mechanisms for managing and mitigating impacts on the SRN.
- Measures to minimise construction-related trips during peak periods.
- Measures to reduce single-occupancy vehicle trips by construction workers through workforce travel planning initiatives.

The OCTMP should confirm construction traffic routeing assumptions and demonstrate how any impacts on the SRN will be appropriately managed throughout the construction period. The proposed HGV routeing strategy should be developed in consultation with National Highways and the relevant Local Highway Authorities.

The Scoping Report also identifies the potential requirement for AIL movements associated with construction plant and equipment. National Highways advises that the OCTMP and supporting documents should include:

- The likely nature, scale and frequency of abnormal load movements.

- An outline AIL Strategy identifying likely routes, constraints and mitigation requirements.
- Identification of any works required on the SRN at the earliest opportunity.
- Ongoing engagement with National Highways regarding route approvals and movement management arrangements.

Based on the information currently available, National Highways agrees that Traffic and Access should be scoped into the EIA. Whilst the Proposed Development is situated approximately 22 km from the nearest SRN route and is therefore unlikely to result in significant impacts on the A34, further information will be required to understand construction traffic generation, routeing assumptions and the extent to which the SRN may be utilised during the construction phase.

National Highways therefore offers no objection to the proposed scope of the Traffic and Access assessment. The matters identified within this response should be addressed through the ES, TA, OCTMP and supporting application documents to ensure any impacts on the safe and efficient operation of the SRN are appropriately assessed.

Subject to the above, National Highways has no further comments at this stage and welcomes continued engagement as the DCO application progresses.

Please note that this response should not be interpreted as confirmation of the acceptability of the Proposed Development or its impacts on the SRN. These matters will be considered following submission and review of the DCO application and associated supporting information.

Yours faithfully

[redacted]

Letty Askew
Spatial Planner (Area 3)
Email: planningSE@nationalhighways.co.uk

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>
Sent: Monday, October 05, 2026 10:31
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Subject: RE: EN0110047 West Oxfordshire Energy Park EIA notification [SG42342]

You don't often get email from natssafeguarding@nats.co.uk. Learn why this is important

Our Ref: SG42342

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

NATS Internal

Date: 30 October 2026
Our ref: 560746
Your ref: EN0110047

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

westoxfordshireenergy@planninginspectorate.gov.uk

BY EMAIL ONLY

Dear Sir/Madam,

Environmental Impact Assessment Scoping Consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: West Oxfordshire Energy Park

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 02 October 2026.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order (DCO). Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

We have begun initial pre-application engagement with the applicant, but at the time of writing have only had one initial meeting to introduce the project.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter please contact Jonathan.shavelar@naturalengland.org.uk.

Yours faithfully

Jonathan Shavelar
Senior Officer
Thames Solent

Annex A – Natural England's Advice on EIA Scoping

1 General Principles

Regulation 11 of the Infrastructure Planning Regulations 2017 (The EIA Regulations) sets out the information that should be included in an ES to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided[1].
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development.
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), cultural heritage and landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- An outline of the structure of the proposed ES.

Natural England are satisfied that, based on the content of the EIA Scoping Report, the above principles will be adhered to in the ES.

1.1 Cumulative and In-combination Effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

a. existing completed projects
b. approved but uncompleted projects
c. ongoing activities
d. plans or projects for which an application has been made, and which are under consideration by the consenting authorities; and

[1] National Infrastructure Planning Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements (see Insert 2 – information to be provided with a scoping request)

e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England are not aware of any specific projects within the proximity of the proposed development (not discussed in the EIA Scoping Report) that we wish to bring to your attention.

2 Designated Nature Conservation Sites

2.1 International and European sites

The proposal is a significant distance from any Internationally Designated Sites. Paragraph 8.5.8 (onwards) of the EIA Scoping Report confirms that a Habitats Regulations Assessment (HRA) Screening exercise will take place. We note that Table 8-1 does not include reference to Internationally designated sites.

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

Natural England's Impact Risk Zones incorporate internationally designated sites and features and can be used to help identify the potential for the development to impact on a European Site. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal. European site conservation objectives are available at http://publications.naturalengland.org.uk/category/6490068894089216.

2.2 Nationally Designated Sites

Sites of Special Scientific Interest

The development site is in close proximity to the Cotswold Water Park Site of Special Scientific Interest (SSSI) and has been scoped into the assessment. We note that other SSSIs within 5km of the development proposal have been scoped out of further assessment. We agree this is appropriate.

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

2.3 Regionally and Locally Important Sites

We have no bespoke comments on the scoping conclusions regarding regionally and locally important sites.

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures.

3 Protected Species

We note that potential impacts to all protected species have been scoped into the assessment, which we welcome.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information, there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted standing advice for protected species which includes links to guidance on survey and mitigation.

3.1 Solar and Bats

We would like to draw the attention of the Applicant and the Examining Authority to recently published literature on the potential impacts of solar PV installations on bat species.

Paragraph 8.7.16 of the Scoping Report generally concludes that there will be a net gain in foraging opportunities for bat species. We appreciate that the potential impact is scoped in for further consideration, but the report does not refer to the latest literature on potential solar impacts.

The research and understanding of how solar development impacts bat populations is still in its relative infancy, but there are numerous studies showing negative impacts; Tinsley et al (2023)[2], Szabadi et al (2023)[3],

[2] Tinsley, E., Froidevaux, J. S. P., Zsebok, S., Szabadi, K. L. & Jones, G. (2023) Renewable energies and biodiversity: impact of ground-mounted solar photovoltaic sites on bat activity. Journal of Applied Ecology 60: 1752-1762.

[3] Szabadi, K. L., Kurali, A., Rahman, N. A. A., Froidevaux, J. S. P., Tinsley, E., Jones, G., Gorfol, T., Estok, P. & Zsebok, S. (2023) The use by solar farms in mosaic landscapes: implications for conservation. Global Ecology and Conservation e02481

Barré et al. (2024)[4], Baudouin et al. (2026)[5], and Tavernier et al. (2026)[6]. While Szoldatits et al. (2025)[7] found that 'ecovoltaic' sites in north American landscapes may benefit some bat species, the vast majority of research on the topic highlights some level of conflict between solar farms and bats.

The ES should consider in particular the potential impacts to bat populations that might arise from; loss of foraging habitats, impacts to connectivity and impacts from construction/disturbance.

3.2 District Level Licensing for Great Crested Newts

Natural England are aware that the applicant is applying to use the District Level Licensing (DLL) scheme for great crested newts (GCN).

Where strategic approaches such as DLL for GCN are used, a Letter of No Impediment (LONI) will **not** be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent).

If no GCN surveys have been undertaken, Natural England's risk zone modelling may be relied upon. During the impact assessment, Natural England will inform the applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN.

The IACPC will also provide additional detail including information on the Proposed Development's impact on GCN and the appropriate compensation required.

By demonstrating that the DLL scheme for GCN will be used, consideration of GCN in the ES can be restricted to cross-referring to the Natural England (or alternative provider) IACPC as a justification as to why significant effects on GCN populations as a result of the Proposed Development would be avoided.

4 Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under Section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here. Natural England does not routinely hold

[4] Barré, K. et al. (2024) Insectivorous bats alter their flight and feeding behaviour at ground-mounted solar farms. Journal of Applied Ecology vol61 issue 2 pp. 328-339

[5] [5] Badouin, A., Hette-Tronquart, N., Brun, C., Gay, N., Chartendrault, V., Kerbiriou C. (2026). Balancing renewable energy and biodiversity: Assessing solar farm effects on bat activity. Biological Conservation 314.

[6] Tavernier, C., Nuijten, R., Buij, R. & van Langevelde, F. (2026) Solar fields in farmlands, their impact on bat presence and activity. PLOS ONE, 21(6), e0335581.

[7] Szoldatits, K., Walston, L., Hartmann, H., Fox, L., Stanger, M.E., Steele, S.E., Hogstrom, I. & Macknick, J. (2025) Bat activity at ecovoltaic solar energy developments in the Midwestern United States. Global Ecology and Conservation, 63, e03864.

species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here.

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

5 Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 186 of the National Planning Policy Framework (NPPF) sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Paragraphs 5.4.15 and 5.4.16 of the Overarching National Policy Statement for Energy (EN-1) also set out the irreplaceable nature of ancient woodland and veteran trees.

Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. The wood pasture and parkland inventory sets out information on wood pasture and parkland.

The ancient tree inventory provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.

6 Environmental Data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at https://www.gov.uk/guidance/how-to-access-natural-englands-maps-and-data

Detailed information on the natural environment is available at www.magic.gov.uk. This includes Marine Conservation Zone GIS shapefiles.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local Wildlife Trust, local geo-conservation group or other recording society.

7 Biodiversity Net Gain

From 2 November 2026, BNG will be mandatory for Nationally Significant Infrastructure Projects (NSIPs) in England. NSIP developers who apply for a DCO on or after this date need to deliver at least 10% net gain in biodiversity.

BNG outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Whilst Natural England are not a statutory consultee with regard to BNG metrics (and as such will not make detailed comments on metric calculations and compliance) we would welcome further discussion with the Applicant regarding their approach to BNG delivery for this project and the opportunities is poses for enhancement.

8 Nationally Designated Landscapes

The development site is within the setting of the Cotswolds National Landscape. Public bodies have a duty to seek to further the statutory purposes of (national landscape) designation in carrying out their functions (under section 245 of the Levelling Up and Regeneration Act 2023). This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The Overarching Energy National Policy Statement EN-1 gives significant protection to Nationally designated landscapes and their settings (Section 5.10). Consideration should be given to the direct and indirect effects on this designated landscape and in particular the effect upon its purpose for designation. The management plan for the designated landscape may also have relevant information that should be considered in the EIA.

The environmental assessment should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive

proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 (3rd edition) produced by LI and IEMA. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the National Design Guide and National Model Design Code. The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The National Infrastructure Commission has also produced Design Principles for National Infrastructure - NIC endorsed by Government in the National Infrastructure Strategy.

9 Connecting People with Nature

The EIA Scoping Report (Paragraph 16.3.12) notes that there are 22 public rights of way across the proposed development area, as well as sections of the D'Arcy Dalton Way and connections to the Thames Path. The ES should consider potential impacts on the Thames Path which is a national trail.

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 104 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

10 Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land.

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

We note that the ALC has already been (mostly) completed and that the results are summarised in Table 2-1 of the EIA Scoping Report. There are discrepancies between table 2-1 and table 10-1. The reason for this is not clear.

Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres.

We have not been able to review Appendix 10-1 in detail, but note that the ALC methodology appears to conform to our guidance on sampling rate.

The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.

The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. We recommend that non-BMV areas are used to deliver BNG.

Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

11 Air Quality

Natural England provides the following standard advice on air pollution. **Please note** that this advice is in the process of being updated. Natural England has recently produced the Screening Tool for Air Quality Impacts from Roads (STAIR). It is currently hosted on the Institute for Air Quality Management (IAQM) website.

STAIR has been designed to provide a more ecologically relevant and scientifically robust screening approach for identifying roads that may require further assessment of potential air pollution effects on designated sites. It reflects a more comprehensive evaluation of the available evidence base rather than any change in environmental standards or legal requirements.

The purpose of STAIR is to support proportionate assessment and improve confidence in screening decisions. It is important to note that the identification of additional roads for further assessment does not, in itself, indicate likely significant effects or adverse effects on integrity. Detailed assessment, consideration of mitigation measures, and site-specific ecological judgement will continue to be required where appropriate.

The introduction of STAIR is intended to strengthen the evidence base available to competent authorities and practitioners at the screening stage and to support consistent decision-making going forward, but the below standard advice is still relevant to assessment procedure.

This advice relates to the protection of protected sites under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) and the Wildlife and Countryside Act 1981 and should be taken as Natural England's formal representation. This standard advice is applicable to all stages of the NSIP process and may be used by the applicant for NSIP pre application stages, by the Examining Authority (ExA) during the statutory stages of the NSIP and by the relevant Secretary of State as the competent authority. This standard advice may also be used for Hybrid Bills.

Protected sites are 'sites of special scientific interest' (SSSIs) and 'habitats sites' (also called 'European sites'). For the purposes of this advice, Habitats Sites are Special Areas of Conservation (SACs), possible SACs, Special Protection Areas (SPAs), Potential SPAs, Ramsar sites, and sites identified, or required, as compensatory measures for adverse effects on Habitats Sites. Although their regulatory frameworks differ, the general principles and approach for air pollution assessment outlined for Habitats Sites are also relevant for SSSIs. Where the following advice applies to both, we use the term protected sites. Where the advice or approach differs, the individual terms are used.

