

PLANNING APPLICATION FOR DEVELOPMENT OF SOLAR PARK AND ASSOCIATED INFRASTRUCTURE

CONSULTATION STATEMENT

**LAND AT MANOR FARM, NOKE, OXFORDSHIRE,
OX3 9TU**

ON BEHALF OF OXFORD NEW ENERGY

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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PLANNING | **DESIGN** | **ENVIRONMENT** | **ECONOMICS**

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1. INTRODUCTION

- 1.1 This Consultation Statement has been prepared on behalf of Oxford New Energy (**‘the Applicant’**) and supports a full planning application for the development of a solar farm and associated infrastructure on land at Manor Farm, Noke, Oxfordshire (**‘the Site’**). For context, shareholders of Oxford New Energy include the landowner of the Site and experienced solar developer Green Nation. The purpose of this report is to set out how the Applicant and landowner has engaged with the local community and other key stakeholders.
- 1.2 A consultation exercise was undertaken to inform the public and other stakeholders of the proposal. This report outlines the consultation process, key issues that have emerged from it and how these issues have been taken on board as part of the scheme design.

Public Consultation – informing the approach

- 1.3 Public consultation is an essential part of the planning and development process. It is about engaging with local communities to shape a proposal so that a subsequent application considers, as far as is appropriate and possible, local views and opinions.
- 1.4 The approach adopted by the Applicant and landowner in this consultation is based on best practice. This report documents the results of the pre-application consultation undertaken for this development and reflects good quality, wide engagement with the local community at a stage where comments received could be properly taken on board, enabling the emerging plans to be shaped in response to local suggestions.
- 1.5 The approach adopted is consistent with the Government’s approach to encouraging community engagement in shaping the future of their local areas, which is reflected in the National Planning Policy Framework (2019) which advises local planning authorities to *“encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, statutory and non-statutory consultees, before submitting their applications.”*
- 1.6 The Cherwell District Council Statement of Community Involvement (SCI) adopted July 2016, with the SCI Addendum approved July 2020, sets out the Council’s approach to community engagement. The document is focused on encouraging

community and stakeholder engagement, in particular focussed around Local Plan documents. The pre-application discussions and consultations section of Table 6 of the SCI states that developers of larger sites will generally be expected to engage with local communities. Application submissions should detail the pre-application consultation undertaken and how comments have been addressed. The SCI Addendum sets out temporary changes to the publicity of planning policy documents and planning applications during the Covid-19 outbreak, which included recommendations to not undertake public exhibition events.

- 1.7 In accordance with the Council's adopted SCI, the Applicant has engaged directly with the local community, including the local Parish Councils and the wider public, as well as with relevant statutory and non-statutory consultees. A formal pre-application enquiry has also been undertaken with Cherwell District Council. The extent of this engagement and its influence on the development proposals now included in the planning application is set out in sections 3, 4 and 5 of this report.

The Structure of this Statement

- 1.8 This Statement provides evidence of the pre-application consultation which was undertaken by the Applicant to assist in informing and shaping proposals in the accompanying planning application.
- 1.9 **Section 2** sets out the approach which has been adopted towards the consultation process. It includes information relating to the different ways in which awareness of the proposals was raised within the locality, the material provided and the different ways in which views of the public were captured.
- 1.10 **Section 3** provides quantitative information relating to the numbers and origins of the responses received demonstrating how the wider community were involved.
- 1.11 **Section 4** documents the issues raised by the respondents and indicates how these have been taken into account in the proposed development.
- 1.12 **Section 5** sets out the conclusions of the consultation process. It notes that the process of consultation has been a positive one, engaging with local people, capturing a wide range of different views, with the outcomes forming a key input into the design and development process.

2. THE APPROACH TO CONSULTATION

- 2.1 A range of activities were undertaken to raise awareness of the consultation. This ensured local people had a range of opportunities to engage with the process and make their views known in a meaningful way.
- 2.2 Due to Covid-19 pandemic restrictions, it was not possible to undertake a public exhibition event.

Engagement with Cherwell District Council

- 2.3 A formal pre-application enquiry relating to proposed development at the Site for a solar farm, was submitted to Cherwell District Council on the 28th February 2020 by Pegasus Group on behalf of the landowner of the Site. The pre-application enquiry was given the reference 20/00653/PREAPP. A representative from the District Council visited the Site on the 5th May 2020 and a written response was produced by the District Council on the 3rd June 2020. A virtual meeting with the case officer of the pre-application enquiry (Samantha Taylor) was held on the 10th June 2020. Further written advice, which expanded on the original written response dated the 3rd June 2020, was received on the 16th June 2020. As part of the advice received, the District Council confirmed that very special circumstances would be required in order to justify the proposed development in this location (within the Green Belt), and that permission could be possible if further evidence was submitted with a full planning application. The advice highlighted the constraints of developing the Site relating to landscape & visual impact, including in relation to views from the surrounding public right of way network, as well as potential ecological impacts. The Council also raised concerns with the scale of the proposal the subject of the pre-application enquiry. For clarification, **Figure 1** below contains the Development Framework Plan (Drawing No. P19-2636_003_1 Rev A) that formed the basis of the pre-application enquiry. A version of this drawing is also contained at **Appendix 1**.

