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Photovolta Development Partners

By email:
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**Corporate Director: Bill Cotton
Environment and Place**

8th February 2024

Dear Sir or Madam,

Oxfordshire County Council's Response to Botley West Solar Farm Phase 2 Consultation (closing date 8th February 2024)

Oxfordshire County Council (OCC) previously provided comments on the scoping consultation in July 2023 and welcomes the opportunity to respond to the Phase 2 consultation.

The site area of the proposed solar farm covers 1,300 hectares (approximately 5 square miles) at 3 sites across West Oxfordshire, Cherwell and the Vale of White Horse. This is an unprecedented scale for a ground mounted solar farm in the UK.

As proposed, the solar farm is expected to have an 840 megawatt capacity which the applicant states could meet the needs of approximately 330,000 homes.

The project's solar arrays would be between 1.8 to 2.5 metres high, cable routing would largely follow the public highway, and the project duration would be 35 to 42 years. The majority of the project lies within West Oxfordshire on land currently used for arable crops/pasture. Parts of the site are within the Oxford Green Belt.

The consultation seeks views on:

- Updated proposals, including the site layout and cable routes.
- Mitigation measures
- The Preliminary Environmental Information Report

In principle, OCC supports proposals for green energy providing there are no significant adverse environmental impacts. OCC recognises there is a climate emergency and that the expansion of solar generating capacity in Oxfordshire is needed as part of the transition to net zero. The Pathways to a Zero Carbon

Oxfordshire¹ report states that solar generation of 3,900 GWh would be required by 2050 in order to meet net-zero targets; the Botley West proposals could meet a quarter of this identified demand. Notwithstanding the need for solar, the council has the following concerns with the proposals:

- Significant impact on local landscape character and views (currently underestimated).
- Potentially inappropriate development in the Green Belt (yet to be addressed).
- Loss of best and most versatile agricultural land.
- Insufficient mitigation for a scheme of this scale.
- Insufficient benefit to the local communities.
- Potential sterilisation of mineral resources.
- Potential cable routing through Long Mead Local Wildlife Site is not acceptable.
- The impact of cable routing on the highway network requires further assessment.
- The impact of the National Grid sub-station (dimensions - L165m x W135m x H14m) should be assessed as part of this application at the potential locations it could be sited on.
- Betterment for flood risk has not been demonstrated.
- No information on the consideration of alternative sites is provided.
- Inadequate assessment of cumulative impacts.
- Further environmental assessment is required to fully understand the impacts of the proposal before conclusions on impacts are reached.
- The recent updated National Policy Statements (published 22 November 2023) and the National Planning Policy Framework (20 December 2023) must be taken into consideration.

The proposal is currently at the pre-applications stage. At present, further information, further survey work and additional assessment of the environmental impacts of the proposal is needed, particularly with respect to landscape impact. More detailed engagement with OCC and the other host authorities will be essential if the proposals are to be shaped to an acceptable form.

Proposals for new and enhanced Public Rights of Way and pedestrian and cycle connectivity are supported; engagement with OCC on these is requested. Whilst committing to a 70% target level of measured Biodiversity Net Gain is welcomed, we would encourage the design of BNG in such a way that it makes a meaningful contribution to local nature recovery and is proportionate to the scale of the scheme proposed.

The proposed level of landscape mitigation does not match the scale required for this development which would cause major changes to the local landscape character and views for more than a generation. A development of such exceptional scale and impact requires exceptional mitigation that goes beyond the planting of hedgerows and woodland belts to soften views from selected vantage points. A landscape-scale approach should be taken comprising a landscape and

¹ Pathways to a Zero Carbon Oxfordshire <https://www.eci.ox.ac.uk/research/pathways-zero-carbon-oxfordshire>

green infrastructure masterplan that matches the scale and ambitions of the project and leaves a legacy of a strengthened, more resilient, and more biodiverse landscape.

We understand your intention is to submit the DCO application in the Summer of this year. We would emphasise again that significant work will be required between now and the summer and that focussed engagement with OCC and the other host authorities will be essential. Given the anticipated scale of feedback on the proposals and additional work to be undertaken, a further round of public consultation should be considered prior to submission.

Please see the detailed officer responses in Annex 1.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'R. Wileman', is centered on the page. The signature is written in a cursive, flowing style.

Rachel Wileman
Director of Planning, Environment, and Climate Change

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Annex 1: Detailed Officer Comments in Response to Botley West Solar Farm Phase 2 Consultation

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1. Landscape & Visual / Green Infrastructure

1.1 Documents reviewed:

- Phase 2 community leaflet
- Non-technical summary
- PEIR Chapter 6: Project descriptions
- PEIR Chapter 8: Landscape and Visual Resources (RPS, Nov' 23)
- PEIR Chapter 8 LVIA Figures Part 1 & Part 2
- Appendix 8.1 – 8.2 LVIA
- Illustrative Masterplan drawings
- Visualisations

1.2 Impacts on Landscape and Visual Resources, i.e. the preliminary Landscape and Visual Impact Assessment (LVIA) are covered in Chapter 8 in the Preliminary Environmental Information Report (PEIR). The following comments use the term 'LVIA' to refer in the assessment in this chapter.

1.3 At Scoping Opinion stage (July '23) comments relating to Landscape and Visual Matters included the following points:

- Methodology - the need to agree methodology, ZTV (Zone of Theoretical Visibility), viewpoint locations and visualisations (method, type, number, locations) with the affected local authorities;
- ZTV/viewpoints – the need for further information on how the ZTV was created and number of viewpoints;
- Baseline environment – the need to consider impacts on long-distance PRowS;
- Potential project impacts – concerns with regard to the scoping out of night-time assessments and residential visual amenity assessments
- Cumulative effects – clarity on what development will be considered and how this will be assessed;
- Arboricultural information – the need to assess and understand the impact of trees from the proposal.

1.4 Comments to the scoping opinion appear to have been partially taken into account, for example the PEIR includes a *Strategic Arboricultural Impact Assessment and Method Statement* in appendix 8.3. However, it should be noted that engagement with the County Council's landscape officer on methodology, ZTV (Zone of Theoretical Visibility), viewpoint locations and visualisations (method, type, number, locations) as stated in para 8.4.4.2 has not taken place.

1.5 It is noted that the PEIR summarises the preliminary results of the assessment to date before it being further refined and reported within the environmental statement (ES). As such it outlines the assessment of likely effects of the West Botley solar farm on the landscape resource and visual receptors. The PEIR is not complete and further next steps are outlined under 8.15 in the LVIA. These include further fieldwork to capture summer photography, the production of outstanding photomontages and further assessment work.

1.6 Notwithstanding the ongoing work, the assessment of landscape and visual effects presented in the PEIR are not considered sufficiently detailed for the scale of the

project and a further level of detail and clarification should be provided in the Environmental Statement (ES).

- 1.7 Overall, the preliminary assessment is considered to underestimate the impacts of the scheme, raising a number of concerns with regard to its methodology, scope and assessment, which are outlined in the following paragraphs. These comments are not a detailed critique of the LVIA but focus on key observations, questions and areas of concerns, supported by examples.

Project description

- 1.8 The project description and main elements of the scheme are set out in chapter 6 of the PEIR. The descriptions include dimensions of the various elements of the scheme, but the potential construction impact of these elements is not always clear, e.g. the impacts related to the cabling (ie horizontal directional drilling underneath the River Thames, the exact location of the cabling routes along highways and their potential impact on existing trees and hedgerows, need or cabinets etc).
- 1.9 With regard to decommissioning para. 6.4.1.2 states that all infrastructure associated with the development will be removed with the exception of all cables in the public highway and the National Grid substation. Clarification is required whether this means that all substations associated with the development will be removed. Clarification should also be provided to what degree mitigation planting introduced as part of this scheme would remain in place in perpetuity.
- 1.10 Further project details should be provided in the environmental assessment, so that the impacts of the elements of the scheme can be understood by all.

Baseline

- 1.11 Table 8.4 (summary of local planning policy relevant to this paper) sets out the relevant local planning policies applicable to the Landscape and Visual Impact Assessment (LVIA). This should also include:
- WODC Local Plan 2031 Policy EH4: Public realm and green infrastructure
 - VoWH Local Plan 2031 policy 45: Green Infrastructure
 - Cherwell Local Plan 2031 policy ESD 17: Green Infrastructure
- 1.12 In addition, Green Belt policies of District Local Plans will need to be addressed either in the ES or in other supporting information.
- 1.13 District Local Plan policies relating to the character of the built and historic environment might also be relevant to this chapter when considering the impact on conservation areas and their settings.
- 1.14 Only two Neighbourhood Plans (Cumnor and Eynsham) have been listed in the document but Neighbourhood Plans also exist for Woodstock and Cassington, and the one for Wootton by Woodstock is in development. Whilst these might not include policies specific to landscape character and views, they often include descriptions of the parishes and their valued landscape qualities that should be taken into account in the ES.