This includes advice on information that is required to assess this and how to interpret the results of air quality modelling for the decision maker to conclude whether air quality impacts would have an adverse effect on the integrity of a Habitat site or a SSSI. You should also consider any relevant caselaw that could affect how you carry out any air quality assessments.

Air pollutants
This advice covers the following air pollutants from the construction, operation and decommissioning phases of a proposal:

- ammonia (NH_3)
- nitrogen oxides (NO, NO_2 or NO_x)
- nitrogen deposition
- acid deposition
- sulphur dioxide (SO_2)

Standing advice on air pollution and development is also available here: https://www.gov.uk/guidance/air-pollution-and-development-advice-for-local-authorities. Whilst the standing advice does not cover NSIPs, it does include additional technical advice which may prove useful. However, in summary, Table 1 provides the steps that we advise should be taken to assess air quality impacts on protected sites. The applicant should provide their own assessment containing the information and detailed modelling you need. You need to review this and make your own conclusion.

Table 1: Sequential approach to air quality assessments

Stage	Step	Supplemental evidence/ basis for judgment

Initial screening for credible risk of an effect	**1**	Check Distance criteria - could significant emissions reach a protected site? Yes = Move to Step 2 No = No further HRA required	The Air Pollution Information System (APIS) includes an introduction to air pollution. APIS provides site specific information on the interest features of individual protected sites and the sensitivity to air quality impacts of those features. Please see Table 2 for industrial air pollution screening distances. For road traffic impacts, roads on the affected road network that lie within 200m of a designated site should be considered. Use Magic Map to check the location of designated sites. Search for the location then select the 'Designations' option.
	2	Check if the qualifying habitats or supporting habitat of qualifying species are sensitive to air quality impacts. Yes = Move to Step 3 No = No further HRA required APIS Site relevant Critical Loads and Levels (based on literature and professional judgement) http://www.apis.ac.uk/srcl Some habitats may not have a critical load because there is not enough data. In these cases, you should find the critical load for a similar habitat type or feature.	The qualifying features of Habitats Sites can be identified in the relevant Site Conservation Objectives and Supplementary advice packages, which include a definitive list of legally qualifying features. These objectives are available here. Alternatively, a list of qualifying features can also be found by searching for the Habitats Site and SSSIs on Designated Sites View , alongside Conservation Objectives and Supplementary Advice for Habitats Sites. The above links will also show whether any of the qualifying features for Habitats Sites have a Restore or Maintain Conservation Objective in relation to air quality thresholds (critical levels or loads). If the site is a SPA or an SAC/SSSI designated for an animal species (as opposed to a habitat), determine whether the predicted pollution effects on the supporting habitat will have a negative effect on the notified species.
Detailed AQ modelling	**3**	Undertake detailed modelling using a recognised dispersal model – i.e. Atmospheric Dispersion Modelling System (ADMS) Unless robust site-specific evidence is provided, we advise the lower range of the critical load should be used in modelling. If there are site specific reasons why it is more appropriate to use the higher end of the range, then this should be clearly evidenced.	Air Quality modelling should include relevant scenarios that are clearly identified. One such example of scenarios is a baseline plus future forecasts as follows: Baseline, a construction year, and future operational year(s), do nothing (without proposal), do something (with proposal); taking into account background trends for each pollutant). For proposals that will emit pollutants from a point source, it is helpful to provide isopleths of the dispersion modelling results, showing the predicted contours of pollutant concentration and deposition of the development. These may be assessed against the locations of protected sites and sensitive features within those sites. At least 3 years of meteorological data should be included within the AQ modelling for sources other than for road transport modelling The Institute of Air Quality Management (IAQM) has produced the following document to assist its members in the assessment of the air quality impacts of development on designated nature conservation sites: air-quality-impacts-on-nature-sites-2020.pdf
Applying screening thresholds	**4a**	Apply Screening Threshold Alone If below threshold alone, move to step 4b. If above = Move straight to step 5	Ascertain the Process Contribution (PC) from the plan or project (emissions and predicted deposition). Apply Screening threshold (1% of critical level or load) alone using the **annual averages**.

			If the process contribution is less than 1% of the relevant long-term benchmark (Environmental Assessment Level, Critical Level or Critical Load), the emission is not likely to have a significant effect alone irrespective of the background levels.
	4b	Apply Screening Threshold In-combination. If below threshold in-combination = No LSE/significant risk of damage etc and no further assessment required. If above = Move straight to step 5 Applicants might use the Joint Nature Conservation Committee (JNCC) 'decision-making thresholds' as a reason for not completing an in-combination assessment. If so, you should check they have correctly followed the JNCC guidance on decision-making thresholds. If this guidance shows they do not need to complete an in-combination assessment, continue to step 5. If applicants have not used the decision-making thresholds, or have not followed them correctly, they will need to provide an in-combination assessment.	Use information from competent authorities (Planning Portal, PINS NSIP register or Environmental Permitting register) to determine if there are plans or projects in the pipeline (not included in the current baseline) that should be considered in-combination If the combined process contribution is less than 1% of the relevant long-term benchmark (Environmental Assessment Level, Critical Level or Critical Load), the emission is not likely to have a significant effect **in-combination** irrespective of background levels.
Detailed Assessment of ecological impacts	**5**	This step is to consider the ecological impacts of AQ on the interest features of the designated site and is not based only on numerical figures. If it is not certain whether sensitive features are located within the areas to be impacted, a site visit may be helpful to determine this. For SSSIs, this step should provide all the information necessary, including any required mitigation, for the decision maker to determine if there would be an adverse effect on a SSSI. If Habitats Sites are impacted by the proposals, move to Step 6.	The following information is likely to be helpful for the decision maker: Is the sensitive feature(s) located within the pollution footprint? Should it be there for the site to meet its Conservation Objectives or is there some other, natural reason (e.g. hydrology), why the sensitive feature(s) would not be expected to occur there? Check APIS Trends Tab for reasonable expectation on whether background pollution may be decreasing or not. Habitats that have already been subject to high background nitrogen deposition can develop tolerance to further deposition. This cannot be used to justify further exceedance as it would undermine conservation objectives to reverse decline. You should consider predicted effects on the species richness of a habitat against the site's conservation objectives.
Appropriate Assessment (AA) for habitats sites	**6**	The competent authority to undertake their AA to conclude whether or not there will be an adverse effect on integrity (AEOI) of habitats sites. Any mitigation proposed should also be assessed at this point. Should the AA conclude that the proposal would have an AEOI that cannot be excluded with mitigation measures, consider the derogation route of the HRA process. Should compensation measures be required under derogation, please contact Natural England for specific advice.	Where mitigation is required to enable a conclusion of no adverse effect on integrity to be reached the AA must be able to show that mitigation measures can be relied upon to avoid adverse effects over the full lifetime of the project (ie construction, operation and decommissioning where relevant). To be viable, such measures should be **effective, reliable, timely, guaranteed** and of **sufficient duration**. The assessment of such measures should be supported by evidence. When deciding on whether the proposals set out in the NSIP will have an adverse effect on Integrity on a Habitats Site, the Conservation Objectives and any supplementary advice should be taken into account. Including whether the site is already exceeding the environmental thresholds for ammonia, nitrogen oxides and nitrogen deposition and has a restore conservation objective.

		Note: If an AA has been undertaken of the proposals **alone** and concluded that there will not be an adverse effect on integrity, if there are residual impacts that are not fully mitigated, these will need to be considered in combination with other plans or projects	

Mitigation measures
If you cannot conclude there is no adverse effect, the applicant will need to apply mitigation measures. Measures will only be appropriate if you can quantify their effectiveness in reducing emissions on the protected site. You should check that mitigation measures are in place to avoid adverse effects on site integrity over the lifetime of the project.

Mitigation may include measures that:

- the applicant volunteers
- you impose through formal conditions or restrictions in any permission or authorisation – these may be different or stricter measures than ones proposed by the applicant

Examples could include:

- relocation or redesign of developments to avoid impacts on protected sites
- control of other emissions of the same pollutants with an overlapping effect
- a change in stack height for industrial processes
- Euro 6 standards for construction machinery
- adding wooded shelterbelts, trees, green walls and hedges to limit dispersal of emissions, as long as these measures in themselves would not negatively impact the protected site

Table 2: Industrial air pollution screening distances

Emission source	Distance for SSSIs	Distance for habitats sites
Industrial developments	2km	5km
General combustion processes (under 20MW energy input)	500m	500m
General combustion processes (20MW to 50MW energy input)	2km	2km
General combustion processes (over 50MW energy input)	2km	10km
Mechanical and biological waste treatment	500m	500m
Landfill waste	2km	2km
Compost (under 500 tonnes maximum annual operational throughput)	500m	500m
Compost (500 to 75,000 tonnes maximum annual operational throughput)	1km	1km
Compost (over 75,000 tonnes maximum annual operational throughput)	2km	2km
Airports, helipads and other aviation proposals	5km	5km
Oil and gas exploration and extraction	500m	500m
Quarries	200m	200m
Other industrial developments causing air pollution	500m	500m

Additional advice

Common Standards Monitoring[8] is used to define the ecological condition of a protected site. It is undertaken on a broader level and does not currently consider air quality impacts. The relevant benchmark for assessing impacts is the critical thresholds. Therefore, the existing status of a designated site should not be the sole reason for judgement on potential impact.

For many protected sites, the current background pollution may already be exceeding the relevant critical load/level from a different source type to the project being assessed (e.g. where the main source of background exceedance is due to agriculture, but the proposal is an industrial project). Proposals must consider their own impacts against the relevant environmental thresholds. There are many reasons why background levels are high, but the conservation objective is to 'maintain or restore' air pollutants to within these benchmarks. The objective would be undermined by proposals that add further emissions, including if it compromises any strategic initiatives to reduce air pollution levels.

You must determine if there is evidence that the increased emissions represent a measurable risk and could compromise the strategic initiatives. You would need to consider information on:

- the extent to which any declining national trends in air pollution, or strategic initiatives to tackle emissions affecting the site more locally, might otherwise lead to improvements
- the rate at which such improvements are anticipated
- the extent of the impacts of a plan or project, and whether those impacts can properly be considered temporary and reversible

If the affected area is small, consider the risk to site integrity proportionally. For example, how important is the area in terms of rarity, location, distribution, vulnerability to change and ecological structure. If it is a supporting habitat, consider its importance to the designated species on the site. Consider any site survey information that may provide evidence of existing impacts.

Emissions from road transport (if applicable)
Emissions from road transport may be an operational impact or be limited to the construction phase of proposals. Roads on the affected road network that lie within 200m of a designated site should be considered. If all affected roads are further than 200m from a protected site, then there is no likely significant effect (habitats sites) or no impact (SSSIs) on protected sites from air pollution.

Improvements in vehicle technology and a move to further electrification of the vehicle fleet will, over time, result in lower background levels of nitrogen deposition and nitrogen oxide pollution near to roads. As most sites are currently over the relevant thresholds and have a "restore" objective, this should be noted as a "retardation" of the restore objective and expressed in months and years. Retardation of less than one year is acceptable as air quality is considered against an annual average. Please note that ammonia impacts cannot be assessed in this manner as there is no certainty of a declining trend.

Defra Emissions Factor Toolkit
The Defra Emission Factor Toolkit (EFT) allows for gradual introduction of electric vehicles into the fleet (cars and LGVs) up to 2050. These are the emission factors we advise that NSIPs should be using (which we advise should also consider ammonia emissions as well as NOx – using one of three sets of emission factors available). However, the User Guide to the EFT highlights that calculation tools only support assessment years up to a certain date (2040 in the current version), reflecting that predictions and assumptions beyond then

[8] https://jncc.gov.uk/our-work/common-standards-monitoring

become less certain. Where EFT calculated emissions are to be used after this date to inform air quality assessments, the EFT indicates that appropriate caveats around the limitations of the analysis must be included to accompany the assessment. We therefore advise that emission factors no later than 2040 are used for HRAs– which would mean percentages of EVs are at predicted 2040 levels. A key concern is that, although EVs themselves have no tailpipe emissions, and the percentage of them will increase, the remaining combustion engine vehicles on the road may become more polluting as they age as selective catalytic reduction technology may create 'ammonia slip' over time. Ammonia slip is the unreacted ammonia (NH_3) that escapes from a selective catalytic reduction (SCR) or selective non-catalytic reduction (SNCR) system used to reduce NOx in exhaust gases. Please note that the current EFT should be used and the noted date may change over time.