Figure 1

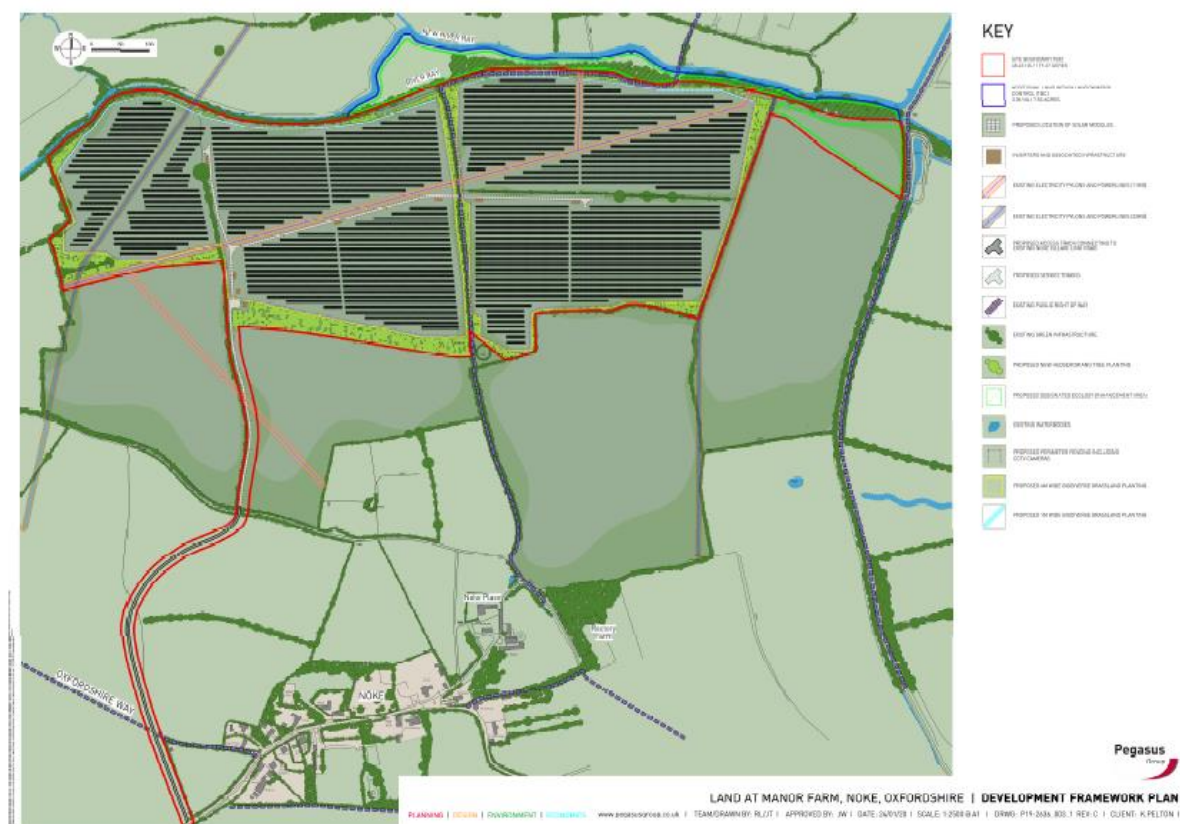


2.4 The written advice received from the District Council advised that the following additional information may help meet the 'very special circumstances' required:

- Providing evidence of the need for the scale of development proposed, in this specific location; potentially involving the business case/viability arguments.
- Potential letter/statement from the 'energy company' regarding the size/scale requirements in the area, to corroborate the Network Availability Assessment produced by Narec Distributed Energy that was submitted with the pre-application enquiry.
- Potential for phasing of the scheme to limit the impacts. The Council suggested for the development to be phased, releasing certain areas of land for solar array provision in less sensitive areas earlier, moving towards more sensitive areas at a later date and for less time in situ.

- A detailed assessment of local and wider public benefits including the energy generation of the development.
 - Confirmation and details of the local community benefits of the proposal, including linkages with an Oxfordshire based renewable energy community organisation, if they were to be involved as originally hoped.
- 2.5 The advice also stated that the provision of solar arrays within the identified Otmoor Conservation Target Area (indicated on the Development Framework Plan - Drawing No. P19-2636_003_1 Rev A contained at Appendix A) should be avoided where possible, unless detailed evidence of the need for the provision of the arrays is provided, along with evidence of the ability of the Conservation Target Area to function in a way that allows it to meet its objectives for being designated.
- 2.6 The advice confirmed the material that will be required to be submitted with the planning application including a Landscape and Visual Impact Assessment, Heritage Assessment, Construction Traffic Management Plan, Ecological Impact Assessment, Planning Statement to include an assessment of the benefits of the proposal, landscaping design proposals and Flood Risk Assessment.
- 2.7 As part of the pre-application discussions, the engagement with local residents and key stakeholders was actively encouraged by the Council.
- 2.8 Following the formal pre-application enquiry with the District Council the landowner and the solar developer engaged with their professional consultants and made changes to the proposal to try and address comments received from the District Council. After these amendments were made, Pegasus Group, on behalf of the Applicant, proceeded to organise a community consultation process with local residents and key stakeholders.
- 2.9 For clarification, **Figure 2** below contains the Development Framework Plan (Drawing No. P19-2636_003_1 Rev C) that formed the basis of the community consultation. A version of this drawing is also contained at **Appendix 2**.

Figure 2



Engagement with Local Parish Councils

2.10 Upon creation of the initial design the following Parish Councils were notified of the solar farm proposal; Noke Parish Council, Oddington Parish Council and Islip Parish Council. Green Nation requested the opportunity to present the proposal to each Parish Council. Approaching each Parish Council enabled Green Nation to understand concerns and thoughts of local residents, which were able to use to inform the design. Noke Parish Council and Oddington Parish Council agreed to meet and Green Nation attended via a video conferencing call, due to the Covid 19 Government restrictions. A response was not received from the Islip Parish Council. Once Covid 19 Government restrictions were eased Green Nation was able to attend a Parish Council meeting in person for both Noke Parish Council and Oddington Parish Council.

Engagement with Local Wildlife Trust- RSPB

2.11 The proposal is located near the RSPB Otmoor Nature Reserve, therefore RSPB were consulted. The proposal includes significant investment to improve the

biodiversity and ecology of the surrounding area. It was important to understand RSPB's viewpoint on existing ecology and where they believe the most benefit could be achieved. Their advice led to the commissioning of additional surveys to obtain a greater understanding of particular bird species activity around the proposed site.

Community Consultation Leaflets

2.12 A leaflet was designed which set out key information about the proposal and provided the opportunity for the local community to either access a consultation website to respond and provide comments; or respond directly through a freepost return slip provided with the leaflet. Leaflets were distributed to households within Noke Parish, along with the neighbouring settlements of Oddington and Islip. A map of the distribution area is included at **Appendix 3**. Leaflets were delivered to 820 properties within the distribution area. The aim of the leaflet was to provide initial information about the proposal and invite engagement. A copy of the leaflet is enclosed at **Appendix 4**. A summary of the responses received is contained in sections 3 and 4 of this Statement.