- 1.15 The PEIR does not include an assessment against Local Plan policies but this will need to be provided in the ES.

Methodology

- 1.16 The *Guidelines for Landscape and Visual Impact Assessment 3rd Edition* (GLVIA3) require the scope of assessment to be appropriate, and that methodology, scope, ZTV and viewpoints to be agreed with relevant authority. As outlined above, the methodology and scope of the assessment was not agreed with the County Council landscape officer.

Significance

- 1.17 The methodology states “... *any effects with a significance level of Moderate or less are not considered to be significant in terms of the EIA Regulations. (para 8.1.8.10)*”. The methodology should also recognise that this can only be a guide and that multiple moderate effects could also amount to being significant when considered together. For example, this is recognised in relation to viewpoints 37, 38, 39 where it states “... *where Moderate significance of effect has been identified at multiple points along the same PRow, sequentially these Moderate adverse effects could be considered significant.*” (para 8.9.1.70). This approach is also relevant to the scheme as a whole.

Magnitude of impact

- 1.18 The assessment is considered to understate the impacts of the development on landscape character and views. One of the main reasons for this is the underestimation of the *magnitude of impacts* (mostly assessed as being negligible, low or medium) of the development on the landscape and views.
- 1.19 With regard to landscape impacts, the judgement on magnitude appears to be mainly based on the impact on the local landscape character area as a whole rather than the relevant part, the retention of existing landscape features and an overestimation of the effects of mitigation planting. At the same time insufficient weight is given to the extent and nature of the project, its long lifespan and the effects of introducing uncharacteristic elements into the landscape, which will fundamentally change its character.
- 1.20 The magnitude of impacts on views has been underestimated for similar reasons. In addition, the visual assessment often considers only one direction of view from a particular viewpoint and not the wider visual context. For example, the assessment for representative viewpoint 5B considers the magnitude of impact to be *medium* at year 1 despite this viewpoint being surrounded by solar panels on all sides.
- 1.21 Another reason for the underestimation of the magnitude of impact is the importance the assessment gives to the reversibility of the development (Para 8.8.7.2). Whilst it is true that the scheme can be reversed, sufficient weight also needs to be given to the very long lifespan of the project (35 - 40 years), which exceeds the timescale of a

generation and is often considered permanent in landscape and visual assessment terms.

Viewpoints and Visual effects

- 1.22 With regard to visual receptors GLVIA3 states that not only users and places should be identified but also an approximate number of people affected should be given. This is relevant as understanding the impact is not only about the significant impacts but also about the number of people experiencing adverse effects. Further detail should be provided in the ES.
- 1.23 The *Representative Viewpoints plans* indicate the location of 55 viewpoints, which is a rather limited number for a project of this extent and scale. Often only one viewpoint is chosen to assess the impact of a large area of solar, and it only assesses the impact of the scheme from one direction. Further viewpoints should be considered, eg from travelling in both directions on Public Rights of Way (PRoW), near settlements, and at key PRoW junctions to allow a better understanding of the scale impact. Suggestions for additional viewpoints from the District councils, parish councils and stakeholder groups should also be taken into account.
- 1.24 Representative viewpoints should be selected to represent the experience of visual receptors, eg on a PRoW (GLVIA3). As such it is important that the LVIA does not base its judgement on a PRoW on one viewpoint but assesses the experience of the receptors travelling through the landscape, which the viewpoint represents. As mentioned above the visual assessment often considers only one direction of view from a particular viewpoint and does not take sufficient account of the surrounding context, eg a footpath users might be travelling through fields of solar panels for long periods of time.
- 1.25 Some of the viewpoints on the same PRoW have been grouped and assessed together. However, some of these appear to have different contexts raising the question whether the impact on these points is really the same. For example, viewpoints 37a, 37b, 38 and 39 have been assessed as having the same sensitivity (*high*) and impact (*no greater than medium*) despite vp 38 and vp39 being completely surrounded by solar panels and vp37 being located at the River Evenlode with views of solar development on either side of the river. The ES will need to provide a greater level of detail to make the judgements understandable for all, i.e. viewpoints should be assessed individually before being grouped. All viewpoints should also be accompanied by visualisations in line the Technical Guidance Note 06/19 *Visual Representation of Development Proposals (TN 06/19)*.
- 1.26 The PEIR does not include any viewpoints along the cabling routes. This is of concern, as the impact of cabling is not sufficiently understood. There are likely impacts during construction, but it is not clear whether the cabling also requires above ground structures such as cabinets or areas of fencing, which could affect views from PRoWs including the Thames Path during operation and after decommissioning.
- 1.27 Impacts on conservation areas don't appear to have been assessed on the basis that development is not proposed within the conservation area boundary. However, it

is not only the direct impact on conservation areas that need to be considered but also their setting. The development comes in close proximity of several conservation areas, or is potentially visible from them. The impact on conservation areas or their setting does not appear to have been assessed in the Historic Environment chapter or the Landscape and Visual Resources chapter of the PEIR. LVIA's often include representative viewpoints from conservation areas to demonstrate the impact of the development on these designated areas and to demonstrate impacts on residents of these settlements.

- 1.28 The PEIR does not consider private views and states that the need for a Residential Visual Amenity Assessment is going to be determined through the outcome of the ES and through consultation with relevant parties. GLVIA3 (para 6.17) states that in some instances it may be appropriate to consider private viewpoints from residential properties and the scope of this should be agreed with the competent authority. Considering the large extent of the development and its proximity to several residential areas (eg Wootton, Woodstock, Bladon, Church Hanborough, Cassington, Eynsham and Cumnor) as well as individual farmsteads, it is considered important that the impact on residential areas is considered in the ES in some way. Should a Residential Visual Amenity Assessment not be prepared, residential impacts could for example be assessed from PRoWs, roads or public open spaces at the edge of settlements.

Zone of Theoretical Visibility (ZTV)

- 1.29 The PEIR provides limited detail on how the ZTV has been created. Further detail should be provided in the ES including detail on what land use data have been included together with their data source and accuracy.
- 1.30 The LVIA should provide both a ZTV based on bare ground and one that includes other land use data.
- 1.31 Table 8.5 (Summary of scoping responses) and Figures 8.9 – 8.11 (Representative viewpoints) suggests that the ZTV is based on a maximum panel height of 2.5m. However, as mentioned previously the scheme also includes many other elements including 156 Power Converter Stations and the HV transformer secondary substations that need to be included in the ZTV modelling.
- 1.32 The ZTV does not appear to take account of cable routing areas, but no explanation has been provided why these have been excluded. The impact of cabling is not fully explained in the PEIR and further detail is needed. GLVIA3 states the ZTV should be created for all 'projects' of the scheme.
- 1.33 The project is described as being three different sections and the ZTVs should reflect the impact of the different parts of the project (northern section, central section and southern section) separately before combining them into one. The 'creation' of the ZTV should be clearly explained and demonstrated.
- 1.34 The PEIR states that the project seeks to connect to the National Grid NGET station, which is likely to be located at or near Farmoor at the Southern site. The exact location of this NGET station (Dimensions - L165m x W135m x H14m) is yet to be

confirmed, however, being mindful of the dependency of the solar farm on the NGET station, the NGET station should be considered as part of the solar development. This should be reflected in the ZTV.

Visualisation / Photomontages

- 1.35 Para 8.4.2 states that the *Landscape Institute (2019) Technical Guidance Note (01/11) Photography and Photomontage in Landscape and Visual Impact Assessment* has been used for the assessment. However, Guidance Note 01/11 was replaced by Technical Guidance Note 06/19 *Visual Representation of Development Proposals*. It is this later guidance that should be used for visualisations.
- 1.36 TN06/19 distinguishes between four types of visualisations. *Type 1 – Annotated viewpoint photograph* is the most basic form of visual representation, which should indicate the extent (ie the height, width or outline) of the proposed development in the view. Type 4 – Photomontage/photowire, tend to be used for large planning applications including large energy projects.
- 1.37 GLVIA3 and TN 06/19 require assessments and visualisations to be proportionate to the size and impact of the development. The PEIR does not state what level of visualisations the LVIA is seeking to provide, and clarification should be provided in the ES. It should be noted that TN 06/19 recommends Type 2 – Type 4 visualisations for Environmental Statements.
- 1.38 The PEIR does not include visualisations for all 55 viewpoints. Where visualisations are provided, they do currently not comply with TN 06/19. The majority of the imagery comprises photographs from representative viewpoints without any annotation or description making it difficult to understand how a particular view is affected. This information is required to ensure that the impact can be understood by all.
- 1.39 Photomontages from 18 representative viewpoints have been provided. Limited information has been given on how the photomontages have been created and further detail should be provided in the ES. Photomontages have so far been provided for Year 1 with imagery for year 15 still outstanding.