Motorways within the affected road network

Please note the following paragraph relates to NSIP proposals where air quality impacts are being considered as a result of increased traffic only. This approach is not appropriate for proposals that would alter the strategic road network.

There is potentially an added complexity to the need for in-combination assessments when considering traffic on motorways, as including these roads can mean that the assessment takes account of traffic growth related to strategic factors or long range (external) trips that are independent of the specific plan or project and neighbouring plans or projects. These roads are strategically important and tend to have high volumes of traffic as well as being well represented in traffic models. The air quality assessment should therefore include traffic flows on these roads, but the external trips can be excluded from the initial screening assessment. A justification and explanation of which journeys are included and excluded in the traffic model should be provided.

The conclusions reached on the air pollution impacts of the HRA must be incorporated into the wider HRA conclusions for other impact pathways identified for the proposals.

Reference: EN0110047

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Re: West Oxfordshire Energy Park - Oxfordshire County Council response to EIA Scoping consultation

Dear Stephanie Hands,

Please find attached Oxfordshire County Council's technical comments on this Environmental Impact Assessment (EIA) scoping consultation for a West Oxfordshire Energy Park Project. Unless stated otherwise, references made are in respect to the consultation documents which can be found on the Planning Inspectorate's website: Documents | West Oxfordshire Energy Park

OCC has considered the proposed scope of each chapter. Whilst there are topics for which the scope is agreed, for others topics additional information should be included in the Environmental Statement (ES) in order to ensure assess the significance of environmental impacts of the proposed development. In particular, OCC questions the appropriateness of the approach to scoping out Human Health, Waste, Ground Conditions and Utilities and Telecommunications. Additional information will also be required on a number of other topics such as, but not limited to, Landscape and Visual. Furthermore, a fuller explanation as to how reasonable alternatives and cumulative effects have been considered should be included as part of the ES. These points are set out in full below at Appendix 1 of this letter.

If you have any queries, please do not hesitate to contact us.

Yours faithfully,

George Gurney
Lead Strategic Planner (NSIP)
[redacted]

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Appendix 1- Detailed comments

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1. Introduction – Chapter 1

Grid connection

1.1. It is noted at paragraphs 1.1.4 and 1.1.5 that it is a 'reasonable working assumption' that "the point of connection and the National Grid Substation would be located within or immediately adjacent to the DCO Site [b]oundary", and that the specific location of the grid connection solution for the proposed development is subject to a separate optioneering and consenting process undertaken by National Grid. It is also acknowledged at paragraph 1.1.6 that further scoping and/or environmental assessment may be required "should the connection solution and National Grid Substation location change".

1.2. The need to undertake further scoping and/or environmental assessment may apply where any materially different effects are likely to arise, such as where further information comes to light regarding the connection solution and/or National Grid Substation which specifies where the location of these will be, what the parameters will be and when this is expected that this will be delivered.

1.3. Any subsequent refinement of scope should be agreed with relevant consultation bodies in writing, with evidence and a clear justification submitted as part of the ES.

Legislative Context and the Need for EIA

1.4. Paragraphs 1.4.11 and 1.4.12 set out the Development Plan for the administrative areas of West Oxfordshire District Council and Oxfordshire County Council for which the proposed scheme falls entirely within, and 'selective other material considerations', respectively. The following should be noted:

- Reference to Oxfordshire County Council Minerals and Waste Local Plan Part 1 Core Strategy (2017) [Ref 1-11] is duplicated in paragraph 1.4.12. For the avoidance of doubt, Oxfordshire County Council's Minerals and Waste Local Plan is a part of the Development Plan as outlined within the NPPF so should be omitted from this section.
- Oxfordshire County Council's Local Nature Recovery Strategy (adopted in November 2025) should be noted within the list at 1.4.12.

2. The Proposed Development – Chapter 3

Rochdale Envelope and Decommissioning

2.1. The Rochdale envelope approach as set out by the Applicant is referenced at paragraph 3.1.2. It should be noted that this approach requires the assessment of the worst-case scenario of environmental impacts, even when these do not 'exist' yet. An illustrative example of this from EIA case-law was considered by the High Court in 2025 where for a new ferry terminal the Rochdale envelope required the inclusion a type of ship which doesn't exist yet because the

terminal has a 50-year design life.[1] In a similar fashion, the applicant's assessment needs to be able to incorporate the worst-case scenario arising from the lack of photovoltaic recycling facilities, to mitigate against these as appropriate.

2.2. The commitment to undertake decommissioning in phases, rather than all at once, is welcomed. However, in the absence of local facilities with the ability to recycle photovoltaic panels within Oxfordshire, the worst-case scenario must be capable of being properly assessed and mitigated against in line with the Rochdale Envelope approach. Further comment from OCC's Minerals and Waste planning team can be found below at section 13 of this response.

3. EIA Methodology and Approach – Chapter 4

Consideration of Alternatives

3.1. At paragraph 4.9.1 quote Paragraph 4.3.17 of NPS EN-1 as stating that "*where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements*"

3.2. With respect to the nearby Cotswolds National Landscape, it should be noted that section 245 of the Levelling Up and Regeneration Act 2023 amended the duty which applies to national landscapes, such that "*in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority [...]* ***must seek to further*** *the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty*."[2] Therefore, where any land in the Cotswolds National Landscape is identified as being affected, the ES should provide a substantiated position as how alternatives which cause less impact have been considered in light of the duty on the Secretary of State to have furthered the statutory functions of the national landscape when coming to a decision as to whether to consent the application for the respective Development Consent Order.

3.3. See further comment on the need for the consideration of alternatives in respect of Best and Most Versatile Agricultural Land (BMV) below at section 9 of this response.

4. Cumulative Effects Assessment – Chapter 5

Zone(s) of Influence

4.1. Table 5-2 sets out the Zones of Influence (ZOIs) by environmental discipline. Whilst justification for some of these is provided in the footnotes on page 5-4 of the report, not all of the ZOIs for each of the environmental disciples have been

[1] *Associated Petroleum Terminals (Immingham) Ltd & Anor, R (On the Application Of) v Harbour Master for the River Humber* [2025] EWHC 1992 (Admin)
[2] Section 85 of the Countryside and Rights of Way Act 2000, as amended

sufficiently justified. The ES should explain the methodology for each environmental discipline and justify the limits of each with reference to the relevant guidance and industry best practice.

Consultation with Host Authorities on Long list / Short lists

4.2. The omission/inclusion of developments for cumulative assessment should be informed by appropriate consultation and agreement with the relevant bodies including, but not limited to, the host local authorities (HA).

Cumulative Impact on Mineral extraction

4.3. There is limited evidence in the EIA report that proper consideration of the cumulative impact of impacts on minerals resources or waste capacity is currently planned to be undertaken.

4.4. At table 5-2 setting out the zones of influence, there is no mention of either of these environmental disciplines. This of particular concern to OCC as a Minerals and Waste planning authority since, of the seven NSIPs currently within Oxfordshire, six of them will sterilise minerals currently in a Mineral Safeguarding Area.

4.5. It is should also be noted that the Oxfordshire Strategic Rail Freight Interchange NSIP is a notable omission from the long list in this respect.

5. Cultural Heritage – Chapter 6

Report paragraph 6.2.2

5.1. The scoping report sets the study area as a 1km buffer from the DCO boundary. Whilst this is a standard study area for smaller sites such as housing estates and smaller solar farms other larger scale proposals under DCOs applications have required larger study areas due to their scale, such as the White Horse Reservoir which set a study area of 2km from the DCO boundary.

5.2. The DCO area is located within a landscape of considerable archaeological interest with inter-related cropmarks extending beyond the proposed study area. Historic Environment Record data was obtained for a larger general area as detailed red line boundaries were not provided at the time of the request and so no opportunity was provided to highlight this previously. We would highlight that to obtain a thorough understanding of the archaeological significance of the site this wider area should be considered for the baseline in line with the study area for the setting of the heritage assets.

Report paragraph 6.3.1

5.3. As OCC has not seen these baseline surveys it is not possible to comment if this is an appropriate baseline at this stage however in general this is what we would expect to have been drawn upon but may need to make further comments once these have been submitted. It is important to note however that whilst existing evidence suggest this area has considerable archaeological interest a large part of this evidence is derived from cropmark evidence which is very dependent on land use and availability of aerial photography at

appropriate dates. As such there is a high likelihood that the that there are further archaeological features and sites which have yet to be identified.

5.4. Whist a geophysical survey is currently underway this an also highly dependent on the nature of features and overlying soil types and it has been demonstrated within the County that this cannot be relied upon in most cases to have fully identified the presence and extent of all archaeological features. Such non-intrusive surveys rarely provide sufficient evidence on their own to appropriately assess the archaeological significance of identified remains as evidence on the level of survival and the dating of features is usually absent from the data. As such the description of archaeological significance within the cultural heritage chapter is likely to require additional data from intrusive fieldwork to appropriately assess the significance of any heritage assets that may be impacted by this development.

Report paragraph 6.3.2

5.5. Targeted geophysical survey and targeted evaluation is likely to be required to inform the assessment of significance of the heritage assets on the site contained within the cultural heritage chapter in order to describe the significance of any heritage assets that may be impacted by the proposed site as required by NPS-EN1, para 5.9.12, and not simply to inform a mitigation response.

5.6. The results of any additional field surveys will need to be included in the baseline and cultural heritage chapter along with details of any proposed impacts. As set out in the recent Historic England Historic Environment Advice Note 15 2026 (Box 3) where there is uncertainty on the extent of the ground disturbance then the cultural heritage chapter should include an assessment based on a worst-case scenario.

Report paragraph 6.3.8

5.7. Given the three designated sites within the DCO area along with the number of undesignated heritage assets that may be of demonstrably equivalent significance to a scheduled monument as highlighted within this scoping document any such remains would need to be considered subject to the policies for designated assets (NPS-EN1 5.9.7). As such we would defer to the advice of Historic England on the requirement for further investigations on the site.

Report Paragraph 6.3.14

5.8. The setting of undesignated heritage assets, particularly those of demonstrably equivalent significance to scheduled monuments will also need to be considered within the cultural heritage chapter.

Report Paragraph 6.3.19

5.9. OCC would agree that there is the potential for the undesignated heritage assets to be of equivalent significance to a scheduled monument and data to support an appropriate assessment of this significance will need to be obtained and assessed within the cultural heritage chapter. As any such archaeological features would need to be considered in line with the policies for designated

sites then this must be appropriately understood prior to determining any application to ascertain whether they should be considered in line with these policies when reaching such a decision.

Report paragraph 6.3.22

5.10. The significance of archaeological deposit not currently identified will also need to be assessed within the cultural heritage chapter and this will need to be confirmed through archaeological fieldwork and included within the baseline.

Report paragraph 6.6.5

5.11. Any mitigation will need to be informed by a thorough understanding of the significance of any archaeological deposits and the actual impacts of the detailed design. As highlighted within the scoping report this may include areas of currently unknown archaeological interest. The Solar practice guide does highlight that where sufficient information on both the archaeological significance of a heritage asset and the impact of the proposed scheme is understood then it may be possible to change the timing of the evaluation however it is important to note that this evaluation will still need to be undertaken to identify further areas of archaeological interest that may be disturbed by the development.

Report paragraph 6.7.3

5.12. Whilst this scoping report highlights that construction impacts to designated sites has been scoped out this is not extended to archaeological deposits of equivalent significance to a designated site. Construction impacts to any such undesignated archaeological sites of equal significance to the scheduled monument should also be scoped into assessment of construction impacts.

Report paragraph 6.7.11

5.13. As set out in our response for paragraph 6.7.3 construction impacts to any undesignated archaeological sites of equal significance to a scheduled monument should also be scoped into assessment of construction impacts.

Report paragraph 6.8.1

5.14. Given the presence of three SMs within the proposed DCO area as well as the recognised potential for undesignated heritage assets of demonstrably equivalent significance within the area we feel it would be appropriate to defer the consideration of the scope of the required evaluation to Historic England.

Report section 6.9

5.15. In general, OCC agree with what has been scoped in. We would however highlight that the direct impacts to undesignated heritage assets of demonstrably equivalent significance to a scheduled monument would also need to be scoped into assessment of construction impacts.