Community Consultation Website

2.13 A website containing further information to that outlined in the above-mentioned consultation leaflet was produced by Pegasus Group, on behalf of the Applicant. This went live on the 12th February 2021. The website included details of the proposal, a summary of key considerations of the proposal, a breakdown of the assessment work being carried out for the planning application, as well as a frequently asked questions section. It also included an online comments facility. It gave an alternative way of providing comments to that of the leaflet, allowing them to be made electronically online. A summary of the responses received is contained in sections 3 and 4 of this Statement.

Stakeholder Consultation

2.14 A review was undertaken of those particular groups and individuals within the local area which could potentially have an interest in the proposal. This identified the local elected District Council members, the local Parish Councils/Meetings and the RSPB that were all likely to have a particular interest in the proposals.

2.15 As noted above, discussions were held directly between Noke Parish Meeting and the Applicant. This included virtual meetings on the 23rd February 2021 and the 4th March 2021. This was attended by the landowner and representatives from Green Nation to answer queries about the proposal from the Parish Meeting members and to discuss community involvement in the proposal. During this meeting and as part of wider discussions with members of the Parish Meeting, the following matters were raised:

- Concern regarding the potential visual impact of the development.
- Apprehension of the impact on the neighbouring Otmoor RSPB nature reserve – would like to see RSPB’s thoughts on the proposal.
- Mention that the Site had previously been suggested for a new nature reserve.
- Concern that the proposal would lead to a future expansion of the solar farm as proposed.
- Apprehension over potential traffic through Noke village.
- Concern that the proposed access track (as shown in Figure 2 above) would be fenced along the entire route.
- Concern of the overall proposed access route (as shown in Figure 2 above) through existing agricultural field. Alternative routes suggested involving existing tracks.
- Objection over the size of the solar farm (as shown in Figure 2 above). Requested explanation of why it needs to be the size proposed. Requested that the solar farm area be reduced in size.
- Discussions held around the involvement of Noke Parish in the scheme and the associated community benefits.
- Clarification of security measures requested.
- Concern that the ‘north-south public footpath’ through the middle of the proposed development would be ‘hemmed in’ by the solar farm, detracting from enjoyment of people walking there.

2.16 Continued discussions have taken place between Noke Parish Meeting, Green Nation and the landowner of the Site in the lead up to this application.

2.17 Discussions were also held with members of Oddington Parish Meeting. Matters raised from these discussions were as follows:

- Concern of the impact of the proposal on the enjoyment of the public right of way that runs through the Site, used by local residents, including concern that the public right of way through the Site would feel 'hemmed in' on both sides (east and west) by the solar farm as proposed. Suggestion that the path could be maintained as wide and open as possible, perhaps with new planting on the eastern side where there is presently no hedgerow.
- Issue raised that at present many residents of Noke and Oddington choose to walk across private land within the boundary of the Site without the present permission of the landowner or tenant to the east of the abovementioned PRoW, south of the river and of the proposed 'ecology enhancement area' in the north-east corner of the Site (shown in Figure 2 above), to join the official bridleway running north-south to the east of the Site. Request was made that a permissive path be incorporated for this present unauthorised route being taken by local residents across private land. Suggestion made that this would create a new, official walk for both residents of Noke and Oddington and that this would be a positive outcome from the scheme.
- There was concern raised that a farm track leading from the village of Oddington, passing over the bridge at the Iron Centre weir, might be used for access during the construction period, or subsequently.
- Querying any opportunity for Oddington Parish to be included within any community involvement and ownership scheme.

2.18 Continued discussions have been had between Oddington Parish Meeting, Green Nation and the landowner of the Site in the lead up to this application.

2.19 Beckley and Stowood Parish Council provided a response to the community consultation, via the project website. The response recognised the need for the planning application to demonstrate 'very special circumstances' in line with local and national Green Belt policy but stated (before seeing the 'very special circumstances' of this proposal) that "*no 'very special circumstances' can be*

demonstrated for siting a solar farm here" and that the protection of the Green Belt is the highest of their priorities. The response also raised concern with;

- the scale of the proposal in terms of visual impact;
- the proximity to Otmoor RSPB Nature Reserve in terms of ecological impact;
- the "*distance from the solar farm to the middle of the permanently flooded part of Otmoor is only 1.3 km*" and that the development is larger than this permanently flooded area;
- the visual impact of the proposal from the surrounding public right of way network, including the Oxfordshire Way;
- glint and glare;
- visual impact from viewpoints across the Site from Beckley and all along the limestone ridge; and
- heavy construction traffic along the B4027 through the Parish.

2.20 The response also states that the Parish Council declared "*an environment and climate emergency*" in June 2019 and that they support the generation of renewable energy at 'appropriate sites'.

2.21 Islip Parish Council and Ward Councillors for Launton and Otmoor were also contacted about the proposals to inform them of the public consultation, provide them with a copy of the leaflet and website address, as well as offer the option for a meeting with the Applicant or to ask any questions regarding the proposal. These parties did not provide any comments to this consultation process.

2.22 In addition, as noted above, detailed discussions have also been held with RSPB given the proximity of the Site to the Otmoor RSPB Nature Reserve to the east of the Site and to discuss proposals for ecological enhancements at the Site as part of the proposed development. As part of these discussions the RSPB also provided positive comments in relation to the Ecological Appraisal produced, which has been submitted with this planning application. Possible involvement of RSPB in proposed ecological enhancement areas of the proposal was discussed and explored. A collaborative approach between Green Nation and RSPB has developed and RSPB have helped carefully guide the ecological enhancement areas of the submitted

proposal, particularly the wetland habitat proposed in the north-east corner of the Site, as shown on the submitted Detailed Soft Landscape Proposals Sheet 4 of 7 drawing (ref. P20-2636_17G).

Monitoring Engagement

2.23 To provide some basic analysis of how the consultation process had reached out to the wider community, those responding to the consultation process were asked to complete monitoring information. The freepost response cards and website asked for information relating to gender, age group and location in relation to the application site.

3. PUBLIC CONSULTATION RESPONSES – QUANTITATIVE RESPONSES

Freepost Responses

3.1 A total of 19 responses were received using the prepaid freepost reply forms contained on the consultation leaflet distributed to local people. Negative issues raised included:

- Concerns over the scale of the proposal in terms of visual impact.
- Objection over the Green Belt location.
- Concern of the impact of the proposal on the Otmoor RSPB Reserve and associated birdlife.
- Flood risk concerns.
- Concern over the access arrangements and impact on footpaths.
- Concern over the visual impact of the proposal.