Mitigation

- 1.40 Mitigation measures intended to be adopted as part of the project are outlined in section 8.7 of the LVIA. These include the creation of woodland belts, reinforcements of existing field boundary hedgerows, new hedgerow planting, meadow grassland to the perimeter solar array areas and planting of individual trees. Further detail on these measures should be provided in the ES such as the minimum width of woodland belts and hedgerows.
- 1.41 Measures mentioned elsewhere in the chapter include a standard buffer of 20m to residential areas and the use of hedgerows to screen the impact of the development on views from PRoW. A fixed buffer to residential areas seems an overly simplistic approach that does not take sufficient account of the different landscape contexts

and views. The PEIR does also not explain why 20m buffers are considered appropriate and what assessments have been carried out to justify this approach.

- 1.42 Overall, the level of the proposed measures outlined in the assessment text and on the masterplan drawings do not match the scale of mitigation required for a development of this scale. The proposed development is of an unprecedented scale, which will cause major changes to the local landscape character and views for more than a generation. A development of such exceptional size and impact requires exceptional mitigation that goes beyond the planting of hedgerows and woodland belts to soften views from selected vantage points. A landscape-scale approach to mitigation is required that matches the scale of the project. For example, this could comprise a landscape & green infrastructure masterplan that matches the scale and ambitions of the project and that leaves a legacy of a strengthened, more resilient, and more biodiverse landscape.
- 1.43 Small areas of solar should be avoided for the benefits of linking Ancient Woodlands (and other existing woodland blocks) to break up the mass of the development and to increase landscape and green infrastructure areas, e.g. near viewpoints 8 and 9, 22, 33 (Burleigh Wood and Begbroke Wood via Bladon Heath), near Wintles Farm (Southern end of Lower Road), nr vp51 nr Farmoor. This will also assist with reducing visual effects.
- 1.44 Mitigation will also need to give due consideration to the quality of the PRoW networks, which plays an important role for informal recreation and health & wellbeing. Whilst PRoWs are proposed to remain open, they will run alongside or between fencing with views being dominated by solar panels and associated infrastructure such as fencing, gates, CCTV, lighting transformers and substations. The experience will therefore be that of an industrial landscape rather than a rural one that offers a connection to the surrounding landscape and nature. This is likely to reduce the attractiveness for PRoW users and consideration needs to be given to how the impact on the recreational resource can be reduced. As part of this, consideration might want to be given whether and how alternative attractive connections can be created. It is important that the comments of the PRoW officer are taken into account and engagement with him is taking place.

Arboricultural Impact

- 1.45 The PEIR includes a Strategic Arboricultural Impact Assessment and Method Statement. According to the Arboricultural officer's comments, the document does not provide sufficient information to allow an accurate assessment of the impact on trees. A firming up of the proposals with regard to cable routing and a detailed arboricultural survey and impact assessment are required. Such an assessment should also cover the potential impacts on veteran trees and hedgerows, all of which important features in the landscape.
- 1.46 Much of the cabling is proposed to be taken along road verges and Public Rights of Way, many of which are flanked by existing trees and hedgerows that are important features in the landscape. The cable trenches and access points have the potential to cause the loss of existing characteristic vegetation including mature trees and

hedgerows. Such losses have the potential to significantly affect specific locations and cumulatively affect the local landscape character and views.

- 1.47 It is important that the Council's tree officer's comments are taken into account when considering the landscape and visual impact of the proposal.

Management

- 1.48 Para 8.9.2 suggests that *Landscape management would be required for a period of five years following completion of the Project to ensure that the newly planted and seeded areas become well established and meet their landscape potential.* The PEIR assumes in its assessment not only the successful establishment but also considerable growth to trees and hedgerows to provide visual screening by year 15. Woodland creation and hedgerow establishment take considerably longer than five years to provide any landscape or visual benefits and require long-term management. The proposed short management period is in stark contrast to the proposed 35-42 year lifespan of the proposal. The lifespan of the development would be a more appropriate timescale for management.

Cumulative effects

- 1.49 Chapter 8.10 in the Landscape and Visual Resources Assessment in the PEIR lists a number of projects that are considered as part of a cumulative impact assessment. The methodology being used for identifying schemes lacks detail and further information should be provided in the environmental statement. This should also include a map showing the location of the schemes considered for inclusion in the cumulative assessment.
- 1.50 GLVIA3 states several ways the study area for cumulative assessment could be determined and states that the method should be agreed with the relevant authorities.
- 1.51 My district colleagues are better placed to comment on cumulative effects with District Council schemes. It is understood that cumulative impacts tend to only consider developments that are at planning application stage, scoping stage or under construction, it is however concerning that the methodology does not allow consideration to be given to allocated development sites in local plans despite their likely significant impact on the landscape resource within the timescale of the project.
- 1.52 The area between Woodstock, Bladon, Eynsham and Farmoor is subject to a lot of development pressure, which will affect the existing landscape character and local views and will put further affect the landscape character and views and put pressure on the surrounding landscape resource (eg recreational pressure). It therefore seems important that these areas are referred to and recognised in the ES.
- 1.53 Major allocations within or near the site boundary that should be considered (not an exhaustive list):
- Salt Cross Garden Village – garden village development north of Eynsham and south of Church Hanborough
 - West Eynsham SDA (policy EW2)

- Land West of Yarnton (LP policy PR9)
- Land East of the A44(LP policy PR8)
- Land East of Woodstock (LP policy EW3)
- Land North of Banbury Road (LP policy EW5)
- Land north of the Hill Rise (EW4)

Green Belt

- 1.54 Whilst not strictly an environmental issue, there appears to be no reference to the openness of the Green Belt in the landscape and visual chapter or in the non-technical summary. Considering that a large part of the development is located within the Oxford Green Belt, an assessment on the openness of the impact on the Green Belt is essential and should be provided in the ES.

2. Ecology

Species Surveys

- 2.1 There are a number of species that have been scoped out of survey work for the PEIR , namely otter, dormouse and watervole. These species have not been surveyed on the basis that their potential habitat will be retained and protected. However, we would advise that surveys for these species are undertaken to ensure the plans are informed by up-to-date environmental information, can appropriately identify the value of these species' populations (should they be present) and the magnitude and significance of any indirect impacts. For dormouse and otter, which are protected under the Conservation of Habitats and Species Regulations 2017, survey information is needed to inform an assessment of whether there is a likely impact on the favourable conservation status of the species. A better understanding of the presence of these species and their use of the landscape will also help inform better design of mitigation and biodiversity enhancements and understanding of potential cumulative impacts. With regard watervoles, it is apparent that there are a number of ditches across the site which should assessed for their potential to support watervole, as well as the more substantial watercourses.
- 2.2 The bat surveys are limited to 6 static detectors which is a relatively low number of sampling points for such a large site, these were focussed on hedgerows which are more likely foraging habitat. Bat Conservation Trust Good Practice Guidelines suggest open habitats should be included in surveys as well. Consideration should also be given to recent research specifically on the impacts of ground-mounted solar on bats (Tinsley, E.; Froideveaux, J.S.P; Zsebők, S.; Szabadi, K.L.; and Jones, G. (2023). Renewable energies and biodiversity: Impact of ground- mounted solar photovoltaic sites on bat activity. *Journal of Applied Ecology* 60, 1752–1762). The surveys suggested nearby roosts of several species. More detailed surveys, in line with Bat Conservation Trust Good Practice Guidelines, would help determine presence of roosts near the project proposals and help inform elements such as lighting design, placement of high voltage transformers (which could have noise impacts), and construction compounds.

- 2.3 It is apparent from the bird survey reports that there are significant numbers of breeding and wintering farmland birds, including skylark, yellow hammer and corn bunting. It is suggested that reference is made to the [Berks, Bucks and Oxon Local Wildlife Sites criteria](#) in helping to assign significance to the assemblages of breeding and wintering birds.
- 2.4 It is noted that skylark plots are proposed as mitigation, however, there is some question as to how successful skylark plots can be within a solar farm, given then solar panels reduce the openness of the landscape and therefore may reduce desirability of the area for nesting skylark due to perceived risk of predation. Notably no specific provision has been suggested for other farmland birds such as yellow hammer and corn bunting. Consideration should be given to continued provision of nesting sites within an open environment, as well as continued food source for seed-eating birds. It is suggested that consideration is given to development of a farmland bird strategy for the proposed development, which should consider the need for any off-site measures as well as incorporating features for birds within the scheme.
- 2.5 The report of breeding Nightingales is of interest, since Nightingales have not been recorded breeding in Oxfordshire since 1998 with very few recent sightings. We recommend that provision of habitats for Nightingale is incorporated into the design of the scheme.
- 2.6 It is noted that only a low population of GCN was recorded in 2 ponds outside the project boundary. Given the presence of low populations nearby, it would be beneficial to improve the habitat for GCN in the scheme area through biodiversity enhancements including provision of more ponds and connected terrestrial habitat. Consideration will need to be given to the need for a GCN licence given proximity of the GCN ponds to the application site; the option to use the Nature Space District Level Licence, which is operational through Oxfordshire County Council could be explored.