6. Landscape and Visual – Chapter 7

Development description

6.1. The Scoping report includes a section on the proposed development. This provides details on the development components and their dimensions but does not include information where within this the site these are to be located. For example, the location and details of the Power Conversion Units (PCU), the collector substation, the BESS compound and the main substation are not yet provided. This information is important in order to understand the impact of the scheme on landscape character and views. More detail on the development and the distribution and appearance of the elements will be required. More detail on decommissioning and what elements of the scheme will remain after that should also be provided.

Landscape and Visual Impact Assessment (LVIA)

6.2. The applicant's EIA Scoping report includes a chapter on Landscape and Visual. Landscape and visual issues should be considered in conjunction with other related issues such as biodiversity, arboriculture, green infrastructure, agricultural land, heritage, Public Rights of Way (PRoW) and drainage.

6.3. The council agrees that a Landscape & Visual Impact Assessment (LVIA) in accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), TGN01/24 the Technical Guidance Note 06/19 'Visual Representation of Development Proposals' by the Landscape Institute (June 2019) is required. The LVIA should assesses effects during construction and operation, and should also provide information on what the landscape will look like after decommissioning. It should assess direct and indirect effects (e.g. impacts on perceptual qualities) and take account of lighting and cumulative effects with other developments in the area. The LVIA should inform the mitigation.

Methodology – significance

6.4. The Council welcomes the applicant's approach to determining significant effects outlined in para 7.5.5., in which they state that not only *major* and *major-moderate* effects will be considered significant, but that *moderate* effects could also potentially be significant. Professional judgement and clear justification will need be provided for deciding whether *moderate effects* are deemed 'significant' or 'non-significant'. The council considers this approach to be in line with GLVIA3 and TGN 01/24.

Study area:

6.5. A preliminary study area of 3km based on the preliminary ZTV is being proposed. Whilst this might be appropriate, it will need to be informed by the final ZTV, which should be based not only on the PV areas but on all elements including the collector substation, the BESS area and the main substation.

Landscape Baseline

6.6. Both the National Landscape Character Area and the West Oxfordshire LCA (WELCA) are proposed to be scoped out. Whilst scoping out the national character profile might be acceptable, the WOLCA is one of the local landscape character assessments and should be scoped-in in the same way the Oxfordshire Wildlife & Landscape Study (OWLS) is being scoped in.

6.7. The Cotswold Water Park Integrated Landscape Character Assessment (CWPILCA) is proposed to be scoped-out, but it is difficult to comment on this without knowing, which area it covers. It should be shown on Figure 7-3 to inform judgement on whether it can be scoped-out.

6.8. The baseline information should also include the Oxfordshire Historic Landscape Character Assessment (Oxfordshire Historic Landscape Characterisation project | Oxfordshire County Council).

6.9. The landscape assessment should not only assess the impact on the local landscape character areas (LCAs) but also include an assessment of impacts at a site-level and on characteristic elements. Potential impacts on tranquillity and the dark sky should also be assessed.

Visual Baseline

ZTV (Zone of Theoretical Visibility)

6.10. A preliminary ZTV has been prepared but it is based on a 4.5m height parameter and does not include the collector substation, the BESS area and the main substation as its location is not yet known. Whilst this is understood, it is important that the ZTV is revised taking account of all elements of the scheme, including the substations.

6.11. The ZTV, study area and viewpoint selection will need to be an interactive process, and will need to be reviewed once all information is available. ZTVs should be provided for the different elements of the scheme, separately and in combination with each other, so that it is clear which areas and receptors will be affected by which elements.

Visual Receptors:

6.12. Visual receptors should also include cyclists and walkers in addition to motorists when considering road receptors.

6.13. It is noted that paragraph 7.3.50 sets out the PRoW located within the Site which will be 'scoped-in' to the LVIA, and that further desk and site work will be used to determine if other PRoW located within the study area would be 'scoped-in' to the LVIA. This should be done in consultation with the PRoW and Landscape officers at OCC.

6.14. Baseline surveys of countryside access networks and use patterns should be undertaken pre-development as desk surveys and standard transport surveys do not usually capture these and there are no other data sources. OCC would welcome engagement in formulating the methodology; a spread of access typologies capturing key access and user types is needed (e.g. promoted route, utility route, connecting route, horse, walker etc).

6.15. Any countryside access assessment for this development could also follow the approach used for transport WCHARs - looking at a wider impact area (for wider network impact/opportunity) and as part of that looking at source/destinations as well as different current and potential activity type (e.g. active travel routes, health & fitness routes, greenways etc).

6.16. Finally, the countryside access network should be assessed for its potential in delivering co-benefits for (better) connected habitats, species corridors, landscapes, amenity and social spaces.

6.17. Public highways should not only consider A-roads but also the narrow country lanes within and near the site as these are characteristic features and tend to also be used for walking and cycling

Viewpoints and visualisations

6.18. The council agrees that all viewpoints should be represented by Type 1 visualisations in line with Landscape Institute's TGN 06/19. In addition, photowires or fully rendered photomontages (Type 3 visualisations) will need to be provided for selected representative viewpoints.

6.19. Whilst the selection of viewpoints looks appropriate overall, it is difficult to judge whether they capture all required receptors without more detail on the location and visibility of the various elements related to the scheme, and without seeing the Type 1 images.

6.20. The same uncertainty applies to agreeing visualisations. Some flexibility will need to be retained until further information, and a draft ES are available.

<u>Cumulative effects</u>

6.21. Para 7.5.12 of the report states cumulative effects during operation will be scoped-in but construction effects will be scoped-out. Considering the level of developments and level of activity in the wider area, construction and decommissioning phases should be scoped in.

<u>Construction effects</u>

6.22. Para 7.6.2 outlines likely landscape and visual effects of the construction phase. This list should also include perceptual changes, such as impacts on tranquillity.

6.23. Effects on landscape character should also include effects on vegetation.

<u>Mitigation & Design</u>

6.24. Para 7.6.12 includes several mitigation measures including setting back of proposed solar PV arrays, power conversion units, the main substation and other built elements from sensitive receptors. Whilst this is supported as a general approach, more detail on distances and the make-up of buffers is required to understand the effectiveness of the mitigation measures.

<u>Trees and vegetation</u>

6.25. The Scoping includes little information on the impacts on vegetation. Impacts on existing mature vegetation such as trees and mature hedgerows should be avoided by ensuring that the development is located at sufficient distance from trees and their root protection areas (RPA).

6.26. An Arboricultural Survey in accordance with BS5837:2012 (Trees in relation to construction) to assess the impact on existing trees and other mature vegetation will be required should the development have the potential to adversely affect mature vegetation. This should not only consider trees and hedgerows within the application boundary but also adjacent to the site where mature vegetation might be affected.

6.27. An Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) should be undertaken and submitted using the tree survey data to determine the impact of development on nearby trees.

National Landscape

6.28. The council agrees that the LVIA should scope-in effects on the National Landscape and assess the effects of the proposed development on landscape character and views to and from the CNL.

6.29. The council also agrees that consideration will need to be given to the statutory duty towards the National Landscapes, and that an assessment of potential effects on the natural beauty and special qualities of the Cotswolds National Landscape (CNL) is provided.

Residential Amenity Assessment (RVAA)

6.30. The council agrees that the RVAA is required and that this should be in line with the Landscape Institute's TGN 02/19. However, the council questions the use of a standard 100m distance - further justification on this approach is required especially since the guidance considers close-proximity receptors potentially to include those within 50 – 250m proximity to the development (para 4.7). The council considers that effects on residential amenity should be assessed individually and on a case-by-case basis.

Night-time assessment

6.31. Lighting has the potential to cause significant adverse effects, especially in rural areas like this one. The scoping report proposes to scope-out night-time effects on the basis that lighting would be limited to construction and decommissioning phases, and maintenance operations. The council understands that no operational lighting as such is proposed for the PV areas but the potential use of lighting at compounds and substations as well as maintenance lighting is insufficiently understood. The council therefore considers that lighting is scoped-in until the lighting and its potential impact are better understood.

7. Ecology and Biodiversity – Chapter 8

7.1. Overall, the proposed scope of the assessment is in line with guidance. The completed and ongoing assessments are also considered appropriate. However, the following points should be considered further:

7.1.1. Despite inclusion in the heading 'Ancient Woodland, Veteran and Ancient Trees' the report does not discuss the presence/absence or potential impact to veteran and ancient trees.

7.1.2. Consideration of the LNRS habitat provisions is appreciated, and OCC would advocate further consideration when finalising the post-development design. There should also be considerations for the species measures outlined within the LNRS.

7.1.3. Detailed comments cannot be made on the suitability of the protected species surveys due to the absence of specific survey data at this stage of the project. What has been presented is considered likely in line with guidance.

7.1.4. The development will result in the loss of a large area of arable land, and it is expected that this habitat change will result in a significant loss of nesting habitat for farmland birds such as skylark and yellow wagtail. The extent of this habitat loss, and its impact to farmland birds needs to be considered in detail with appropriate mitigation and compensation.

7.1.5. There is a concern that development has the potential to impact the conservation status of harvest mouse as a result of the loss of arable land. The extent and likelihood of this impact should be considered within the final reports.

7.1.6. For reptiles, it would be considered best practise for a refugia survey to be completed to help inform the project, but it is acknowledged in this instance that this survey should not be needed as long as appropriate, avoidance, mitigation and enhancement measures are secured.

7.1.7. It is noted that only one pond recorded presence of GCN. This result should be considered within the context of the 2026 drought and the likelihood of meta-populations within the local network of waterbodies.

7.1.8. Most of the proposed buffers around the IEFs are appropriate, but the proposed minimum buffer of 8m for watercourses should be increased to 10m to further protect otter and water vole and avoid the riparian area for watercourse BNG.

7.1.9. It would be considered best practice to consider waterbodies within 500m of the development's boundary.

7.1.10. Habitat and species enhancement measures will be expected alongside BNG provisions and protected species mitigation and compensation.

8. Water Environment – Chapter 9

8.1. Water Environment has predominantly been scoped into the Environmental Impact Assessment, which the LLFA considers to be appropriate. It is anticipated that a Flood Risk Assessment and Drainage Strategy will be developed to support the application.

8.2. Elements scoped out include ground conditions and tidal flood risk. It may be worth considering scoping in ground conditions with respect to potential for infiltration drainage for any structures that are to be formally drained. This would include winter groundwater monitoring and infiltration testing to inform the design of any proposed infiltration drainage features.

8.3. It is anticipated that other consultees will also be consulted on groundwater quality and fluvial flood risk.

9. Soils and Agriculture – Chapter 10

Consideration as part of site selection / consideration of alternatives

9.1. It is noted from figure 10-1 and summarised by paragraph 10.3.12, that 111.8h of Best and Most Versatile (BMV) Agricultural Land is being proposed to be used, and that this represents 12.1% of the proposed DCO Site Boundary. It is also noted that parcels of land were not assessed due to the presence of historic monuments, and that a part representing 4.9% of the site boundary was proposed to be assessed in October 2026.

9.2. There is limited evidence in this chapter or chapter 4 (as noted above) as to how the baseline information such as ecological value and agricultural land classification has informed site selection, consideration of alternatives, and subsequently project refinement. Such project refinement could include the provisions for certain parcels of BMV land to be used as farmland, ensuring adequate access provisions etc. are considered. These are points that the ES should demonstrate due consideration of.

10. Transport and Access – Chapter 12

10.1. Oxfordshire County Council (OCC), as Local Highway Authority (LHA), has reviewed Chapter 12 – Transport and Access of the EIA Scoping Report, together with the supporting construction routing plan, cycle network information and collision analysis.

10.2. The LHA is broadly satisfied with the proposed scope and approach to assessing transport and access effects. It is agreed that the principal transport effects are likely to arise during the construction phase. However, the following matters should be addressed within the Environmental Statement (ES) and supporting Transport Assessment (TA).

Scope and assessment methodology

10.3. The proposal to scope in construction effects relating to severance, driver delay, non-motorised user delay and amenity, fear and intimidation, and road safety is considered appropriate. The proposed use of the **IEMA (now ISEP) Environmental Assessment of Traffic and Movement (2023)** guidance is also considered appropriate.

10.4. The assessment should not rely solely on numerical thresholds. Appropriate professional judgement should also be applied having regard to local highway conditions and sensitive receptors, particularly where construction traffic passes through settlements or interacts with pedestrians, cyclists, equestrians and users of Public Rights of Way (PRoW).