3.2 Positive comments received from the postal responses included:

- Outright support for the proposal.
- Recognition of the need for renewable energy projects to tackle climate change.
- Highlighted the opportunity for wildlife and biodiversity enhancements through this proposal.
- Highlighted the opportunity for new or enhanced footpaths.

3.3 In summary of the postal responses, 6 objected in principle to the proposal, 11 were in full support and 2 did not give any clear indication of support or objection.

3.4 In terms of the monitoring information 8 responses indicated they were female, 9 male and the remainder did not express their gender. The highest proportion of respondents were in the 66-80 age group (eight).

3.5 Seven of the responses indicated that they lived within 5-10 minutes' walk from the Site and a further six responses indicated they lived within 5 minutes' walk.

Project Website

3.6 The project website produced as part of the community consultation process, which contains all information that would have been on the public exhibition, went live on the 12th February 2021, including the online comments facility. A total of 62 responses were received directly via the website. Many people had outright objections to the proposal, with these mainly related to matters of ecology impact and / or visual impact only. A number of people did object to the principle of the development in this location. A large number of people supported the proposal outright or subject to suggestions or conditions. Many people raised concerns and queries whilst still in favour of the principle of the development. Many people simply raised queries and appeared undecided on their view of the proposal at this stage, until further information could be provided.

3.7 A summary of matters raised from these responses are as follows:

- A number of responses in outright support of the proposal were received.
- A number of responses in support of the proposal with suggestions and 'conditions' that biodiversity is considered and materially enhanced; development is well screened from local viewpoints; PRoWs are retained; and for the Site to retain some agricultural use.
- Widespread recognition of the need for renewable energy projects to tackle climate change was highlighted, including input by those who had concerns with the proposal.
- The opportunity for providing biodiversity enhancements through this proposal was highlighted.
- Expression that solar farms can look 'good' in the landscape, including expression they potentially look better than many 'permitted' agricultural developments including 'plastic mulch' for example.
- Many people weighed the benefits of providing a renewable energy project against the impacts and concerns they had to this proposal related to other matters such as ecological impact and / or visual impact.

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- Concerns raised with the proposed access route, including concerns of the route crossing the Oxfordshire Way. Suggestions proposed to use existing farm track instead to limit the local environmental impact.
 - Concerns of the overall visual impact of the development from viewpoints in the immediate and wider area, including a few detailed responses highlighting specific viewpoints and landscape & visual considerations.
 - Expression that the proposal would disrupt their enjoyment of walks across the site.
 - A large amount of apprehension raised to the ecological impact of the development, including in relation to a number of protected species, birdlife and with a number of references to the local RSPB nature reserve and other designated ecological sites. A number of preferences raised for the site to become a 'national nature reserve' instead. Some detailed associated ecology, planting and management queries raised.
 - Linked with ecological impact and visual impact concerns, many people expressed the specific objection that the solar farm would be 'shiny'.
 - Concerns and queries over the need for a solar farm in this location within the Green Belt.
 - Queries raised around the size / scale of the proposal and associated concern related to visual impact.
 - Apprehension of knock-on flood risk impact to the local area.
 - Traffic impact concerns raised, including associated noise impact from vehicles and road safety concerns.
 - Suggestion that sheep farming would be unsuitable at this site.
 - Queries raised regarding the benefits to the local community.
 - Query of whether battery storage will be proposed.

3.8 In terms of monitoring information, of those that responded to the relevant questions, 29 respondents were male and 23 were female. The majority of respondents were within the 51-65 age group (18 responses) and 66-80 age group

(also 18 responses). Of the 62 responses, 32 indicated that they lived within 5-10 minutes' walk of the Site with the further 17 responses indicating that they lived within a car journey of the Site.

Summary

3.9 Overall, the response rate to the public consultation exercise was approx. 10% (based on the 820 properties that received a leaflet) which is considered a reasonable response rate to a pre-application consultation. Overall, the responses received provided a variety of reactions, raising a number of issues and providing a number of suggestions that have been taken into consideration as part of the proposed development submitted with this planning application.

4. CONSULTATION RESPONSES – ISSUES RAISED

- 4.1 The focus of the pre-application consultation was to raise awareness of the proposed development of the Site with the local community and encourage views and perspectives to help shape the proposals and address concerns as much as possible before an application is submitted to the District Council.
- 4.2 Any comment received through the various public engagement processes described in this Statement has been analysed on the basis of the issues raised by respondents and broken down into the sectors set out below.

Location and Scale of Development

- 4.3 A number of responses raised concerns regarding the location and scale of the proposed development. Many of these responses related to the Site being close to the Otmoor RPSB Nature Reserve which is addressed below under 'Ecology'. Respondents also raised concerns that the Site is located in the Green Belt and that the scale of the proposed development would be too large for the area. This latter concern also related to visual impact which is addressed below under 'Visual Impact'. There were also related concerns over the loss of agricultural land.

Response

- 4.4 The community consultation, and this planning application, acknowledge that the Site is located in the Green Belt. As noted on the website and leaflet produced for the consultation, solar sites must be located where there is a suitable land area to accommodate the scheme and where there is an appropriate grid connection with adequate capacity. A Network Availability Assessment has been produced and is submitted with this planning application which has found that there are not any suitable sites in Cherwell District outside of the Green Belt or on previously developed land that could accommodate this proposal.
- 4.5 The Planning, Design & Access Statement submitted with this application acknowledges that the proposed development is considered 'inappropriate development' in the Green Belt, having regard to the specific wording of Development Plan and national planning policy, and that therefore 'very special circumstances' are required to be demonstrated in order for the development to be granted planning permission. The very special circumstances of this proposal are clearly articulated in the accompanying Planning, Design & Access Statement which

demonstrates how the proposed development accords with local and national planning policy, including in relation to Green Belt policy.