Assigning Values and Assessing Impacts

- 2.7 The PEIR appears to have assigned values and sensitivity, as well as assessing magnitude and significance, of impacts based on incomplete, or in the case of otter, dormouse and invertebrates, non-existent, surveys. It is therefore not possible to comment on the appropriateness of these assessments. In terms of assessing impacts on SSSIs and Local Wildlife Sites, reference needs be made to the citations and interest features of these sites rather than grouping these sites and assuming that buffers or lack of direct impacts will be sufficient to mitigate impacts. Whilst considering magnitude and significance, little or no reference has been made to the extent of the proposals. This needs to be addressed given the large scale of the proposals.

Operational Impacts

- 2.8 No assessment has been provided of the potential effects during operation of the solar farm on wetland birds and aquatic invertebrates, despite this having been raised in our EIA scoping consultation response. The Zone of Influence for the assessment should take this into account, particularly given proximity of large

waterbodies of value to birds in the wider area, including Farmoor Reservoir, Cassington Gravel Pits, Blenheim lakes, and in the wider area, Otmoor and the Lower Windrush Valley complex. An understanding of the use of the wider landscape by wetland birds and aquatic invertebrates is needed to assess how the solar panels might influence behaviour of these species (evidence suggests that the polarised light of solar panels can be confused by these species for open water) and consequent impacts on their populations through mortality or reduced breeding success. Consideration should also be given to impacts of fencing around the solar panels on movement of wildlife, and fencing permeable to wildlife should be used where ecological surveys indicate that this would be beneficial.

Long Mead and Swinford Farm Meadow LWSs

- 2.9 It is reported in the PEIR that the Horizontal Directional Drilling of cables under Long Mead and Swinford Farm Meadow LWSs would result only in short term disturbance from noise and vibration, it is reported that the impacts would be local, short term, intermittent and reversible. The assessment of impacts needs to address the interest of the Local Wildlife Sites, which is primarily MG4 (floodplain meadow). This habitat is dependent on a specific groundwater regime, and low nutrient freely draining soils (see [Ecohydrological Guidelines for Lowland Wetland Plant Communities](#)). Further information will need to be presented to inform assessment of impacts of the drilling and presence of the cables, which might include long term impacts on groundwater flows, or changes in soil structure/permeability. The risk of pollution incidents during the drilling also needs to be addressed. It is noted that there appears to be an alternative route to cross the Thames to the east of the Local Wildlife Sites – as alternatives that avoid risk of any impacts on the LWSs are available, these should be taken forward in accordance with the mitigation hierarchy.

Biodiversity Net Gain

- 2.10 It is noted that the scheme is committing to a minimum of 70% biodiversity net gain (BNG), which is welcome. The BNG should be assessed using the current version of the DEFRA biodiversity metric, informed by a UK Habs survey of the red line area, and demonstrate gain across all habitat categories (area, watercourse and hedgerow habitats).
- 2.11 Whilst committing to a target level of measured BNG is welcomed, we would encourage the design of BNG in such a way that it makes a meaningful contribution to local nature recovery and is proportionate to the scale of the scheme proposed.
- 2.12 We welcome the identification of enhancements along the River Evenlode, we would also suggest enhancements that help deliver the aims of the Blenheim and Ditchley Parks, Oxford Meadows and Farmoor, and Wychwood and Lower Evenlode Conservation Target areas as well as local species populations indicated through the baseline surveys (e.g. farmland birds, nightingales, great crested newts).
- 2.13 It is notable that, whilst excluded from the red line boundary, there are several areas of ancient woodland in close proximity to the scheme, we would encourage opportunities to link and buffer these woodlands within the landscape. The 15m buffer to ancient woodland indicated in the Natural England standing advice is a

minimum requirement; opportunities to expand and link these woodlands should be considered. Reference should also be made to Local Wildlife Site and SSSI citations where sites are designated, to understand the particular value of these sites to local species and identify opportunities to enhance the area for them.

- 2.14 Alongside monitoring of BNG delivery, it is recommended that monitoring of species is also undertaken, given the unprecedented scale of these proposals in the UK an opportunity is presented to improve understanding of the impact of large-scale ground mounted solar on wildlife.

3. Transport

- 3.1 Although not specifically included in the 'next steps' these comments are made on the basis that there will be further engagement with OCC around some of the details of the application around access points and traffic management etc.

Preliminary Environmental Impact Report - Volume 1, Chapter 12: Traffic and Transport

Study area

- 3.2 The study area has been based on the assumption that all deliveries will arrive and depart the wider area via the A34, however it is also stated that at this time it is not known where deliveries to site will be coming from. The A34 makes connections north south however there are other major roads such as the A40 and A420 which would be the most likely route from other areas and therefore a potential route for HGVs.
- 3.3 Figure 12.1 shows the links that have been assessed however there is no indication as to how vehicles will be limited to these routes ie will there be a routing agreement included in the DCO and how would this be enforced.
- 3.4 This is relevant to some links that have a high level of sensitivity but are currently projected to have low movements such as Link 6. What would prevent vehicles using the A4095 to reach the Lower Road site by avoiding the A40? (which is frequently congested and will be subject to major works in the near future).

Methodology

- 3.5 The list included in Table 12.8 does not include all public transport operators and therefore services.
- 3.6 Table 12.10 should also include Tackley station as it is close to the northern area.
- 3.7 The Road Safety Data should be extended to include 2022 and 2023 in order to have 5 years of data that is not impacted by Covid 19 travel restrictions.
- Links -

- 3.8 The descriptions and consideration of Links 13,14 and 16 should be in the context of the committed and commenced developments adjacent to them.
- 3.9 Link 16 has not been taken forward for assessment on a precautionary basis as there are no sensitive receptors identified, however it is adjacent to a Local Plan allocation for which there is a live planning application. Depending on timescales for both projects there could be residential development completed at the time of construction. The cumulative impact of construction traffic relating to both developments could be particularly relevant here.
- 3.10 It is not clear exactly where the site access on Link 21 the B4017 Cumnor Road will be however the assessment does not appear to address the significant pinch point at Filchampsted where the carriageway is narrow, this will need to be assessed if delivery vehicles are to pass through. It should also be noted that despite the lack of footways pedestrians use this route to access the leisure facilities at Farmoor Reservoir and it is a well used leisure cycling route due to the hill between Cumnor and Farmoor.

Mitigation measures

- 3.11 Specific detailed mitigation measures are still to be determined/designed in detail and the Highway Authority would welcome the opportunity to review these prior to submission.
- 3.12 The CTMP needs to include a mechanism for how vehicle restrictions would work ie identify locations where HGVs can safely layover if they are due to arrive at a restricted time. As highway capacity is limited this should ideally be provided on a suitable area of the site. Overall details of how vehicle movements will be managed through the construction process should be provided.

Walking and Cycling Mitigation

- 3.13 We welcome any proposed mitigation to enhance the walking and cycling networks adjacent to or through the proposed development area including public rights of way.
- 3.14 Whilst some mitigation involving improved or new walking and cycling routes is proposed, we request more detail on the location and type of improvements. We request further direct engagement between the applicant and OCC in order to understand the detail of the mitigation measures proposed. It would be useful to meet to ensure that improvements are delivered to a high quality specification and the routes are meaningful for users, that is to say circular leisure routes, or routes that join origins and destinations.
- 3.15 It would be useful on plans to identify the type of existing or proposed PROW eg.. footpath from bridleway; as bridleways can be used for cycling however footpaths should not. There may be need for conversion of some footpaths to bridleways to enable cycling for example. Consider using a numbering system to discuss the proposed improvements to PROW.

- 3.16 We refer you to the Oxfordshire [cyclingstandards \(oxfordshire.gov.uk\)](http://www.oxfordshire.gov.uk/cyclingstandards) and [walkingstandards \(oxfordshire.gov.uk\)](http://www.oxfordshire.gov.uk/walkingstandards) for reference.
- 3.17 These comments should also be read in conjunction with those from OCC PROW.

North Area:

- We seek more detail on the propose a new cycle route between Woodstock and Wootton.
- NCN 5 and All PROW at the Northern Site will remain open is any enhancement proposed?

Central Area:

- A new footpath has been proposed to join onto the existing footpath from Cassington to connect to Church Hanborough. Proposing to upgrade a footpath between Bladon and Begbroke into a cycle route and proposing a new circular walk close to Cassington. Please provide more detail on these.
- We welcome the proposal to assist in the delivery of a new off-road shared cycling/walking path along Lower Road which is identified as an important link in Oxfordshire's emerging Strategic Active Travel Network (SATN). A cycle route along Lower Road would provide a key connection between Hanborough Railway Station/ Long Hanborough and the new Salt Cross Garden Village as well as providing important connectivity to the cycle route along the A40 and the B4449/ B4044 – along which a new cycle route is also proposed. We would like to discuss this further.