Construction traffic, routing and surveys

10.5. The ES/TA should provide a clear construction traffic forecast, including HGV, LGV and construction workforce movements. This should identify the peak construction period and provide daily and, where relevant, peak-hour movements, together with the proposed distribution and assignment of

construction traffic across the highway network. Consideration should also be given to managing construction vehicle movements outside network peak hours and school drop-off and pick-up times to minimise disruption to the local highway network and other road users.

10.6. The preliminary assumptions of up to 64 HGV deliveries per day, equivalent to 128 HGV movements, and a peak workforce of approximately 400 personnel per day should not be treated as agreed parameters at this stage. The ES/TA should demonstrate the derivation of these figures and test a reasonable worst-case scenario, broken down by construction phase, route, access point and time period.

10.7. The proposed construction routes and site accesses should remain subject to further assessment and consultation with OCC as the project develops. Route suitability assessments should consider, where relevant, carriageway width and geometry, visibility, structures and weight restrictions, swept-path requirements, existing traffic conditions and vehicle speeds, sensitive receptors, interaction with vulnerable road users and any temporary or permanent highway works required.

10.8. The assessment should also consider the resilience of the proposed construction routes, including how traffic would be managed if an agreed route became temporarily unavailable. Any necessary contingency or diversion routes should be identified and assessed in advance, rather than relying on unsuitable local roads at short notice.

10.9. The route assessments should demonstrate that the proposed level and type of construction traffic can be safely accommodated, particularly where routes pass through settlements or use rural roads of restricted width or alignment.

10.10. The purpose-built haul-road option identified as Internal Route 7 should be robustly investigated and compared with the alternative routes. No preference or agreement to this route is given at this stage; however, its potential to reduce construction HGV movements on constrained rural roads and through nearby communities means that its feasibility and deliverability should be properly established before the construction access strategy is finalised.

10.11. **Highway condition surveys will be required along the agreed construction routes before construction commences and following completion of the construction works**. These should provide an appropriate record of highway condition to enable any deterioration or damage attributable to construction traffic to be identified and appropriately addressed. The extent of the surveys should be agreed with OCC once the construction routes are established.

10.12. The proposed seven-day Automatic Traffic Counter surveys are acceptable in principle. Survey locations and scope should be agreed with OCC and undertaken during representative periods. Where necessary, appropriate junction turning counts and pedestrian and cycle surveys should also be undertaken. The applicant should also consider seasonal variation when determining whether the survey data provides a representative baseline,

including the potential influence of visitor traffic on the A361 associated with Cotswold Wildlife Park.

Highway capacity and road safety

10.13. The Scoping Report indicates that detailed junction capacity modelling is not currently expected to be necessary, with construction deliveries proposed to be managed outside network and school peak periods. **The LHA considers that it is too early to reach this conclusion.**

10.14. The need for junction capacity assessment should be reviewed once baseline traffic data, construction traffic forecasts and the proposed distribution and assignment of construction traffic are available. Where a material impact is identified, appropriate capacity assessment should be undertaken and agreed with OCC. Where transport modelling is required, the proposed methodology, assumptions and inputs should be agreed with OCC before the modelling is undertaken. The resulting outputs should also be provided to OCC before they are relied upon to develop or justify highway mitigation or design proposals.

10.15. **Road safety should remain scoped in**. The assessment should use the most recent available five-year personal injury collision data and consider collision patterns along the proposed construction routes and around site accesses, rather than relying solely upon identified collision clusters. Any new or materially altered highway accesses or highway improvement works should be subject to the appropriate Road Safety Audit process. The applicant should also confirm the collision-data period used, as Chapter 12 and the figure heading refer to 2020–2024, while the legend to Figure 12-3 refers to 2021–2025. The ES and supporting figures should use a consistent and clearly stated assessment period.

Walking, cycling and Public Rights of Way

10.16. The ES should assess the interaction between construction traffic and pedestrians, cyclists, equestrians and PRoW users, including locations where construction routes cross or run alongside existing routes.

10.17. Particular consideration should be given to severance, delay, amenity, fear, intimidation and road safety, including locations where users share the carriageway or where pedestrian and cycle provision is limited. Appropriate mitigation should be identified where significant effects are found.

Construction traffic management and workforce travel

10.18. The proposed Outline Construction Traffic Management Plan (OCTMP) is supported. This should establish the principles for managing construction traffic, including agreed HGV routes, delivery arrangements and hours, measures to prevent inappropriate routing, temporary traffic management, including any temporary road closures, temporary signals, convoy working, delivery restrictions, emergency access arrangements and coordination with other activity affecting the highway network, site access arrangements, wheel washing/road cleaning and appropriate monitoring and enforcement arrangements.

10.19. The proposed Outline Travel Plan for the construction workforce is also supported. Given the anticipated peak workforce of approximately 400 personnel per day, the ES/TA should assess workforce travel and identify appropriate measures to minimise single-occupancy car travel, including shuttle buses and car sharing where practicable.

Cumulative effects

10.20. The ES/TA should assess cumulative transport effects alongside other committed or reasonably foreseeable developments which could generate traffic on the same highway network during the construction period. Particular consideration should be given to overlapping construction programmes and HGV routes. The developments included within the assessment should be agreed with OCC. The cumulative assessment should also consider interaction with planned highway, utility and other works affecting the proposed construction routes. The applicant should engage with OCC Network Management as the programme develops so that potential conflicts, route restrictions and competing demands for road space can be identified and managed at an early stage.

Operational and decommissioning phases

10.21. **The LHA is not yet in a position to agree that detailed operational transport effects can be scoped out.** This may be acceptable where sufficient evidence is provided within the ES to quantify the anticipated workforce, servicing, maintenance and replacement movements and demonstrate that significant transport effects would not arise. Should operational traffic materially change as the scheme develops, the need for further assessment should be reconsidered.

10.22. **The LHA is not yet in a position to agree that decommissioning transport effects can be scoped out solely on the assumption that they will be equivalent to or less than construction.** A separate quantitative assessment may not be required where the ES provides sufficient evidence that the reasonable worst-case scale, nature, routing and duration of decommissioning traffic would not exceed the construction scenario assessed. The proposed future Decommissioning Traffic Management Plan is supported.

Abnormal and large loads

10.23. Whilst abnormal or large loads may not result in a significant environmental effect requiring separate detailed assessment within the ES, their practical highway implications should still be appropriately considered.

10.24. Where such movements are required, suitable routes should be demonstrated and any necessary swept-path assessments, structural considerations, temporary highway works or traffic management identified. Appropriate engagement should be undertaken with OCC, National Highways and other relevant parties as necessary. The anticipated type, dimensions, weight, frequency and timing of these movements should be identified sufficiently early to allow route suitability and network implications to be properly considered. Reliance on the standard abnormal-load notification process alone would not demonstrate that the local highway effects have been adequately assessed.

Overall position

10.25. Subject to the matters above, the LHA considers the proposed scope and methodology for the Transport and Access assessment to be broadly appropriate. The proposed scoping-in of the identified construction transport effects is supported.

10.26. The LHA is broadly content with the proposed approach to operational and decommissioning transport effects, subject to the assumptions being appropriately evidenced within the ES. However, the need for detailed junction capacity assessment should remain under review as the baseline data, construction traffic forecasts and routing strategy are developed.

10.27. Continued engagement with OCC is requested as the construction programme, traffic forecasts, site accesses, routing strategy, baseline surveys and proposed highway works are developed, so that the detailed scope of the transport assessment and any required mitigation can be agreed prior to submission of the DCO application.

10.28. NOTE: Any works affecting the public highway, including temporary accesses, passing places, highway alterations, utility diversions or temporary occupation of the highway, will require the appropriate OCC technical approvals, agreements, licences and/or permits. Early engagement with OCC Network Management will be required, including where works interact with Lane Rental routes or existing and planned highway and utility activity.

11. Socio-economics – Chapter 13

11.1. Enterprise Oxfordshire provides support to developers and major employers to implement Community Employment Plans for major development proposals in Oxfordshire. This is both at construction phase and end-use.

11.2. Enterprise Oxfordshire notes the comments and welcomes paragraph 13.7.3 in which it states there will be training and apprenticeship opportunities for residents during the Construction phase of the development. These opportunities can be achieved via the engagement with Enterprise Oxfordshire Skills and working collaboratively with schools.

11.3. Paragraph 13.7.1 states *'The Proposed Development would create direct, indirect and induced jobs during the Construction and Decommissioning phases. The Proposed Development would likely require a large construction workforce.'* Enterprise Oxfordshire advises the engagement with local stakeholders to ensure the majority of construction roles (400 as specified in paragraph 13.7.1) remain locally sourced and utilises employment initiatives via Jobcentre Plus to achieve this. Prior engagement in schools is also advised, via Enterprise Oxfordshire Skills, to discuss specific construction jobs the development will require. This provides ample time for a sufficient pipeline of

young people qualified in the relevant construction roles, therefore maximising the local workforce.

11.4. Oxfordshire traditionally experiences a tight labour market which means the region has low unemployment rates compared to national averages. This sits around 2.7%, compared to the national average of 4.5%. (https://www.nomisweb.co.uk/reports/lmp/lep/1925185588/report.aspx?town=oxford#tabempunemp)

11.5. This can be interpreted as a good indicator for the region however, it does mask the challenge for business to recruit and retain labour within a competitive labour market.

11.6. There is also a need to address persistent employment and education inequalities within Oxfordshire's most deprived areas. Overall Oxfordshire has relatively low levels of deprivation: it is one of the least deprived upper-tier local authorities in England, ranking 146 out of 153 in England. (https://data.oxfordshire.gov.uk/imd-2025/).

11.7. Local Planning Authorities within Oxfordshire are currently addressing these issues with the use of Community Employment Plans and/or Employment, Skills Training Plans for major development proposals. These plans can be a planning condition and/or secured by a S106 obligation. Plans typically include the following activities:

- Apprenticeships and vocational technical pathways
- Employment and training initiatives for all ages, including both taster and work experience placements and Sector- Based Work Academies
- Traineeships for younger people, including those who are not in employment, education or training (NEET)
- Best endeavours to maximise local labour, including pre-employment training, local procurement agreements – potential for local businesses to be included in tender lists
- Support for local skills and training events – i.e. Oxfordshire Apprenticeship Awards, Careers Fest (Oxfordshire's career event for schools and FE colleges), National Apprenticeship Week, National Careers Week
- School, College and University engagement initiatives such as site visits, school visits and project support
- Inclusive economic activities such as the use of social enterprises within the supply chain, volunteering, charitable donations, and community outreach projects, particularly relating to skills and employment initiatives.

11.8. Information about Community Employment Plans can be found on our website which includes the Community Employment Plan Evidence Paper 2023 setting the rationale for the policy. The Future Oxfordshire Partnership (a joint committee of the 6 councils and other key strategic partners) endorsed the paper on November 28th, 2023, and resolved that Local Planning Authorities support CEP policies within Local Plans as well as publishing the paper on Enterprise Oxfordshire Skills website to provide context for the development industry. In addition to this resource, a Developers' Handbook, templates

and monitoring tools are also available to support developers devise and implement these plans.

11.9. OCC would recommend that the West Oxfordshire Energy Park EIA Scoping proposal consider how a Community Employment Plan could be implemented on the site, focused more widely than just training and apprenticeship opportunities. By working with local stakeholders such as training providers, local schools, Jobcentre Plus and other local employment programmes. The plan can then support community employment opportunities via direct employment, contractors and including local supply chain partners, for the construction phase.

12. Climate Change – Chapter 14

Policy Baseline

12.1. The ES should update the policy baseline to reflect the energy National Policy Statements in force at the time of assessment, including the 2025 EN-1 which came into force on 6 January 2026, and ensure the climate assessment responds to the current provisions relating to climate change, resilience, net zero and Clean Power 2030 (Paragraph 14.4.1).

GHG Baseline and Avoided Emissions

12.2. Paragraphs 14.5.9, 14.5.23-14.5.24 and 14.6.3 indicate that the carbon intensity and potential emissions benefit of the Proposed Development may be assessed by comparison with the current/existing UK electricity grid. However, paragraphs 14.6.4-14.6.5 acknowledge both that grid carbon intensity is expected to decrease over the operational lifetime of the Proposed Development and that the existing grid is unlikely to represent the appropriate 'without development' baseline over that period.