4.6 In summary, as set out in the Planning, Design & Access Statement, it is accepted that the proposal would cause 'harm' to the Green Belt by reason of inappropriateness and because of the reduction in openness it would involve, and that this should be given substantial weight, having regard to the specific wording of national and Development Plan policy. In addition, there would be a limited degree of inevitable 'harm' to the landscape, to which moderate weight is attached, in line with the conclusions of the accompanying Landscape & Visual Impact Assessment. There would also be a very minor level of 'harm' to the significance of the Grade II Listed heritage assets at Manor Farm, through changes to their setting, to which limited weight is attached, in line with the conclusions of the accompanying Archaeology & Built Heritage Assessment. However, the proposal, and therefore any harm, would be temporary and reversible. In carrying out the balancing exercise required when assessing the application proposals, the Planning, Design & Access Statement has concluded the substantial weight attributed to the harm to the Green Belt, the moderate weight attributed to the limited harm to the landscape and the limited weight attributed to the very minor harm to the significance of the Grade II Listed heritage assets at Manor Farm is outweighed by the identified very special circumstances of this particular proposal; namely:

- The scale of generation of renewable energy; assisting in reducing carbon emissions, combating climate and ensuring energy security. This would assist with delivering the Council's commitments under their declared Climate Emergency and Climate Action Framework 2020 as well as wider national climate change targets for 2030 (68% reduction on 1990 carbon emission levels), 2035 (78% reduction on 1990 carbon emission levels) and 2050 (net-zero emissions);
- The necessary and justifiable location and scale of the proposed development; with no suitable alternative sites outside of the Green Belt in the District which could accommodate the proposal due to grid connection and land area constraints (as shown in the accompanying Network Availability Assessment); and with the scale of the proposal the minimum required to achieve a viable development (as shown in the accompanying Viability Assessment);

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- The development delivering benefits to the local community through ongoing community involvement in the project and delivery of on-site improvements such as the new permissive footpath which would benefit local people;
 - Assisting with the ongoing viability and stability of a local rural business through rural diversification;
 - The use of agricultural land which avoids Best and Most Versatile Agricultural Land;
 - The non-permanent nature of the development, with some agricultural use maintained during the lifespan of the development;
 - The provision of designated ecological enhancement areas at the Site, specifically for the purpose of ecological conservation, with the overall proposal resulting in significant biodiversity net gains with an overall gain for habitats of 50.44% and a specific gain of 6.14% for hedgerow habitats; and
 - The number of identified site-specific environmental considerations weighing in favour of the proposal, discussed in detail within the Planning, Design and Access Statement and accompanying reports submitted with the planning application. This includes the minimal and acceptable heritage impacts of the proposal, the minimal and acceptable transport impacts, the acceptable level of flood risk, the minimal and acceptable impact on residential amenity as a result of noise or air quality impacts or glint and glare, the minimal and acceptable arboricultural impacts to existing trees and hedges and the significant net increase in new tree, hedge and shrub planting.
- 4.7 The considerable benefits of the proposal, as outlined above and within the Planning, Design and Access Statement, clearly outweigh the identified harm to the Green Belt and any other harm, and therefore constitute the necessary very special circumstances required to accord with Development Plan and national Green Belt policy.
- 4.8 In terms of the scale of development, in response to concerns raised, the footprint area of the developable area of the solar farm (the panels / arrays and associated

infrastructure) has been significantly reduced from the initial proposals submitted with the formal pre-application advice enquiry with Cherwell District Council (see Figure 1 and Appendix 1), and from the proposals that were the subject of the community consultation process with local residents and stakeholders (see Figure 2 and Appendix 2). This significant reduction to the size of the scheme has challenged the economics of the project. The reduction in size of the developable area of the Site has been achieved by a combination of using more powerful (and more expensive) solar panels, and by slightly decreasing the distances between panel rows, which has some impact on output per panel. As a result, the peak capacity of the Site has remained at a sufficient level to ensure the project remains commercially viable while its physical footprint has reduced significantly. The application is accompanied by a Viability Assessment which demonstrates that the proposed development needs to be at the scale proposed in this application, in order to make the proposal commercially viable.

- 4.9 The Site is currently in agricultural use for intensive arable production. The solar farm will have a lifespan of 40 years. The proposed development has been carefully considered to ensure that the land can be returned to intensive arable production in the future. During the operational period of the development, the Site will be used as pasture for sheep grazing (on land around the panels) which will ensure an element of agricultural use continues throughout. For clarity, regarding specific queries related to the plausibility of sheep grazing at the Site, the landowner and agricultural tenant have confirmed that sheep grazing can and will take place at the Site as part of the ongoing use of the Site in conjunction with the solar farm.
- 4.10 For clarification, in relation to specific concerns and queries that this proposal would lead to future expansion; no further expansion or future phases are proposed. This application represents the entire development proposed with the scale guided by viability considerations as noted above, with reference to the submitted Viability Assessment. Any separate theoretical proposals for further solar farm development by any other party would be an entirely separate matter and would need to be subject to a separate planning application determined on its own merits at that particular time having regard to this development (if granted planning permission).
- 4.11 The ability to phase the development, releasing certain areas of land for solar array provision in certain areas earlier, moving towards other identified areas at a later

date, and for less time in situ, as suggested by officers of Cherwell District Council, is not a practical or viable option.

- 4.12 For clarity, in relation to the relevant specific query raised, battery storage is not proposed as part of this planning application. The development is shown in full detail on the drawings submitted with this planning application.

Ecology

- 4.13 As set out above, a large number of respondents raised concerns with the proximity of the Site to the Otmoor RSPB Nature Reserve. The concerns were mainly focused on the potential conflict with birds. This included concerns that birds would mistake the panels for water and collide with them. Some respondents also mentioned the potential for the Site itself to become a nature reserve and that previous plans had been raised for this, with this being an identified local objective. There were also responses which recognised that the proposed development could deliver ecological benefits compared to the existing situation.

Response

- 4.14 It is acknowledged that the Site is located in close proximity to the Otmoor RSPB Nature Reserve as well as other designated ecological sites such as the Otmoor SSSI. The ecological consultant (BSG Ecology) working on this project have carefully considered surrounding ecological sites and the impact on these sites is assessed within the Ecological Appraisal submitted with this planning application. The Ecological Appraisal concludes that impacts to any designated ecological sites are highly unlikely due to separation distances and the nature of the development. Regarding the specific issue of impact of the development on birds, BSG Ecology previously produced a report (entirely separate and prior to the involvement in this project) entitled 'The Potential Ecological Impacts of Ground-Mounted Photovoltaic Solar Panels in the UK'¹. The report concluded that the majority of studies have taken place in the USA, and that bird mortalities have been seen there almost exclusively on large concentrated solar systems. These systems are a completely different technology from the solar PV system proposed in this application. In particular, they include high towers that are heated to a very high temperature by reflective panels, causing some risk to birds through collision or singeing. The solar

¹ <https://www.bsg-ecology.com/the-potential-ecological-impacts-of-ground-mounted-photovoltaic-solar-panels-in-the-uk/>

PV systems employed in the UK, do not have towers, do not include components at high temperatures exposed to wildlife, and use panels that have anti-glare coatings in order to best absorb light and minimising any risk of collision. The main issue identified is displacement of birds due to habitat alteration and this issue is addressed in the submitted Ecological Appraisal in relation to this proposal with the proposal providing mitigation and new habitat areas.