Southern Area:

- We note there is no identified preferred route as yet for the cabling across the River Thames at Swinford we request early notification of when this is confirmed in order to assess any implications.
- We would like to discuss what the cabling involves in terms of highway impact? Are there opportunities to improve footway cycle way provision off carriageway whilst the cabling work is carried out, particularly on the B4044 between Farmoor and Eynsham?

4. Public Rights of Way

- 4.1 Oxfordshire County Council (OCC) manages the legal record and access functions on the public rights of way (PROW) and access land network. In addition to the statutory functions of recording, protecting and maintaining public rights of way, part of the authority's role includes securing mitigation measures from residential and commercial developments that will have an impact on the public rights of way and access land network in order to make those developments acceptable. This work meets the aims and outcomes of the adopted Oxfordshire Rights of Way Management Plan 2015-2025 (www.oxfordshire.gov.uk/rowip).
- 4.2 The scale and location of this development and the impact on local land use, landscape attractiveness, access and amenity for local residents, the countryside 'feel' of the area and public rights of way users across the area is significant and

unprecedented. The impacts will be felt during construction as well as in the operational period. By enclosing many PRow with fencing and constructing large fields of solar panels and supporting large infrastructure it needs to be understood that the feel of the local environment from the paths, and the quality of the paths themselves will be significantly affected and so the development needs to ensure what it does onsite and offsite really helps people still feel a connection to the countryside and can enjoy a countryside experience when using PRow for active travel, leisure and recreation journeys. A comprehensive package of onsite measures and offsite mitigation is required to minimise negative impacts and to mitigate the changes in the local landscape and environment before construction commences, during construction and operation, and in the decommissioning and reversion phases when the additional public access provision must not be lost.

- 4.3 Note that these public rights of way comments and mitigation is separate to any highways/active travel requirements.
- 4.4 Given the development's role as nationally significant infrastructure it is vital that a sustainable and inclusive approach to public rights of way is taken. The mitigation measures need to be incorporated into specific actions on the ground, and should also inform the next stages of the application and development.

Mitigation Measures applicable to all public Rights of Way across the development areas

1. All PRow across the sites that pass through/adjacent to solar fields need to be provided as landscaped 'greenway' public rights of way – with a minimum 15m overall 'corridor' width (additional width to be dedicated), access for small PRow maintenance vehicles, planted with an appropriate non-injurious/thorny hedge, shrub & tree planting palette. The reason for this provision is so the visual impact and proximity of fencing and built infrastructure is softened whilst still providing wide clear and accessible paths for people.
2. All fenced-in PRow need to be stone surfaced to 3m width with 3-4m clear grass verges each side of this and then the graded landscaped edges between the path and the fencing. The full width of the PRow needs to be dedicated as PRow to ensure permanent protection.
3. Some PRow on each of the sites need connecting up within the site where possible to provide a high quality, coherent and connected network with high quality path provision, good signing and accessible infrastructure (gates, seating, water crossings etc)
4. The development should provide a range of bridleway public rights of way to provide alternative routes, to reduce the need to use roads and to increase user safety. These should be provided onsite by developer, provided within the landownership/control boundary (blue line boundary) by the developer/landowner. Other offsite mitigation should take the form of a financial contribution for offsite mitigation undertaken by OCC Countryside Access Strategy working with 3rd party landowners and farmers. The scale of this contribution will depend on what onsite/in-control mitigation is agreed.

5. PRow crossed by underground HV and other cables, ditches and ducts etc need to be disturbed as little as possible, if at all. Pipes and cables should be horizontally dug/bored so that the PRow isn't disturbed. Where this isn't possible then disturbance need to be kept to a minimum and safety of users maximised. A way to achieve this could be by excavating each side of the PRow and only excavating the PRow just prior to duct work or the cable being laid. The ditch must not be left open/exposed and should be filled in, compacted/consolidated and path made good immediately after cables laid, in order to reduce disturbance to path and user.
6. Phased and planned temporary closures/diversions of PRow only when necessary i.e. if works cannot be undertaken with the PRow open and access made safe by using banksman/fencing etc. Closures should be for a minimal duration to cover the essential works and in all cases an alternative route should be agreed by OCC Countryside Access and provided in advance and maintained for the duration of the temporary closure.
7. No use of PRow other than if essential as a crossing point between fields. All vehicle crossing points to be monitored when active. Crossing point PRow to be protected from HGV by weight spreading mats, appropriate stone reinforcement and making good within 24 hours
8. Offsite/onsite network disjunctions resolved through onsite/applicant's land outside the development boundary provision and/or with a s106 package for negotiation and delivery via 3rd party landowners. e.g. Cassington FP 6

Site specific PRow measures

- 4.5 Please refer to the images of the Illustrative Masterplan that have had lines and codes annotated (see Annex 2 of this response, separate attachment). These PRow measures are in addition to, and may also duplicate the general points of principle included above. They are not exclusive and OCC Countryside Access Strategy would welcome the opportunity to survey all areas and paths to further refine requirements.
- **Black lines** -required new PRow links onsite/offsite and/or upgrades from footpath to bridleway
 - **Black on yellow** – onsite
 - **Black on violet** - offsite
 - **Orange lines/white stars** – existing PRow which do not appear on the Masterplan due to layering in the software package used. Included for clarity

Illustrative Masterplan Plan 01

1. Onsite linking footpath
2. Onsite linking bridleway
- A. Offsite footpath link

Illustrative Masterplan Plan 02

3. Linking bridleway
4. Linking PRow (Fp/bridleway)
5. Linking PRow (Fp/bridleway)

B. Upgrade footpath to bridleway

Illustrative Masterplan Plan 03

5a. Linking footpath

Illustrative Masterplan Plan 04

6. Linking footpath

7. Linking footpath

8. Linking footpath

9. Linking footpath/bridleway (alternative route and crossing point), also on plan 5

10. Footpath upgraded to bridleway to Cassington (also on plan 5 and 6)

Illustrative Masterplan Plan 05

11. Linking/circular link footpath/bridleway (also on plan 6)

12. Linking footpath (also on plan 6)

13. Linking footpath (also on plan 6)

14. Linking bridleways

Illustrative Masterplan Plan 06

13a. linking footpath

15. Linking bridleway

16. Linking bridleway and upgrading footpath to bridleway each side of Begbroke Wood to bridleway 124/1

Illustrative Masterplan Plan 07

17. Upgrade footpath to bridleway

18. Link path and upgrade to bridleway

Standard measures/conditions for applications affecting public rights of way – Solar PV sites

1. **Correct route of public rights of way:** Note that it is the responsibility of the developer to ensure that their application takes account of the legally recorded route and width of any public rights of way as recorded in the definitive map and statement. This may differ from the line walked on the ground and may mean there are more than one route with public access. The legal width of public rights of way may be much wider than the habitually walked or ridden width. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap.
2. **Protection from breaks in public rights of way and vehicle crossings/use of public rights of way:** Many public rights of way are valuable as access corridors and as continuous wildlife and landscape corridors. As a matter of principal, PRoW should remain unbroken and continuous to maintain this amenity and natural value. Crossing PRoW with roads or sharing PRoW with traffic significantly affects wildlife movements and the function of the PRoW as a traffic free and landscape corridor. Road crossings of PRoW should be considered only as an exception and in all cases provision must be made for wildlife access and landscape, and with safe high quality crossing facilities for walkers, cyclists and equestrians according to the legal status of the PRoW.

Vehicle access should not be taken along PRow without appropriate assessment and speed, noise, dust and proximity controls agreed in advance with OCC Countryside Access

3. **Protection, Mitigation and Improvements of routes.** Public rights of way through the site need to be integrated with the development and provided to a standard to meet the pressures caused by the development. Assessments of current condition need to be undertaken along with proposals for onsite mitigation and improvement measures. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. The package of measures needs to be agreed in advance with OCC Countryside Access. All necessary PRow mitigation and improvement measures onsite need to be undertaken prior to occupation to ensure public amenity is maintained.
4. **Protection of public rights of way and users.** Routes must remain usable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists and horseriders as vulnerable road users needs to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented.
5. **Temporary obstructions and damage.** No materials, plant, vehicles, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place. Avoidable damage to PRow must be prevented. Where this takes place repairs to original or better standard should be completed within 24hrs unless a longer repair period is authorised by OCC Countryside.
6. **Route alterations.** The development should be designed and implemented to fit in with the existing public rights of way network. No changes to the public right of way's legally recorded direction or width must be made without first securing appropriate temporary or permanent diversion through separate legal process. Note that there are legal mechanisms to change PRow when it is essential to enable a development to take place. But these mechanisms have their own process and timescales and should be initiated as early as possible – usually through the local planning authority. Any proposals for temporary closure/diversion need to have an accessible, level, safe and reasonably direct diversion route provided with necessary safety fencing and stand-off to ensure public amenity is maintained for the duration of the disturbance.
7. **Gates / right of way:** Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way.