12.3. The ES should clearly distinguish between the absolute whole life GHG emissions of the Proposed Development, and the calculation of avoided/displaced emissions arising from new renewable electricity generation.

12.4. Where avoided emissions are quantified over the operational lifetime of the Proposed Development, the assessment should explain and justify the counterfactual, and provide appropriate sensitivity testing against credible future grid decarbonisation assumptions. The comparison with 2026 grid carbon intensity should not be used to represent grid emissions throughout the lifetime of the project without further justification.

PAS 2080:2023

12.5. The references to PAS 2080 modules mapped across the lifecycle stages are welcomed, and the commitment to assess GHGs in line with PAS 2080 standards (14.6.2). Paragraph 14.5.2 establishes a good intention to identify GHG 'hot spots' which will subsequently enable the identification of priority areas for mitigation in line with ISEP guidance.

12.6. However, the mitigation mechanisms described in 14.6.6 and 14.6.7 are principally expressed through environmental management plans which are yet to be drawn up (CEMP, OEMP, DEMP), and general good practice measures. PAS 2080 carbon reduction hierarchy should inform design and optioneering, not just construction and operational carbon reduction and management.

12.7. The ES should demonstrate how the PAS 2080 carbon reduction hierarchy has been integrated into the design and optioneering of the Proposed Development to date, well as identifying downstream carbon reduction opportunities.

Whole Life Carbon Scoping

12.8. Table 14-12 includes end-of-life GHG emissions, including transportation and disposal of waste, and paragraph 14.6.4 confirms that embodied emissions associated with the manufacture and replacement of solar panels will be included.

12.9. The ES should clarify that the whole-life assessment will also include the manufacture and, where relevant, replacement of other material components, particularly the BESS and associated electrical infrastructure, and identify the service-life and replacement assumptions applied.

Wildfire and Drought Risk

12.10. Extreme weather events have been scoped into the CCRA (Table 14-13), as expected. The ES should focus specifically on the interaction between increasing wildfire and drought risk from hotter, drier summer conditions, and the consequences and emergency management implications of having BESS on site. There is no expected increase in risk of wildfire or drought from the scheme, but the interactions of the proposed infrastructure with these specific climate risks should be explored.

13. Other Environmental Matters – Chapter 16

Human Health – Section 16.4

13.1. The Public Health team does not agree with the proposal to scope Human Health out of the Environmental Statement. Whilst the applicant proposes that health-related effects will be considered within individual technical chapters, this approach risks overlooking broader health and wellbeing impacts that are not readily captured by topic-specific assessments alone. In particular, the ES should consider impacts on mental wellbeing, community anxiety and stress, health inequalities, vulnerable groups, and the cumulative influence of multiple environmental effects on population health and wellbeing. It is noted that such impacts may arise throughout the project lifecycle, including during consultation, construction, operation and decommissioning phases.

13.2. It is therefore recommended that Human Health is scoped into the Environmental Statement as a dedicated chapter. This chapter should draw together findings from relevant technical assessments and provide a coherent assessment of likely significant effects on population health and wellbeing,

including the identification of appropriate mitigation and enhancement measures. The assessment should consider both adverse and beneficial effects and should clearly identify any disproportionate impacts on vulnerable or disadvantaged groups.

13.3. In undertaking this assessment, the applicant is encouraged to utilise the Oxfordshire Health Impact Assessment Toolkit and the Oxfordshire Data Hub to inform the baseline, evidence base, assessment framework and identification of local health priorities. Use of these established local resources would help ensure that the assessment reflects local population needs, health inequalities and the wider determinants of health relevant to the affected communities. OCC consider that these resources provide an appropriate and proportionate framework for assessing health effects associated with the proposed development.

13.4. Should the Planning Inspectorate determine that a standalone Human Health chapter is not required, the Public Health team would expect the applicant to provide a clearly defined health assessment framework within the ES demonstrating how health and wellbeing effects, including mental wellbeing, community stress and anxiety, vulnerable populations, health inequalities, and in-combination health effects, will be assessed and reported.

Waste – Section 16.5

13.5. It is noted that matters of relevance to Minerals and Waste are both included within Chapter 16 'Other Environmental Matters' rather than being considered in individual chapters. OCC understands that this categorisation reflects that the applicant's believe either the limited nature of the assessment required, or the expectation that the proposed development would not result in significant effects. It is also understood that the generic EIA methodology set out in Chapter 4 of the EIA Scoping Report does not apply to Chapter 16, including Minerals and Waste.

13.6. However, insufficient information has been provided on the quantities and types of waste likely to arise, and the proposed management routes for waste generated throughout construction, operation and importantly, decommissioning. Without this information, the County Council as Minerals and Waste planning authority, does not consider it currently possible to determine the likely significance of the development in relation to waste, or the appropriate scope of assessment. Clarification is therefore sought on the basis on which it has been concluded that the assessment for waste within Chapter 16 is sufficient to assess the potential significance of waste-related effects.

Waste Arisings from the Development

13.7. From the submitted documents, including Chapter 16, it is not readily apparent how many PV panels are likely to be required for the proposed development, or the resulting quantities of materials that would require management, as waste, during construction, operation and decommissioning.

13.8. Given the scale of the proposal, potentially substantial quantities of material could require management, including PV Panels and associated electrical and supporting infrastructure. Paragraph 16.5.16 confirms that waste would arise during the Operational Phase through periodic maintenance and replacement of infrastructure, including PV panels, Power Conversion Units and BESS.

13.9. Paragraph 16.5.11 acknowledges that the exact quantities and types of waste likely to be generated during construction, operation, including replacement activities, and decommissioning are not currently known. However, paragraph 16.5.21 concludes that no significant waste effects are anticipated.

13.10. OCC considers that further information is required to substantiate this conclusion. In particular, reasonable estimates of the principal waste streams and the quantities of waste arisings and their management routes should be established to enable the potential significance of waste to be assessed.

13.11. Decommissioned PV panels have the potential to represent a substantial waste stream, the scale and management of which has not been quantified. The likely quantity of this waste stream, together with the extent to which it could reasonably be expected to be reused, recycled, recovered or disposed of, should therefore form part of the assessment.

Waste Management Routes

13.12. Paragraph 16.5.22 states that the assessment "will also consider changes in available landfill void capacity."

13.13. Whilst OCC does not consider that landfill capacity alone provides an adequate basis for assessing the effects associated from waste generated from the development, it is recognised that this approach is in line with the Rochadale Envelope and the need to consider the worst case scenario. However, OCC would like to see consideration of other waste management capacity in accordance with the applicant's commitment to applying the waste hierarchy.

13.14. Paragraphs 16.5.14, 16.5.17. 16.5.19 and 16.5.20 commit to applying the waste hierarchy. The assessment should therefore identify the principal waste streams anticipated during construction, operation and decommissioning and, where practicable, provide reasonable estimates of their quantities.

13.15. It should then assess how those waste streams are expected to be managed in accordance with the waste hierarchy, including the potential for prevention, reuse, recycling and other recovery before disposal is considered.

13.16. Although it may not be possible at this stage to identify the specific waste-management facilities that would ultimately receive all waste, particularly at decommissioning, this should not prevent an assessment of the likely quantities and types of waste generated, the likely management routes, and the potential implications for relevant waste-management capacity.

Conclusion on waste matters

13.17. The Council does not consider that sufficient information has currently been presented to support the conclusion at paragraph 16.5.21 that no significant waste effects are anticipated.

13.18. There is currently insufficient information on the quantities and types of waste likely to arise during construction, operation and decommissioning, including waste arising from the replacement and eventual removal of PV panels and associated infrastructure, to determine the likely significance of waste-related effects.

13.19. OCC acknowledges the proposed use of an Outline Construction Environmental Management Plan and Site Waste Management Plan. However, these management measures should not substitute for an appropriate assessment within the Environmental Statement of the likely waste arisings and their potential effects. The assessment should establish the principal waste streams and reasonable estimates of their quantities and identify the assumptions made regarding their likely management in accordance with the waste hierarchy.

13.20. OCC also considers that the reference to changes in landfill void capacity should form only part of the assessment. The assessment should demonstrate how the waste hierarchy has been applied, and consider the availability, and capacity of appropriate waste management facilities for these arisings.

13.21. It should be noted that these are similar points which were raised in Botley West Solar Farm's Scoping Report where the Planning Inspectorate Scoping Opinion disagreed with the applicant's decision to scope out impacts from waste.[3]

Risk of Major Accidents and Disasters – Section 16.6

13.22. It is It is anticipated that other consultees including the Ministry of Defence will also be consulted and provide comments on this matter, in particular in relation to the potential impacts on RAF Brize Norton and RAF Fairford.

Ground Conditions – Section 16.7

13.23. It is noted that matters of relevance to Minerals and Waste are both included within Chapter 16 'Other Environmental Matters' rather than being considered in individual chapters. OCC understands that this categorisation reflects the applicant's position either the limited nature of the assessment required, or the expectation that the proposed development would not result in significant effects. It is also understood that the generic EIA methodology set out in Chapter 4 of the EIA Scoping Report does not apply to Chapter 16, including Minerals and Waste.

13.24. Given the potential significance of the proposal on Oxfordshire's mineral resources, and its intention to support the Environmental Statement through a

[3] EN010147-000012-EN010145 - Scoping Opinion.pdf

Mineral Resource Assessment, clarification is sought on why minerals have been categorised as an 'Other Environmental Matters". The County Council as Minerals and Waste Planning Authority considers the potential effects on safeguarded mineral resources could be significant and there is insufficient evidence at this time to conclude that only a limited assessment is required.

13.25. Oxfordshire County Council (OCC) has previously received and provided an initial response to the preliminary Mineral Resource Assessment (PMRA) (Appendix 16-3).

13.26. A revised PMRA has subsequently been submitted to OCC, and initial discussions have since taken place between the Council and the site promoter regarding the updated assessment. Whilst a full response to the revised PMRA will be provided in due course, this response to the Scoping Report draws on relevant information contained within the revised PMRA where appropriate.

Mineral Resources

13.27. As set out within the Scoping Paper, the application site covers a substantial part of the Minerals Safeguarding Area for sand and gravel. Minerals Safeguarding areas are designated in the Oxfordshire Minerals and Waste Local Plan Part 1: Core Strategy (2017) (OMWLP). Policy M8 is therefore relevant to the consideration of this site in future submissions and has been provided below for ease of reference.

Policy M8: Safeguarding mineral resources
Mineral resources within the Mineral Safeguarding Areas shown on the Policies Map are protected for potential future use. Development that would prevent or hinder future mineral extraction will not be permitted unless it can be demonstrated that:

- *The site has been allocated for development in an adopted local plan or neighbourhood plan; or*
- *The need for the development outweighs the economic and sustainability considerations relating to the mineral resource; or*
- *The mineral will be extracted prior to the development taking place.*

13.28. The policy also establishes Mineral Consultation Areas, based on the Mineral Safeguarding Areas, are shown on the Policies Map. Within these areas the District Councils will consult the County Council on planning applications for non-mineral development.

13.29. In considering whether the proposal satisfies Policy M8, given that the proposed development is not allocated in a Local Plan and prior extraction of the mineral is not proposed, OCC would expect any future submission to demonstrate that the need for the development outweighs the economic and sustainability considerations associated with the mineral resource.

13.30. It is welcomed that a full Mineral Resource Assessment will be submitted alongside this proposal.

Comments on the Scoping Paper

13.31. Mineral Safeguarding Areas are designated to protect mineral resources from sterilisation or constraint and to safeguard their potential availability to meet future local and national mineral needs. Safeguarding is therefore concerned with the longer-term availability of mineral resources and is not limited to requirements identified within a single Minerals and Waste Plan period.

Paragraph 6.7.15

13.32. For clarification, the Strategic Resource Areas (SRAs) referred to in the Scoping Paper 16.7.15 are a separate Policy consideration under Policy M3 of the adopted MWLP. SRAs form part of the adopted spatial strategy for meeting identified aggregate requirements during the current Minerals and Waste Local Plan period to 2031.

13.33. Whilst we acknowledge the site does not fall within an SRA at this current time; it remains in the Mineral Safeguarding Area. The fact that a site is not within an SRA does not remove the separate safeguarding considerations arising from its location within a Mineral Safeguarding Area.