- 4.15 The ecological enhancement areas of the solar farm has been incorporated following the discussions held with local residents and stakeholders during the public consultation, as well as ongoing collaborative discussions with RSPB, and is a direct response to the concerns being raised by local residents regarding ecological matters and the suggestions received. Respondents noted that there had been a desire to make the Site into a nature reserve. This of course would require landowner support and would need to generate an adequate income for them to be able to afford to proceed, implement and manage such a proposal. As such this proposal for a solar farm alongside the proposed ecological conservation areas is a realistic way of achieving this local objective, having regard to financial viability.
- 4.16 The proposed development has been carefully designed to ensure that a biodiversity net gain can be achieved. The current scheme results in the achievement of significant biodiversity net gains with an overall gain for habitats of 50.44% and a specific gain of 6.14% for hedgerow habitats. Subject to the implementation of the planting scheme proposed and mitigation measures set out in the Ecological Appraisal, the overall proposal will have a material benefit to a number of species including badgers, hedgehogs, brown hare, harvest mice, dormice, bats, reptiles, invertebrate species and the overall breeding bird community. Subject to the implementation of the mitigation measures set out in the Ecological Appraisal, the proposal will not have a detrimental impact on otter, water vole, great crested newts and the overall wintering bird community.
- 4.17 The proposal will protect and enhance the River Ray corridor to the north, as well as the existing green infrastructure across the Site. The proposals will also secure significant biodiversity enhancements that will help achieve the aims of the Otmoor Conservation Target Area. The proposed designated ecological enhancement areas around the River Ray will deliver an ecological corridor to harmonise with the Otmoor RSPB Reserve to the east. The submitted Ecological Appraisal shows that the proposal will protect and enhance the biodiversity and natural environment of the Site and surrounding area.

- 4.18 The submitted detailed landscape design drawings, submitted Arboricultural Impact Assessment and the submitted Ecological Appraisal, set out in detail the proposed specific species planting, outline maintenance and management strategies to be used and the overall arboricultural and ecological measures to be incorporated which addresses the detailed queries raised during the consultation process related to ecology measures, planting and management.

Public Footpaths including the Oxfordshire Way

- 4.19 Respondents raised concerns over the impact of the proposed development on the public footpath network in the area, which residents and stakeholders expressed is well-used. A number of respondents stated they were concerned that proposal would create a feeling of being 'hemmed in' when using the footpath which crosses over the proposed Site. Some respondents, including Oddington Parish Meeting, raised that this proposal may provide an opportunity to look at further footpath provision around the Site.

Response

- 4.20 Following the concerns raised by local residents, Noke Parish Meeting and Oddington Parish Meeting, the scheme design has been amended to allow for greater separation between existing footpaths and the solar arrays and associated infrastructure. This includes the provision of a wide grassland buffer to the east of the public right of way that runs through the middle of the Site (Footpath 309/1/10). Wider tree and hedgerow buffers have also been provided throughout, including along the northern boundary adjacent to Footpath 309/1/10. Inverters have also been positioned far away from any footpaths to reduce visual impact and prevent any noise impact.
- 4.21 The visual impact from the public right of way network in the area is assessed in detail within the submitted Landscape & Visual Impact Assessment (LVIA) and discussed below under 'Visual Impact'.
- 4.22 The idea of a new permissive footpath in the location of the existing area of the Site where local residents already walk unauthorised across the Site, as discussed in section 2 of this Statement, has been discussed in detail with the landowner and neighbouring landowner to the north. Following discussion with the landowner regarding this request, and with consideration to avoiding any potential impact from users of a path on the proposed ecology enhancement area in the north-east

of the Site; a new permissive footpath is proposed as part of this proposal as shown on the submitted Development Framework Plan, providing an alternative route between Noke and Oddington and allowing people to avoid using footpath ref. 309/1/10 through the centre of the Site if they so wished. This new permissive path would connect to footpath ref. 309/1/10 in the north and to bridleway ref. 209/16/10 to the south-east.

- 4.23 The existing public right of way network will be retained as a result of the proposal and the proposal has been designed to ensure limited impact on the usage of this network. The submitted Illustrative Landscape Sections A-C (Drawing Ref. P20-2636_21A) shows the scaled relationship of the proposed development and associated landscaping scheme with existing footpath ref. 309/1/10 to try and alleviate concerns raised by local residents that the experience along the route would feel 'hemmed in'.
- 4.24 The proposed temporary construction access route will require construction vehicles, including HGVs, to cross Public Right of Way (PRoW) 260/6/10, known locally as the Oxfordshire Way, around 160 metres north of Noke Village Road. The landowner already uses this route with agricultural vehicles and crosses the PRoW at this point. However, for the duration of the construction phase, mitigation and management procedures will be put in place for this crossing point. This will include signage, fencing, banksmen and ensuring that ramblers have priority at all times. The principle of this approach has been agreed with PRoW officers at Oxfordshire County Council.
- 4.25 From Manor Farm, footpath ref. 309/1/10 follows the alignment of an existing track which bisects the Site. An application to temporarily divert the footpath, using a Temporary Traffic Regulation Order (TTRO), will be submitted if planning permission has been granted and in advance of the construction phase. During the construction phase, the southern extents of the footpath will be diverted to the other side of the hedgerow within land under the landowner's control, as illustrated in the Construction Traffic Management Plan (CTMP) submitted with this application. A width of 1.8 metres will be maintained for the footpath for the duration of the diversion. The principle of the diversion has been agreed with PRoW officers at Oxfordshire County Council.
- 4.26 Once operational, the Site will be accessed via the existing Manor Farm access road to the south of the Site. As set out further in the submitted CTMP, once

operational, the solar farm will be associated with around one visit to the Site per week by 4x4 or small van. These will not impact the use of the existing PRow network compared to the existing situation.