8. **Hedges/screening:** Where hedges/natural vegetation is proposed e.g., on solar farms to shield the public from glint or glare, to coincide with new boundaries or to enhance existing boundaries, a lifetime management regime needs to be agreed with Oxfordshire County Council as local Highway Authority to ensure that public access is not impeded when the vegetation screen is established or during the development or hedge/screen's lifecycle.
9. **Enclosure:** If the line of the right of way is to be enclosed by hedging or fencing, for example to provide security for solar PV arrays, then care is needed over fencing choice. Fencing should not have barbs, razor wire or palisade fencing within the line of the right of way and visual amenity should be maintained. The enclosed path and the hedge/fencing needs to be maintained to provide the full corridor width for the duration of the development.
10. **Re-diversion for temporary works:** If there is any indication that a Solar PV Array is to be on a temporary basis and there is a need to divert a right of way to enable development to proceed then a condition should set out that the developer/owner applies for a re-diversion of right of way to the original line.
11. **Offsite mitigation:** A contribution may be requested to secure off-site improvements to mitigate the loss of visual amenity and to provide alternatives or extensions of routes in the locality. This could include use of the space between the panels and the field edges (shade zone) which could provide a good opportunity for additional access.

5. Arboricultural Comments

- 5.1 Document reviewed: Strategic Arboricultural Impact Assessment and Method Statement dated 30 November 2023 Volume 3 Appendix 8.3

Impact to Trees and Woodlands

- 5.2 It is acknowledged that this proposal covers a very large area and that in section 1.4 of the report it states 'Due to the wide spreading nature of the site and the inherent low impact of solar farm installation, a full site survey was deemed impractical and unnecessary, however, a walkover survey of the proposed cable routes between sites was carried out to help inform the best route for the cable to take'. However, without a detailed survey of all trees and woodlands adjacent to all works that have the potential to impact on these features, it is not possible to make an accurate and detailed arboricultural assessment of the impact of this proposed development. A detailed arboricultural survey would need to be completed in order to provide accurate comments on realistic tree related implications of the proposal.
- 5.3 As shown within the report, between sections 5.13 – 5.17, each section (1-5) has the potential to have significant impacts, particularly the high voltage cables, where it states tree removal will be most likely.

- 5.4 It is noted within the report that it refers to Ancient Woodland in section 2.23 and the requirement to provide suitable buffers in accordance with Forestry Commission and Natural England standing advice. The applicant is advised that 15m is a minimum requirement for ancient woodland buffers and the guidance states '*Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone*' (<https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions#avoid-impacts-reduce-mitigate-impacts-and-compensate-as-a-last-resort>).
- 5.5 It is not clear from reviewing the report if an assessment has been made on whether any veteran or ancient trees will be impacted by the proposal. A detailed arboricultural survey would need to be completed to determine the presence and the precise location of any veteran or ancient trees that may be present on the site and, potentially impacted by the proposals. It is noted that within the key to the plans it refers to a veteran tree buffer 15m offset and veteran tree is shown within the Glossary at Appendix F. However, in accordance with Forestry Commission and Natural England standing advice buffers for ancient and veteran trees should be calculated as: '*For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area*' (<https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions#avoid-impacts-reduce-mitigate-impacts-and-compensate-as-a-last-resort>).
- 5.6 An assessment of the impacts of the proposal on ancient and veteran trees is therefore essential and the applicant should be aware of section 186c of the NPPF updated December 2023, which states '*186. When determining planning applications, local planning authorities should apply the following principles: c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶⁷ and a suitable compensation strategy exists;*' (<https://www.gov.uk/government/publications/national-planning-policy-framework--2>).
- 5.7 It is not clear from the information submitted where the exact routes of the high voltage cables will be located. It is noted from reviewing the various plans within the report, it appears to show a wide route located within the roads. However, more specific details of its exact location are required before a detailed arboricultural impact assessment can be made. As locating the cable route in verges would be completely unacceptable due to the significant impact that would have on the roots of a very significant number of trees that are located adjacent to the roads. The routes for cabling between the separate blocks of solar panels also don't appear to be shown on the plans. Therefore, the impact of these works is unknown and has the potential to be very significant, being essential that it is accurately assessed.
- 5.8 There also appears to be various areas on the plans where the route for the cables will have significant impacts to tree root protection areas (RPAs), that would appear avoidable by relocating the route to avoid RPAs. Whilst the specific routes have not been confirmed, it has the potential to impact on the following trees, where its shown

within the RPAs of the following trees: T92, T94, T95, T96, T110, H16, T160, T161, T173, T175, T178, T185, T186, T187, T199, T204, T206, G42, T215-T217, T222, G46, T229, T230-T234, T237, T238, T248, T249, T271, G60, G59, T279, T283, T284, T286, T287, G70, T394, T395, T404, T405, T406, T407, T408, T410, T411, T415, T416-T421, T422-T424, T426, T428-T430, T432, T434, T437, T438, T439-T446, G101, T449, T456, plans to the South of Tree Survey (Page 13 of 16) seem to be missing and therefore, the impact of the route for cables further South is not defined, meaning the impact has the potential to be significant.

- 5.9 Some of the Tree Protection Protocol found at Appendix C of the report requires amending and supplementing with additional information. Its acknowledged, the scale of this project is very large, and whilst the report includes a comprehensive protocol on tree protection measures, I consider that the information must be more site specific. For example, individual tree protection plans must be provided for all the sites. So, it is clear to the construction team, where exactly tree protection barriers, ground protection, utility routes etc is to be located. This is also a requirement as set out at Table B.1 of BS 5837:2012 and is standard practice for protecting trees during construction works.
- 5.10 Tree Protection Protocol Scenario 6 is not acceptable. Using machinery to excavate within RPAs is likely to lead to excessive and adverse arboricultural impacts, contrary to section 7.2.1 of BS 5837:2012 which states '*To avoid damage to tree roots, existing ground levels should be retained within the RPA. Intrusion into soil (other than for piling) within the RPA is generally not acceptable, and topsoil within it should be retained in situ. However, limited manual excavation within the RPA might be acceptable, subject to justification. Such excavation should be undertaken carefully, using hand-held tools and preferably by compressed air soil displacement*'. NJUG Volume 4 also provides guidance for installing utilities within proximity to trees.
- 5.11 Similarly, Tree Protection Protocol Scenario 9 is not acceptable. Strip foundations within the RPA of trees can lead to extensive root loss and should be avoided. Machinery for excavating in RPAs should also be avoided.
- 5.12 Specific Policies within the Tree Policy for Oxfordshire that would be applicable where impacts are proposed to Oxfordshire County Council trees, including highway trees, are shown below and are available on the following link: [Tree policy for Oxfordshire | Oxfordshire County Council](#)

Policy 11:

The County Council will retain and maintain existing, healthy OCC trees and removal will

only be considered for the following reason(s):

- Dead, dying and / or dangerous*
- Proven to be causing significant structural damage*
- Considered by the Tree Service to be an inappropriate species for the location.*

Or:

When removal is required as part of an agreed tree management programme.

Policy 14:

The County Council will seek compensation from any organisation or individual requesting removal of any public tree(s) related to an approved planning application that are the responsibility of the County Council. Compensation will be determined as calculated by Capital Asset Valuation of Amenity Trees (CAVAT).

Policy 16:

All organisations, companies or operatives must be able to demonstrate adherence to national guidelines and standards related to the protection and retention of trees listed in the reference and supporting documents section of this policy when working on land owned by the County Council; under the responsibility of the County Council; or within the Public Highway of Oxfordshire. When working near to or under trees, this must be referenced in their relevant method statements.

Reference & Supporting Documents

- *BS 3998:2010 – Tree Work: Recommendations (or as revised)*
- *BS 5837:2012 – Trees in relation to design, demolition and construction (or as revised)*
- *BS 8545:2014 – Trees from nursery to establishment in the landscape (or as revised)*
- *Oxfordshire Street Design Guide*
- *Application of Tree Policy Guidance (or as revised)*
- *Manual for Streets*
- *Highways Act (or as revised)*
- *Common sense risk management of trees (FCMS024)*
- *Roots and Routes: Guidelines on Highways Works and Trees*
- *Joint Mitigation Protocol*
- *National Planning Policy Framework (NPPF)*
- *National House Building Councils Standards - Chapter 4.2 (or as revised)*
- *NJUG Publication Volume 4: Issue 2 (or as revised)*
- *National Tree Safety Group (NTSG) - Risk Limitation Strategy*
- *Forestry Commission - Operations Note 051*
- *Capital Asset Valuation of Amenity Trees (CAVAT)*
- *Oxfordshire Together (OxTog)*
- *Urban tree selection may be aided by Trees and Design Action Group (TDAG) publication -*
https://www.tdag.org.uk/uploads/4/2/8/0/4280686/tdag_treespeciesguidev1.3.pdf

5.13 The relevant district local plan policies are shown below.

Vale of White Horse Local Plan 2031 Part 1, Core Policy 44: Landscape
West Oxfordshire Local Plan 2031 POLICY EH2
The Cherwell Local Plan 2011-2031 Policy ESD 10, Policy ESD 13 and Policy ESD 17.