13.34. Furthermore, the proposed development seeks permission extending beyond 2031 and could constrain access to the mineral resource for significant period, spanning future Minerals and Waste Plan periods. The period of constraint could be longer should permission subsequently be granted for the life-extension of the renewable energy development. Future mineral requirements and spatial priorities will be determined through subsequent Minerals and Waste Plans and may differ from those currently reflected in Policy M3.

Paragraph 16.7.16

13.35. This paragraph refers to the estimated total extractable volume of sharp sand and gravel within the site, based on information provided within the PMRA. As previously discussed with the applicant, the County Council considers that the interpretation of the borehole results within the PMRA contains inaccuracies which significantly underestimate the quantity of mineral potentially affected by the Proposed Development.

13.36. The average thickness of the reserve should be ~3.18m rather than the 2.31m used by the PMRA. This alters the calculated mineral volume from 0.0095km3 (9.5Mm3) to 0.01271km3 (12.71Mm3). Applying a conversion rate of 1.6 t/m3, this increases the potential reserve from 15.2Mt to 20.336Mt. Based on the Local Aggregate Assessment for 2024, and the current aggregate provision rate figure for sand and gravel, this represents approximately 20 years supply of sand and gravel.

Paragraph 16.7.17

13.37. This paragraph notes both the permitted reserve position reported within the most recent Local Aggregate Assessment for 2024 and subsequent applications that may increase the available permitted reserve. However, the current landbank position does not remove the need to consider the long-term safeguarding of the mineral resource within the proposed site.

13.38. Mineral Safeguarding Areas protect mineral resources for potential future use, and the safeguarding consideration is not limited to meeting requirements within the current Minerals and Waste Local Plan period.

13.39. The Proposed Development would constrain access to the mineral resource for a significant period spanning future Minerals and Waste Plan periods. The scale and significance of the resource affected, and its realistic potential to contribute to future mineral supply, should therefore be assessed irrespective of changes to the short-term permitted reserve position.

13.40. In addition, the Local Aggregate Assessment for 2024, demonstrates continued demand for sharp sand and gravel, and our landbank is below the NPPF requirements of minimum 7 years. This further reinforces the importance of fully assessing the significance of the safeguarded mineral resource and the effect that the proposed development could have on its realistic potential for future extraction.

Bullets within 16.7.38

13.41. One of the potential impacts identified is “Temporary Sterilisation of mineral resources”. It is also unclear why paragraph 16.7.38 only identifies the potential sterilisation of mineral resources in relation to the Construction and Decommissioning Phases, when the constraint on the potential future working of the mineral resource would continue throughout the Operational Phase.

13.42. The County Council does not consider that the description of the impact as ‘Temporary’, based solely on the proposed duration of the solar development, is sufficient to establish the magnitude or significance of the safeguarding impact.

13.43. A time limited planning permission does not, in itself, demonstrate that the mineral resource will realistically become available at the end of the period. This is particularly relevant given that the NPPF expressly anticipates applications to extend the lives of established renewable-energy sites.

13.44. In addition, OCC would also like further information on the decommissioning of the site. Although paragraph 16.5.18 states that mounting structures would be removed at decommissioning, further information is required on the proposed foundation/piling methodology, the extent and depth of below-ground infrastructure, and whether its installation and subsequent removal would constrain the realistic potential for future mineral extraction.

Conclusion on Mineral matters

13.45. The current proposed scope does not sufficiently address the potential effects of the Proposed Development on safeguarded mineral resources. Given the scale of the mineral resource potentially affected and the duration for which its potential future working could be constrained, OCC considers that there is insufficient evidence at this stage to conclude that the effects on mineral resources would be less than significant.

13.46. The future Environmental Statement should therefore provide a robust assessment of the effects on safeguarded mineral resources, including an appropriate methodology for determining receptor sensitivity, magnitude of impact and significance of the resulting effect.

13.47. Whether this assessment is presented within a standalone chapter or within Chapter 16 is a matter for the structure of the Environmental Statement, however, OCC considers that the assessment of mineral resources should be subject to an appropriate EIA significance methodology and should not be treated as a matter for which significant effects have already been excluded.

Section 16.8 Utilities and Telecommunications

13.48. Should the Planning Inspectorate determine that a standalone Human Health chapter is not required, the Public Health team would expect the applicant to provide a clearly defined health assessment framework within the ES demonstrating how health and wellbeing effects, including mental wellbeing, community stress and anxiety, vulnerable populations, health inequalities, and in-combination health effects, will be assessed and reported.

13.49. The principal concern arising from the current material is not that the application has demonstrated inadequate connectivity, but that it does not yet appear to have demonstrated what connectivity the Energy Park will require at all, while simultaneously proposing to scope telecommunications out of the EIA. OCC would therefore encourage the applicant to demonstrate at an early stage how the digital connectivity needs of this development will be addressed during construction, operation, maintenance and in an emergency response.

13.50. From a digital infrastructure perspective, the application should demonstrate that the development has been assessed against both:
a. the potential for the development to affect existing telecommunications infrastructure and services; and
b. the connectivity requirements of the development itself, particularly during its operational phase.

13.51. The second point is especially important. The development includes a BESS, onsite substation, electricity generation and grid connection infrastructure. These make connectivity an issue that needs to be specifically addressed but there is seemingly no plan as to how these assets will be digitally connected or what communications resilience will be required.

13.52. OCC would expect to see documentation providing information demonstrating how reliable fixed and mobile connectivity will be provided across those parts of the site where it is operationally required.

13.53. The applicant should undertake an assessment of existing mobile coverage across the Order limits and relevant access routes, rather than assuming that commercially available mobile coverage will be adequate. The Digital Infrastructure Programme team would be able to arrange this for the applicant.

13.54. The assessment should consider all UK mobile network operators and distinguish between basic outdoor coverage and the level of service genuinely available for operational purposes. A nominal mobile signal should not be regarded as evidence of adequate connectivity. The assessment should also consider capacity, reliability and data performance at the locations in which staff, contractors and equipment will be expected to operate.

13.55. For an infrastructure development of this nature, there is a strong case for ensuring access to high-speed, low latency 5G connectivity, particularly where mobile communications may support operational technology, field personnel, monitoring systems, video, sensors or other connected assets. As the documentation currently provides limited information on the proposed operational model, it would not be appropriate to assume that all systems will use

From: Mienie, Sean - Oxfordshire County Council [redacted]@Oxfordshire.gov.uk>
Sent: Thursday, October 08, 2026 11:53
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Cc: [redacted] - Oxfordshire County Council [redacted]@Oxfordshire.gov.uk>
Subject: FW: EN0110047 West Oxfordshire Energy Park EIA notification

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Dear Planning Inspectorate,

Thank you for consulting Oxfordshire County Council, incorporating Oxfordshire Fire and Rescue Service, on the scope of the Environmental Statement for the proposed West Oxfordshire Energy Park.

Based on the information presently available, Oxfordshire Fire and Rescue Service considers that the Environmental Statement should include a proportionate assessment of any likely significant effects arising from credible fire, explosion, electrical and other major-incident scenarios associated with the proposed Battery Energy Storage System, solar PV infrastructure, substations, transformers and associated electrical equipment.

Insofar as relevant to likely significant environmental effects, the assessment should:

- identify the technologies and hazardous materials proposed, or the reasonable worst-case assumptions used where final equipment has not yet been selected;
- assess credible major-accident scenarios during construction, operation, maintenance and decommissioning;
- identify sensitive human and environmental receptors and assess potential effects from smoke, heat, toxic or flammable vapours, explosion/deflagration, hazardous releases and prolonged incidents;
- consider the influence of prevailing wind, flooding, external fire and other relevant natural or accidental hazards;
- assess foreseeable firefighting-water use, contaminated firewater run-off, site drainage, containment, isolation and post-incident disposal;
- explain how emergency access, isolation, operator support and emergency-response arrangements have informed the assessment of incident escalation and environmental consequences;
- identify mitigation, monitoring and post-incident recovery measures; and
- explain how relevant commitments will be secured and developed through the DCO and subsequent detailed design process.

Oxfordshire Fire and Rescue Service recognises that the project remains at an early stage and that the final BESS technology and detailed design may not yet be fixed. We are not seeking detailed technical approval of the BESS design through this scoping consultation. Detailed matters such as final layout, separation, detection, suppression, deflagration protection, firefighting-water provision, emergency response planning and site-specific risk information should be developed proportionately as the design progresses, supported by competent evidence and in consultation with the relevant authorities.

Current NFCC grid-scale energy-storage guidance and applicable government health-and-safety guidance should be taken into account where relevant to the final technology selected. Any assessment should distinguish between environmental effects appropriate to the Environmental Statement and detailed occupational, operational or design matters governed through other legislation or later consenting stages.

Oxfordshire Fire and Rescue Service welcomes the applicant's offer of early engagement and will participate in proportionate discussions on fire-service access, responder safety, water provision, emergency planning and operational information as the proposals develop.

Kind regards
Sean Mienie

Station Manager
Fire Protection Technical Manager
Community Safety Services | Communities Directorate
Oxfordshire County Council
Tel: [redacted]
[redacted]@oxfordshire.gov.uk
www.oxfordshire.gov.uk
alternative email fire.service@oxfordshire.gov.uk

From: Sphere Enquiries <enquiries@sphere-connections.co.uk>
Sent: Tuesday, October 27, 2026 09:32
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Subject: Re: EN0110047 West Oxfordshire Energy Park EIA notification

> You don't often get email from enquiries@sphere-connections.co.uk. Learn why this is important

Hi Joseph,

Thank you for taking the time to share these details with us.

I can confirm that Sphere Energy Connect currently has no assets in the vicinity of these works and have no comments to make at this time. We are a new IDNO business just entering the market.

Good luck with the project.

Thanks

Sophie

Sophie Sudworth | Head of Asset Management & Operations | Sphere Energy Connect
E: [redacted]-connections.co.uk | M: [redacted]

UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN0110047
Our Ref: CIRIS 96343

Ms Stephanie Hands
Senior Environmental Advisor
The Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough SL1 4PN

30 October 2026

Dear Ms Hands

Nationally Significant Infrastructure Project
West Oxfordshire Energy Park, PINS Reference EN0110047
Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we make the following comments:

Environmental Public Health
We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES). We believe the summation of

relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*', setting out aspects to be addressed within the Environmental Statement[1]. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

Yours sincerely,

On behalf of UK Health Security Agency
nsipconsultations@ukhsa.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

[1] https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658

From: [redacted]@westberks.gov.uk>
Sent: Wednesday, October 14, 2026 12:42
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Cc: [redacted]@westberks.gov.uk>
Subject: West Oxfordshire Energy Park REF: EN0110047 - West Berkshire Council Scoping Response

> You don't often get email from [redacted]@westberks.gov.uk. Learn why this is important

Dear Sir/Madam,

In relation to the proposed application by West Oxfordshire Energy Park Limited for an Order granting Development Consent for the West Oxfordshire Energy Park:

West Berkshire Council has no comments at this stage.

Kind regards,

Callista Fontanive Bird
Planning Officer (Graduate)
Development and Housing | West Berkshire Council | Market Street | Newbury | Berkshire | RG14 5LD
[redacted] | Ext 9082 | [redacted]@westberks.gov.uk
www.westberks.gov.uk

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Planning and Strategic Housing

Reply to: Abby Fettes

Direct Line: [redacted]

E-mail: [redacted]@westoxon.gov.uk

Planning Inspectorate
By email

Your Ref: EN0110047
Our Ref:
Date: 30 October 2026

WEST OXFORDSHIRE ENERGY PARK PROJECT SCOPING CONSULTATION

Thank you for consulting West Oxfordshire District Council (WODC) about the information to be included in the Environmental Statement for the proposed West Oxfordshire Energy Park DCO application.

WODC welcomes the opportunity to respond to the Scoping Report, due to the scale of the proposed development in West Oxfordshire and the potential for varied and significant environmental impacts to arise as a result of the project.

WODC has reviewed the information that describes the baseline conditions in the district, as well as the scope of the relevant thematic elements described in the Scoping Report, to understand where the scope of the environmental assessment is likely to be satisfactory and where it should be widened.

The format and suggested topics as set out in the Scoping Report are supported and it is recommended that the Environmental Statement follows the same format for ease of reference and legibility.

The EIA should be undertaken in accordance with current legislation, national, regional, local and neighbourhood plans as relevant to the environment. The Environmental Statement should demonstrate the ways in which it complies with that requirement.