Visual Impact

- 4.27 The issue of concerns around the visual impact of the proposal to some extent overlaps with the points raised regarding location and scale of the proposal. Responses noted that the Site is located in the Green Belt, away from the nearby settlements and on land currently used for agriculture. Some respondents felt that a solar farm would be a 'blot on the landscape' and would compromise views from the nearby settlements or local walking routes, whilst some felt there would be no or limited impact with some considering that solar farms can look 'good' in the landscape and better than other types of development which are 'permitted' in the Green Belt.

Response

- 4.28 The design and layout of the proposed development has been carefully considered to minimise the visual impact of the proposal. Landscape and visual advice and considerations have been a primary factor that has shaped the evolution of the proposed development, the subject of this planning application, and has sought to respond to the detailed comments of local residents and stakeholders to address concerns raised. The proposed landscape mitigation strategy outlined in the LVIA and shown in the submitted detailed landscape drawings, seeks to limit the visual impact of the proposal as much as possible.
- 4.29 The accompanying LVIA concludes that the proposed development will result in limited impacts at a localised level. The scale and form of proposed development is likely to result in impacts which are limited to the site area and its immediate context. In the wider landscape, potential views of the proposals are heavily filtered. Those from elevated positions are generally in the context of existing built form within the low-lying landscape and will be reduced by additional landscape planting along internal field boundaries within the Site and along its borders. A range of landscape and visual receptors have been tested and impacts have been identified for both landscape character and for visual receptors. This includes an iterative process whereby potential impacts have informed the landscape strategy for the Site and mitigation has become ingrained in the proposed development.

The residual impacts identified as part of this process highlight that the greater degree of impact relates to the Site and to elevated receptors in a few locations in the surrounding area, but due to landscape mitigation, the effects of which are generally very limited. Furthermore, the proposals for additional high-quality, mature landscape planting across the Site will deliver substantial enhancements in terms of physical landscape resources. Such proposals will enhance the existing fragmented vegetation across the Site to enhance local landscape character. Given the limited adverse landscape and visual effects, the context of the Site in close proximity to existing built form and acknowledging the limited impact on the rural aspects of the landscape; the proposed development and likely landscape and visual effects are considered to be acceptable in landscape and visual terms.

- 4.30 The proposal ensures that key viewpoints from the Site are retained including the view of St Nicholas Church in Islip to the west from footpath ref. 309/1/10.
- 4.31 For absolute clarity, as discussed above in relation to ecological impact, the proposed panels will not be 'shiny'. The panels absorb light to generate energy and therefore are designed not to reflect light.

Renewable Energy

- 4.32 A number of the positive comments in support of the proposal indicated support for the renewable energy benefits of projects such as this. These responses raised the significant and material issue of climate change and the need for such developments to provide alternative sources of energy to transition away from carbon sources of energy generation.

Response

- 4.33 This is a clear and material benefit of the proposed development and makes a significant contribution towards the achievement of sustainable development. Solar power is an integral part of the UK strategy to move to a low-carbon future, which is essential. This proposal would make a valuable contribution to national energy policy objectives and legislation relating to renewable energy. Cherwell District Council has also declared a climate emergency and has committed to doing their part to achieve a net zero carbon District by 2030 and lead through example. This proposal will assist in achieving net zero by 2030. The need to support the transition to a low carbon future in a changing climate and the need to encourage the development of renewable energy resources are core principles of the NPPF.

Paragraphs 148, 151 and 154 of the NPPF also provide clear support for low carbon and renewable energy development, as well as policies ESD1, ESD2 and ESD5 of the adopted Cherwell District Local Plan, highlighting the clear environmental benefits of such development. The scheme will provide energy to be able to power around 7,000 homes annually, representing a local source of clean energy, and it will help reduce carbon emissions and combat climate change by providing a saving of 12,000 tonnes of carbon dioxide per year.

Flood Risk

- 4.34 The issue of flood risk was raised by respondents. The Site includes areas within the identified floodplain (Flood Zones 2 and 3), adjacent to the River Ray. Respondents queried how the proposed development would relate to these areas but also if there was any potential for parts of the Site to be used as new floodplain in the event of flooding in the Ray Valley.

Response

- 4.35 The proposed development has been carefully designed to avoid development within areas of the Site that are potentially liable to flooding over the critical operational height of 0.9m above ground level, related to the measurement of the lowest point of the solar panels to the ground.
- 4.36 The proposal represents 'Essential Infrastructure' in the context of national policy and the accompanying Flood Risk Assessment (FRA) submitted with this planning application demonstrate that it is entirely safe for panels to be located within areas of the floodplain. The relocation of panels in the highest areas of flood risk from the proposals shown as part of the community consultation process (see Figure 2 and Appendix 2) has been carried out, responding to concerns raised by local residents and stakeholders. The accompanying FRA has identified a number of mitigation measures to reduce the risk of flooding to the areas of the development in the floodplain to an acceptable level. These include; providing sufficient spacing between the piles that support the panels to minimise flow disruption during a flood event; and ensuring that the security fencing mesh sizing is as large as reasonably practical to reduce the chance of blockage and obstruction of flow routes. The FRA has investigated the impact that the development will have on runoff rates from the Site. The additional runoff from the impermeable areas is minimal, however, calculations have been made to determine a suitably sized

swale system to capture the additional runoff anticipated. These swales have been designed to capture and store surface water runoff with the possibility of infiltration occurring at a slow rate due to the soil types identified at the site location. Subject to the mitigation measures set out in the FRA, it concludes that the flood risks associated can be suitably mitigated and a betterment can be provided. The proposal will remain appropriately safe throughout its lifetime and will not increase flood risk elsewhere. The provision of a significant amount of new (net gain) planting and creation of extensive new ecological grassland areas will improve the flooding and drainage situation in the local area.

Access

- 4.37 A number of queries and concerns were raised in relation to access arrangements for the Site, as proposed in the community consultation, including if additional hardstanding will be needed and whether that would increase flood risk; if the construction route would be removed; and concerns that new access roads would be visually intrusive. Some respondents also suggested using existing tracks for access.