6. Archaeology

- 6.1 Chapter 7: Historic Environment of the Preliminary Environmental Information Report (PEIR) sets out an appropriate summary of the currently known archaeological baseline for the environs of this project. This chapter has addressed our comments made on the scoping opinion and confirms that an archaeological field evaluation will be undertaken in addition to the geophysical survey that has been included in the appendices. This chapter also confirms that the results of this will be incorporated into the ES chapter and that this will also assesses the impact of any decommissioning phase of the project on buried archaeological deposits. We support these proposals.
- 6.2 Table 7.1 does state that the field evaluation highlighted in the NPS requirement and local plan policies has been undertaken and this is misleading and refers only to the geophysical phase. This chapter does however also make clear that an archaeological trenched evaluation will be undertaken.
- 6.3 The overall submission also states that allowance for preservation in situ of significant remains will be made and areas of high significant archaeological remains identified within the scheme will be removed from the development. This PEIR also sets out that the individual panels will be connected with string invertors rather than individual cable trenches along each line of panels which will reduce the potential impact on below ground archaeological deposits and that the panels themselves can be mounted on concrete shoes where required in order to preserve areas of significant archaeology. This will allow the evaluation phase to be targeted on areas of impact as set out in this document.

7. Lead Local Flood Authority

- 7.1 The documents have all been reviewed; there are outstanding drawings and documents that needs to submit.
- 7.2 We would advise that there is **insufficient information** available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.
- 7.3 Further details of the proposed drainage system must be included. This includes, but is not limited to, the following:
- a. Calculation of existing greenfield runoff rates from the site area.
 - b. Topography plan
 - c. Detailed Drainage Plans
 - d. As the site is currently greenfield/brownfield, evidence that surface water discharge from the proposed development will not exceed existing greenfield runoff rates.
 - e. Calculations demonstrating the proposed attenuation has sufficient volume to contain a number of return periods, up to and including the 1

in 100 year, for a range of storm durations, from 15 minutes up to 10080 minutes.

- f. Further details of the attenuation proposed, including depths and volumes.
- g. An operation and maintenance plan, including details of every aspect of the proposed drainage system, and details of who will be responsible for the maintenance.
- h. An exceedance plan demonstrating that flooding will not be routed towards buildings in the event of the proposed drainage system failing.

7.4 Given the scale of the proposals and that they lie partly within flood zones 2 and 3, OCC would envisage a betterment on current greenfield rates.

8. Minerals and Waste

8.1 The proposals lie partly within minerals safeguarding areas. Within these areas, mineral would be sterilised for the duration of the development (35 to 42 years) which could reduce site options for the new Minerals and Waste Plan. In accordance with the adopted Minerals and Waste Local Plan Policy M8, the applicant has provided OCC with a Mineral Resource Assessment which puts forward a case that the need for solar energy outweighs the economic and social need for mineral resource in the applicable areas during this period. The County Council is currently reviewing this document and will respond to it in due course.

8.2 OCC welcomes that waste is now 'scoped in' to the Environmental Statement, particularly for the decommissioning stage.

9. Public Health

9.1 The Public Health team welcomes the opportunity to provide comment on this next round of consultation for the Botley West Solar Farm. These comments focus on the application's potential impact on human health, reflecting how the applicant has responded to our previous remarks.

Access to the Countryside

9.2 We welcome the details supplied within the illustrative masterplan, which include the existing public rights of way as well as proposed landscape elements such as new cycle paths. This reflects our desire to maximise accessibility to the countryside via all means of active travel thereby promoting physical activity and wellbeing. Similarly, we support the proposals set out in the Community Consultation Leaflet, which states that Botley West seeks to increase recreational use and access across the site through the creation of new footpaths and cycle paths.

Community Growing

- 9.3 As referenced in the Community Consultation Leaflet, we are pleased to see that community food growing is being explored as part of the development and welcome the request for feedback on where local people would like these to be located. This document also indicates other proposed improvements to public realm such as a new circular walking route close to the village of Cassington. This, and any other new active travel infrastructure, will need to be well-signposted to ensure their use is maximised.

Biodiversity

- 9.4 It is excellent to see that the development aims to have an environmental legacy with a minimum biodiversity net gain of 70%. Please see comments from our ecologist above.

Health Impact Assessment

- 9.5 It is noted that a Preliminary Environmental Information Report (PEIR) includes a chapter on human health. In response to the previous request from OCC that the applicant undertakes a full HIA, this has been declared as having been undertaken in this chapter of the PEIR. It has been reviewed separately against our HIA review checklist.
- 9.6 The HIA has provided a thorough legislative and policy context for the project, both at national and local level. The assessor has also referenced their reasoning with up to date and reliable sources. We welcome the critical assessment of literature sources, such as those pertaining to the loss of agricultural land and the potential impacts this has on the local population.
- 9.7 The data sources referenced for this assessment are reputable, however there is no clear use of Oxfordshire's Joint Strategic Needs Assessment (JSNA) data. This is a crucial source of health data which would identify the specific health challenges for the population affected. There is no mention of healthy life expectancy – table 16.14 shows data for 'inequality in life expectancy' across the districts, county and wider areas.
- 9.8 Whilst the assessor has clearly explained where they have sourced the population data from, and on what geographical scale, there is no evidence of the population profile of the study area itself. This could have been shown in the form of tables, graphs or diagrams (for example the age profile of the area). However, it is appreciated that the baseline summary indicators are included in tabular form and split across ward, district, county, region and national level, for ease of comparison.
- 9.9 Children and young people have been identified as having worse than the regional and national averages in terms of certain health outcomes, such as physical activity levels. CAYP have also been identified within the assessment as being a vulnerable group. Actions to show how the scheme could mitigate any negative impacts on health of children and young people or any positive impacts on their well-being need to be identified as this is a particularly vulnerable group.

Noise and Vibration

- 9.10 We acknowledge the inclusion of a thorough noise and vibration assessment as a standalone chapter in the PEIR. This includes assessment of the vulnerability/sensitivity of each receptor as well as mitigations required where necessary. We also note that a Construction Noise and Vibration Management Plan (CNVMP) will be prepared.
- 9.11 Further to our original comments submitted as part of phase 1 of this consultation, we note that additional baseline survey measurements will be undertaken to quantify the noise climate at human and recreational receptors (receptors on public rights of way), where each is necessary, to ensure all relevant noise impact criteria are suitably representative following design refinement.

Air Quality

- 9.12 We also note that a Dust Management Plan (DMP) will be prepared and implemented as part of the upcoming application. This will be crucial in particular to reduce the potential impact of dust generated during construction.

Recommendations

- 9.13 The health impact assessment of the scheme needs to be revised to include data from Oxfordshire's JSNA and to consider relevant mitigations for vulnerable groups affected.

10. Climate Action

- 10.1 The Climate Action Service recognises the important role that solar photovoltaic energy plays in the pathway to net zero carbon. Considering the relevant planning constraints and other considerations, we welcome the potential increase in renewable energy generation capacity provided by this development in Oxfordshire.
- 10.2 Oxfordshire County Council's [Climate Action Framework](#) commits us to supporting our communities to own energy projects and retain the benefits locally.
- 10.3 The Pathways to a Zero Carbon Oxfordshire² report states that solar generation of 3,900 GWh would be required by 2050 in order to meet net-zero targets; the Botley West proposals could meet a quarter of this identified demand.
- 10.4 The Climate Action Service is in favour of any efforts to sell energy locally. By increasing local energy generation capacity, the development may also ease supply constraints on the distribution network which could allow for other energy infrastructure to go ahead e.g. EV charge points, ASHPs etc. It is therefore important

² Pathways to a Zero Carbon Oxfordshire <https://www.eci.ox.ac.uk/research/pathways-zero-carbon-oxfordshire>

that connectivity to the regional distribution network is factored into development plans for the site.

- 10.5 The Climate Action Service notes that GHG emissions at decommissioning are considered out of scope as they have been deemed to be insignificant. Given the scale of the development, we feel that decommissioning could still have a considerable impact, e.g., in disposal / recycling and potentially in transport movement and should still be scoped in.

11. Agricultural Land

- 11.1 The PEIR states that construction of the project would lead to the permanent loss of agricultural land, including approximately 5.7ha of the best and most versatile (BMV) agricultural land.