To assist the applicant, the relevant documents of the Development Plan for West Oxfordshire should be considered and comprise the following:

- West Oxfordshire Local Plan 2031 (adopted September 2018)[1]

[1] https://www.westoxon.gov.uk/media/feyjmpen/local-plan.pdf

The matters to be considered in the Environmental Statement for the West Oxfordshire Energy Park proposal are set out in tabular format below;

Scoping Report Chapter / Paragraph / Table	WODC Comments
Chapter 6 – Cultural Heritage	6.3.1: Regarding the Proposed Surveys – Baseline Surveys – having not seen any of the draft baseline surveys these comments only refer to the EIA scoping report. 6.3.6 & 6.3.25: The Historic Landscape (Character) assessment is stated to be based purely on Oxfordshire's historic landscape characterisation assessment. I would emphasise the fuller description of Historic Landscape Character and I would like to see a broader interpretation of the historic landscape character that includes not only the site but also its wider landscape / surroundings that could extend beyond the scoped 1-2km: The historic landscape is a palimpsest. As well as having designed landscapes (Blenheim is a good example), most historic landscapes (the wider landscape) are a fundamental aspect of the historic environment yet one of the least understood, though providing the setting for everything else and revealing the long interaction, of people with nature. As well as the archaeological, components of the landscape that are 'natural' but nevertheless the product of centuries of human action, such as hedgerows, woodland, ponds and modified watercourses are part of this historic environment. And the more intangible matters such as time-depth, and patterns such as settlement, land-use and the mixture of enclosed and non-enclosed land, arable and grazing, woodland and parkland. While geology, soils and geomorphology can determine a landscape's appearance. However, between these aesthetic and environmental factors, lies history and archaeology. A historic landscape assessment should include the contribution of human activity to the landscape's history and appearance. This should include the wider landscape, not just artificial and delineated buffer zones. Also, please see our current Local Plan which refers to Historic landscape character in Policy EH13, where it states: *'In determining applications that affect the historic character of the landscape or townscape, particular attention will be paid to the following:* • *the age, distinctiveness, rarity, sensitivity and capacity of the particular historic landscape or townscape characteristics affected; the extent to which key historic features resonant of the area's character, such as hedgerows, watercourses and woodland, will be retained or replicated;* • *the degree to which the form and layout of the development will respect and build on the pre-existing historic character (including e.g. street and building layouts); and* • *the degree to which the form, scale, massing, density, height, layout, landscaping, use, alignment and external appearance of the development conserves or enhances the special historic character of its surroundings* 6.3.18: Regarding NDHAs – not all of our NDHAs (Locally listed structures) are shown on the HER. We do have a list of some of our NDHAs on some of our Conservation Area Appraisals: https://www.westoxon.gov.uk/planning-and-building/historic-buildings-and-conservation/conservation-area-maps/. However, some CAs e.g. Kelmscott - do not have a current CAA. So, when undertaking a built heritage assessment, I recommend that Heritage

Scoping Report Chapter / Paragraph / Table	WODC Comments
	Consultants also make allowance / assess for any potential NDHAs. 6.4: In terms of guidance, it would be beneficial for the Applicant to also consider our CAAs and Supplementary Planning Documents: https://www.westoxon.gov.uk/planning-and-building/historic-buildings-and-conservation/conservation-area-maps/ https://www.westoxon.gov.uk/planning-and-building/planning-policy/supplementary-planning-documents/ 6.6.4: In terms of mitigation measures and the use of screening / filtering vegetation, these measures can sometimes cause more harm to the character of historic environment / setting etc., by blocking previously open views / harming the original setting etc. Therefore, this mitigation measure should be carefully considered.
Chapter 7 – Landscape and Visual	Landscape Baseline: I am happy for OWLs LT/ LCAs to form the basis for the assessment of effects on landscape character in West Oxfordshire on the basis that, '*The WOLCA will be an important reference to update and enhance the baseline description, inform the assessment of effects and identify design and mitigation measures*'. (para 7.3.13) Study Area: Refence to para 7.3.28: The network of country lanes running through site and study area is an integral element of this landscape alongside the dismantled railway and the A361 and must be recognized as such within the LVIA. <u>Visual Receptors:</u> The experience of travelling through quiet country lanes, accessing hospitality in local settlements etc is part of the overall recreational experience of this tourist destination. Recreational users of country lanes are not fully covered by the groups of receptors listed in para.7.3.44. In a sparsely populated tourist area devoid of a significant network of main roads, *'Motorists using the local roads'* may be too vague to capture the disparate groups using the network. This would include local communities, tourists (including those visiting accessible landscapes), recreational users etc. Not all will be travelling at speed to get from A to B as is often assumed and not all road users will be travelling by car as previously noted. Site visit observations were that the country lanes which criss cross and circumvent the site are used as much by walkers, cyclists and horse riders as by motorists. Cyclists and horse riders will not be covered by users of PRoW (footpaths) but they are an equally important group partaking in recreational activity and should be considered equally in a tourist area. Para 7.3.53 states that, *'Further desk and site work will be used to determine if other public highways located within the study area would be 'scoped-in' to the LVIA.'* To fail to properly consider the effects on the minor road network and its users would, in my view, be a significant omission of the LVIA process.

Scoping Report Chapter / Paragraph / Table	WODC Comments
Chapter 8 – Ecology and Biodiversity	I am generally satisfied with the scope for the ecological survey and assessment of the proposed development. Obviously at this stage there is limited detail and results from the surveys that have already been carried out, but the premise for the scoping enquiry is sufficient. I have no comments in relation to designated sites other than potential impacts to nearby SSSI should be properly and robustly assessed. With regard to the Local Nature Recovery Strategy (LNRS), this proposal is an opportunity to avoid and retain habitats that are of 'existing particular importance for biodiversity' (i.e. the "core zone") and also to contribute towards the potential measures in the strategy, for both habitats and species, and WODC will be looking for these specifically in any future proposals, especially with regard to Biodiversity Net Gain. With regard to great crested newts, I would usually expect to see ponds within 500 metres scoped in for assessment (but not necessarily full surveys) at this stage to ensure that all ponds that could contain this species are adequately addressed, particularly those where connectivity is good. Newts are known to disperse and commute across the landscape for up to 1km, and they exist as metapopulations moving between ponds year on year depending on conditions. However, in this case, evidence of breeding great crested newts has been found onsite, so it can be assumed that newts are probably also present in other ponds within and around the site. The survey is a snapshot in time, and last year was a particularly dry spring/summer, so a lack of evidence of newts in other ponds cannot be relied upon. The EIA refers to the use of the district licensing approach, which is welcomed. WODC holds an organisational great crested newt licence which is administered on their behalf by NatureSpace. The developer will therefore need to submit an enquiry to NatureSpace to ensure that they have sufficient time with which to work out what is needed in terms of mitigation and compensation. The licence can be used as part of a DCO through planning requirements (as usually secured through planning conditions). NatureSpace will be able to advise on this further https://naturespaceuk.com/contact-us/ With regard to skylarks, the EIA refers to presence and breeding. Skylarks are known to be significantly affected by solar farms in that they are unlikely to be able to continue to breed onsite due to the effect of the panels on the conditions that are preferred by this species. Skylarks need open sightlines for successful breeding so that they can look out for and spot the approach of predators in particular. It is therefore considered very likely that compensation will be required for this species, and this would either need to be dealt with by increasing the amount of land available within/adjacent/close to the development boundary or an offsite solution on other land within the applicant's control. This must not solely rely on the provision of skylark plots that enhance foraging opportunities rather than compensating for loss of breeding habitat. Additional breeding habitat would therefore need to be created or restored as well. I refer the developer to the Botley West NSIP where skylarks were also found and the agreed approach in that case. It is notable that dormouse have been recorded on site. However, this species is not specifically mentioned in section 8.6.10 of the EIA scoping report in terms of the approach to mitigation and design. It is therefore assumed that a precautionary approach would be taken by assuming that dormouse are using all hedgerows on site, and mitigation designed accordingly. Obviously, further details of how this would be achieved would be needed as part of the ecological impact assessment that informs the full

Scoping Report Chapter / Paragraph / Table	WODC Comments
	EIA. I note that there the potential presence of other priority species is mentioned in the scoping report – including brown hare, hedgehog, harvest mouse and polecat, With regard to harvest mouse in particular, it will be important to ensure that habitats created/enhanced within the solar farm support this species, particularly within field margins. A joined-up approach to mitigation and enhancement would therefore be expected to ensure that the solar farm delivers for a range of priority species and LNRS species. Grass snakes were incidentally recorded using the site as mentioned in section 8.7.27. It is noted that common lizard and slow worm are also likely to be using suitable habitats onsite, but then it states that habitats "most affected" by the proposal are of poor or negligible suitability for reptiles. It is unclear at this stage whether this conclusion is acceptable. It would usually be expected that a refugia survey for reptiles would be carried out to ascertain presence and population size for these species. The presence of several watercourses and waterbodies within the site increase its value for grass snakes in particular. It is noted that effects on reptiles are scoped into the EIA. This may need to be informed by further survey to ensure that adequate mitigation can be provided. A minimum buffer of 8 metres to watercourses is mentioned in section 8.6.9, however, I would recommend that this should be a minimum of 10 metres as a standard approach. For BNG purposes, there is a requirement to consider impacts on the 10m riparian zone to watercourses, which includes ditches. This would also mean a significant area for enhancement alongside watercourses, which would be of benefit for various species, as well as incorporating more towards BNG outcomes. Section 8.6.11 should also include creation of waterbodies, enhancement of watercourses and contributions towards LNRS species measures. Bat surveys have been carried out, but although roosting, foraging and commuting bats have been identified, there is no detail about what species have been recorded within the site. Surveys for Botley West Solar NSIP including radiotracking for Bechstein's and Barbastelle bats, which resulted in maternity roosts in trees being identified. Three ancient woodlands are now recognised as being a critical resource for these rare species. It is likely that a similar approach may be required for the WOEP and this should be borne in mind as part of the EIA. I would recommend that the proposal provides a key opportunity for woodland habitat creation as a way of bolstering the existing small area of ancient woodland and re-connecting woodlands up in the landscape for associated species, not least, dormouse and bats, as well as significant hedgerow enhancement and creation.

To demonstrate that topics have not been overlooked, where topics are scoped out prior to submission of the application, the Environmental Statement should clearly explain the reasoning and justify the approach taken.

Summary of council response

West Oxfordshire District Council is broadly in agreement with the Environmental Statement topic areas set out in the Scoping Report September 2026 and the identified areas of environmental impact, subject to the above matters being addressed.

Yours sincerely,

Abby Fettes
Development Manager

From: [redacted]@wiltshire.gov.uk>
Sent: Thursday, October 29, 2026 09:32
To: West Oxfordshire Energy Park <westoxfordshireenergy@planninginspectorate.gov.uk>
Subject: EN0110047 West Oxfordshire Energy Park EIA notification

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Dear Sir / Madam

Regulation 11 EIA Scoping Notification – Neighbouring Authority Response

Thank you for consulting the Council in relation to the above request for an EIA Scoping Opinion.

As a neighbouring local planning authority, the Council's principal interest is in ensuring that the Environmental Statement adequately considers any potential significant effects extending across the administrative boundary.

The Environmental Statement should therefore, where relevant, assess:

- ***Landscape and visual effects**, including views from within the Council's administrative area and any effects on designated or valued landscapes.*
- ***Highways and transport**, including construction traffic, abnormal loads and any impacts upon routes within the neighbouring authority area.*
- ***Ecology and biodiversity**, including designated sites, habitats and protected species where effects may extend beyond the application site or authority boundary.*
- ***Flood risk, drainage and the water environment**, particularly where catchments or watercourses cross administrative boundaries.*
- ***Heritage**, where designated or non-designated heritage assets within the neighbouring authority area could experience effects, including through changes to their setting.*
- ***Residential amenity**, where receptors within the neighbouring authority area could experience significant noise, lighting, air quality or other environmental effects.*
- ***Cumulative effects**, taking account of other existing, permitted or reasonably foreseeable development where there is potential for significant combined effects affecting the neighbouring authority area.*

The assessment should identify relevant receptors within this Council's administrative area and clearly explain the geographical extent of the study areas adopted for each environmental topic. Study areas should be based on the likely extent of potential significant effects rather than the administrative boundary.

Subject to the above, the Council has no further comments on the proposed scope of the Environmental Statement at this stage.

Yours Sincerely

Gary Collins
Head of Development Management

Wiltshire Council

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