Response

- 4.38 Following the comments received from local residents and stakeholders during the public consultation process, the route of the proposed construction and operational access routes has been amended as per the proposals shown as part of this planning application (see submitted drawings including Drawing No. P19-2636_003_1 Rev M). Residents had expressed concerns with the visual impact of a previous proposed new access track leading from Noke Village Road to the Site along the Site's western boundary (see Figure 2 and Appendix 2). Therefore, the Applicant now proposes a solution which uses a temporary access trackway, rather than asphalt or stone, which can be removed upon completion of the construction phase and the land returned to its previous state, before meeting an existing agricultural access route, providing access for the remainder of the route. The existing tracks will be upgraded using stone to facilitate access for HGVs. Once operational, infrequent (small) vehicle access will utilise the upgraded existing tracks via Manor Farm to the south within Noke. This amendment has therefore directly responded to the suggestions of local people.
- 4.39 As noted above the proposal will not increase flood risk at the Site or elsewhere.

- 4.40 For clarification on specific queries, the access route will not be fenced, and there are no other additional access routes to the Site, such as from Oddington to the north. The only access routes proposed are as described in the submitted CTMP and shown on the submitted drawings (temporary construction access route and operational access route using existing access via Manor Farm to the south).

Transport Impact

- 4.41 Concerns have been raised over potential traffic through Noke village, potential road safety impacts, as well as the impact of heavy construction traffic along the B4027 through the Parish of Beckley and Stowood.

Response

- 4.42 As mentioned above, the proposed temporary construction access route and operational route utilising existing tracks, have been carefully designed and considered to address concerns raised at the public consultation stage and meet local people's suggestions. The access strategy ensures that construction vehicle traffic will avoid Noke village.
- 4.43 The submitted CTMP demonstrates that there is no highway safety pattern or problem in the vicinity of the Site and with the mitigation proposed within the CTMP, there is no reason why the proposals would result in any highway safety issue. The arrival and departure of HGVs connected with the construction stage at the Site will be strictly managed by the site manager. Drivers will adhere to a delivery schedule agreed with the District and County Councils and will be required to call ahead to ensure that any emerging HGVs can be held within the construction compound of the development. No HGVs will be permitted to wait on the public highway. Such measures can be controlled by planning condition(s) on any planning permission.
- 4.44 It is expected that there will be a maximum of around 12 two-way movements per day by large vehicles at the site (i.e. six arrivals and six departures) over a three to six month construction period. There will also be construction workers arriving at the Site first thing in the morning and departing in the evening, although the numbers involved are forecast to be relatively low on a day-to-day basis and minibuses will be provided for general operatives.

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- 4.45 During the operational stage there is anticipated to be around one visit to the site per week for equipment maintenance. These would typically be made by light van or 4x4 type vehicles. Whilst the contractor's compound will have been removed, space will remain within the Site for such a vehicle to turn around to ensure that reversing will not occur onto the adjacent highway.
- 4.46 The level of traffic during the operational and the temporary three to six month construction phase is not considered to be material and it is considered that this will not have a detrimental impact on the safety or operation of the local or strategic highway network. This includes the B4027 through the Parish of Beckley and Stowood. Mitigation measures can be controlled by planning condition(s) to ensure that construction traffic does not impact the amenity of residents, through issues of noise and dust for example, and to ensure the development is carried out in accordance with the agreed CTMP.

Community Benefits

- 4.47 Discussions were held with Noke Parish Meeting and Oddington Parish Meeting around the potential community benefits that this proposal could provide for the local area. Associated queries were raised about such benefits from local residents.

Response

- 4.48 Green Nation has spent a considerable amount of time in discussions regarding the selling of a substantial stake in this project to a local Oxfordshire based renewable energy community organisation. It has not been able to complete an agreement prior to this application, a demonstration of the significant challenge for community organisations buying into large modern solar farm schemes, not least the timescales required for them to raise the necessary funds.
- 4.49 Green Nation will continue to look at community-led investment models to further deepen community involvement in the scheme. In parallel it will work with community groups in Oxfordshire to fund projects that bring social benefits and will dedicate a percentage of income to doing so.
- 4.50 Green Nation are committed for this scheme to actively involve the local community and form as a community-led initiative. It will continue to try and incorporate local group(s) as part of the project and will notably be setting up an annual community benefit payment for 20 years to the immediate community in

Noke, in addition to the on-site improvements as part of the scheme which will also benefit the local community, including the proposed creation of a permitted footpath, as detailed in the Planning, Design and Access Statement.

5. SUMMARY AND CONCLUSIONS

- 5.1 The submitted planning application has been supported by an engagement process with the local community and wider stakeholders. In developing this approach to pre-application consultation, the Applicant and landowner have taken on board the guidance in the Cherwell District Council SCI together with input from Council Officers.
- 5.2 This report provides evidence of the pre-application consultation which has been undertaken to assist in informing and shaping the proposals set out in this accompanying planning application.
- 5.3 As this report demonstrates, a range of approaches, tools and techniques have been used and have resulted in a range of different views being expressed by those who have engaged in the process.
- 5.4 820 leaflets were delivered to properties in Noke Parish, Oddington and Islip. The leaflets included a freepost response form to encourage responses as well as a project website with an online comments facility. Direct detailed discussions have also been held with Cherwell District Council, Noke Parish Meeting, Oddington Parish Meeting and the RSPB.
- 5.5 All of the responses received from all respondents have been read and considered. The issues raised have been identified and recorded. Each issue has been treated as equally important and has been considered in terms of if and how the scheme can change in response. Clearly it is not possible to make changes which will satisfy every response, as often the responses received can be conflicting.
- 5.6 Positive changes have been made to the scheme as a direct result of the public consultation exercise including;
- amendments to the proposed layout to reduce the scale of the developable area;
 - amendments to the proposed layout to allow greater offset between the development and existing footpaths as well as increased landscape and planting buffers;
 - revised access arrangement, including a temporary construction route utilising temporary access matting;

- the inclusion of a permissive footpath to provide an alternative walking route for local residents, between Noke and Oddington; and
- ecological enhancements, including designated ecology conservation areas to the north and north-east of the Site, guided by collaborative talks with the RSPB.

5.7 From the above, it can be demonstrated that the process of pre-application consultation has been a positive one, engaging with local people and other stakeholders, capturing a range of different views, and resulting in changes to the proposal to address many of the matters raised, correspondingly improving the development proposals.