Access to land/local food supply chains:

- 11.2 The [Oxfordshire Food Strategy](#) has been adopted by all county and city/district councils with the overarching aim of building a healthy, fair and sustainable food system for Oxfordshire.
- 11.3 The Food Strategy identifies that 74% of Oxfordshire's land area is agricultural, mostly cereals, followed by livestock grazing for meat and dairy but only 1% of food consumed in the county was sourced directly from the region.
- 11.4 Most of the UK's fruit and vegetable supply comes from a small number of growing areas in Europe. Access to land for food production in Oxfordshire is difficult. The strategy aims to address some of these issues which include:
- Land owners aspirations for how the land is used
 - Improving access to food production
 - Tenant farmers and their ability to make change
- 11.5 The Botley West planning documentation states that the majority of the land at the site is used for cereal farming. If granted, the potential loss of 1,300 hectares at the proposed sites (including the permanent loss of 5.7ha of BMV land) would negatively impact on the ambition to grow and consume more food within the county boundary and further reduce the availability of agricultural land.

Food economy:

- 11.6 The strategy identifies that Oxfordshire's local food economy contributed £2.2bn in turnover, supporting 19,500 jobs and 2,970 enterprises in 2020. Surveys of growers and producers as part of developing the strategy stated that turnover of workers is very high and there is a lack of access to apprenticeships, training and skills for those who wish to pursue careers in food productions and/or farming.
- 11.7 The application states that currently the land at the site is "farmed on contracting arrangements, with two small areas still operating on farm business tenancy

agreements that end by the middle of 2025.” (p.19 para 17.5.1.27, Chapter 29 – Land and PRow)

- 11.8 The potential conversion of the land to a solar farm may, therefore, potentially negatively impact on the number of agricultural employment opportunities within the county. However, the report goes on to state that holdings 2 and 3 will still continue to operate as farming enterprises and diversification as a result of the project may make the businesses more viable.

Mitigation

- 11.9 Two positive mitigation measure are included in Chapter 1: Socio-economic impacts on p.28, noting that the proposed development will “*provide space for at least two community agricultural groups to operate on the project site, including on behalf of Cutteslowe Larder and Cherwell Collective, by means of an Agricultural Licence Agreement*”. A second mitigation is the intention to provide seed funding for a Community Benefit Fund to create a community growing scheme. This would directly support the ambition in the Oxfordshire Food Strategy to foster short, local supply chain, improve access to healthy and sustainable food; and align with the ambition to promote educational opportunities that build connections, skills and knowledge. These initiatives could be extended to include new allotments for all who want to rent space. Of the 1,300 hectares, perhaps 20 hectares could be allocated to community agriculture of one form or another, probably with no loss of output at the solar farm³.
- 11.10 Moreover, a revised scheme design and exclusion of development from areas of best and most versatile agricultural land would minimise negative impacts on soil resources.

12. Impact on School Sites (OCC Property Comments)

- 12.1 Oxfordshire County Council (OCC) Property manages land that is located within 1km distance from the central proposed photovoltaic (PV) solar farm site. The land currently contains buildings, which are occupied by Yarnton Pre-School and William Fletcher Primary School.
- 12.2 Oxfordshire County Council also manages land that is located within 1km distance from the southern proposed PV solar farm site. The land is currently being used as a playing area for the Cumnor C of E Primary School. The school is also maintained and controlled by Oxfordshire County Council.
- 12.3 The safeguarding of children is essential and is a requirement for all schools operating in Oxfordshire. This is set out in the Keeping Children Safe in Education 2023, which is guidance issued by the Department of Education and explains that all school staff have a duty to establish and maintain a safe environment for children,

³ The proposal for Europe’s largest solar farm; *Carbon Commentary* (January 2024)
<https://www.carboncommentary.com/blog/2023/1/12/c1d9rhg8s4j3t88vdkqi5d26epwpdf>

where they are encouraged to communicate with each other and take part in activities.

- 12.4 Whilst OCC Property supports the proposed scheme in-principle, as it will assist the Government with meeting their goal of delivering new renewable and low carbon energy infrastructure, they wish to raise concerns in relation to several matters which arise primarily from the effects the proposed scheme would have on the preschool and primary schools in terms of noise and glint and glare impacts during the operation of the development. Specifically, there are fears that this development could potentially prevent them from carrying out their educational duty.

Glint and Glare Matters

- 12.5 OCC Property has reviewed the contents of the Glint and Glare Report (Volume 3, Appendix 4.4) and has some concerns regarding the impact of the proposed solar panels creating glint and glare issues to the playing area and building of both the preschool and primary school.
- 12.6 The technical study has not identified either the pre-school or primary schools as sensitive receptors, and therefore it is difficult to ascertain whether the proposed scheme will produce solar reflections that will have a detrimental impact on the staff and children of the primary schools and pre-school. Children spend a considerable amount of time outside, and it is therefore critical to ensure that the playing areas for the primary schools and preschool will remain a safe space for the children.
- 12.7 Paragraph 193 of the NPPF highlights that under the 'agent of change' principle, those responsible must do all they can to ensure that new development will not have an adverse impact on the facilities of the primary schools and preschool and the children that are under their care. Therefore, OCC Property would need to be satisfied that the overall level of intensity of solar glare observed by children and school staff would be limited.
- 12.8 As a consequence, OCC Property would appreciate if the technical study that was undertaken to inform the Preliminary Environmental Information Report could be updated in order to assess the glare and glint impacts on the Yarnton Preschool, William Fletcher Primary School, Cumnor C of E Primary School and their associated playing areas to ensure that they will not be adversely impacted by the scale and proximity of the proposed scheme.
- 12.9 OCC Property would also like to note that there is a planning application (21/03522/OUT) and appeal APP/C3105/W/23/3329587) that are currently awaiting decision, which concern the land immediately to the north of the William Fletcher Primary School. Should either the planning application or appeal succeed, then approximately 1.7 hectares of playing pitches and amenity space will be provided to the William Fletcher Primary School to enable its expansion.
- 12.10 OCC Property would therefore be grateful, if the technical study were to also assess the glare and glint impacts on the land that is being proposed to form the new playing area of the school. OCC Property will not support proposals, where they

could prevent William Fletcher Primary School from fulfilling its educational functions, including potentially expanding its facilities on the land that is shaded purple below.



Noise Matters

- 12.11 OCC Property has also reviewed the contents of Volume 3 Appendix 13.2 Construction Noise and Vibration and Figure number 13.3 (Operational Noise Study Area) and notes that the primary schools, preschool buildings and play areas are located within the 1 km study area that was drawn for the operational noise assessment associated with this development.
- 12.12 OCC Property considers that the primary schools, pre-school buildings and play areas should also be indicated as sensitive receptors of noise generated from the future operation of the development, as the development may result in levels of noise during its construction and operation that could disturb teachers and pupils during class hours. OCC Property would therefore appreciate, if the construction noise and vibration assessment that has been included in the Environmental Information Report for this development was updated to consider impacts on the primary schools, preschool and their associated play areas.

13. Community Benefits

- 13.1 Community benefits proposed by the applicant in the in the Phase 2 Community Consultation Leaflet include:
- A Community Benefit Fund of £50,000 per annum to be used on potential projects and initiatives (ideas for which are being sought)
 - Discounted energy to the local community (the creation of a retail energy company to sell part of the energy generated by Botley West to the local community at a discounted rate).
- 13.2 Whilst OCC support the principle of a community benefits fund, the proposed figure of £50,000 is insufficient and falls significantly below that being offered by schemes elsewhere. Engagement with OCC and the other host authorities on this matter is requested. An index linked rate per MW per year needs to be agreed.
- 13.3 Creation of a retail energy company, essentially a trading opportunity that would increase the economic returns of the solar farm, should not be considered as part of the community benefits package.
- 13.4 Biodiversity Net Gain is cited as an on-site benefit to local communities but for the avoidance of doubt this is a separate requirement which should not be considered as part of the community benefits package.
- 13.5 A number of helpful suggestions for community benefits are set out in the following article:
[The proposal for Europe's largest solar farm; Carbon Commentary \(January 2024\):](#)
- 13.6 OCC supports the following suggestions from the above article:
- Allow local people in Oxfordshire to invest in the scheme to realise additional local economic benefits.** Oxfordshire County Council's [Climate Action Framework](#) commits us to supporting our communities to own energy projects and retain the benefits locally (see section 10 on Climate Action above).
- Create spaces for local agriculture, including allotments and commercial market gardens in the areas around the panels.** Local fresh food is in increasing demand and also many people want to become horticulturalists but cannot find land on which they can work. The Botley West development could also provide allotments for all who want to rent space. See also the comments in section 11, Agricultural Land.
- The developer could develop a package of energy efficiency measures (including low cost PV installations and batteries to allow time-shifting) that would be offered to all homes within a certain area.**
- 13.7 We would welcome engagement on community benefits with Photovolt and the other host authorities.

Annex 2: Suggested Public Rights of Way Improvements
(see separate attachment)