

Rachel Tibbetts

From: Planning
Sent: 03 October 2022 14:20
To: DC Support
Subject: FW: 22/01682/F - Land North Of Manor Farm Noke

From: Julie Baxter <Julie.Baxter@cherwell-dc.gov.uk>
Sent: 03 October 2022 14:14
To: James Kirkham <James.Kirkham@Cherwell-DC.gov.uk>
Cc: Planning <Planning@Cherwell-DC.gov.uk>
Subject: FW: 22/01682/F - Land North Of Manor Farm Noke

Dear James,

Apologies for the delay in responding, however as I'm sure you'll appreciate this comprehensive application needs thorough assessment and careful consideration. Whilst renewable energy applications are to be applauded and having taken into account the complexities in suitable size and site constraints, I must comment purely on landscape and visual amenity and what impact this scheme could have on the local area and wider setting. Further to a site visit, I make comment, based predominantly on this and the information provided in the Landscape and Visual Impact Assessment and accompanying Soft Landscape Proposals.

Land North Of Manor Farm, Noke.

Proposal:

Development of a ground mounted solar farm incorporating the installation of solar PV panels, associated infrastructure and access, as well as landscape planting and designated ecological enhancement areas.

When the landscape and biodiversity areas are included, the total extent of the solar farm is 43.78 ha of which solar panels are proposed to cover approximately 30 ha. of the area.

The site consists of several field enclosures currently in agricultural use. The linear strip for the temporary construction access, which extends to the south of the main site area, lies across an agricultural field. There is an existing access to the site along the southern boundary via a local farm track which extends north from the village of Noke which is proposed as the operational access.

The proposed development also includes a 2.59m high x 12.16m length (shipping containers) spares cabin, a 2.59m high x 6.06m length welfare cabin, switchgear station, a 3m high DNO substation, 8nr inverter stations and associated infrastructure, as well as perimeter fencing at 2.1m high and associated 3.2m high CCTV.

It is proposed that the solar farm will be connected to the electricity grid network via a cable connection to an existing 33kv electricity powerline infrastructure to the north-west of the Site.

The main operational vehicular access to the Site is proposed via an existing agricultural access track from the unnamed road to the south of the Site which connects the B4027 to the village of Noke. This access route runs past Manor Farm and connects with public footpath ref. 309/1/10 connecting to the main part of the Site to the south.

Note: The Noke Solar Farm proposal was reduced in scale to address the concerns raised during the planning Pre-Application process. The development now covers three of the five fields originally submitted to the Local Planning Authority (LPA) as part of the planning Pre-Application process, pursuant to preapplication ref. 20/00653/PREAPP. The reduction in site size was achieved by a combination of using more powerful solar panels and by slightly

decreasing the distances between panel rows, which has some impact on output per panel. The applicant has also allowed for a greater offset between the development and existing footpaths as well as increasing the planting buffers. A new permissive path is included as part of the proposal in order to provide an alternative walking route between Noke and Oddington. Revised access arrangements, includes utilising an existing footpath for the proposal's operational access and having a separate temporary construction access route. Ecological enhancements are included, including ecological areas to the north and north-east.

Landscape Relevant Policies include:

The Cherwell Local Plan 2011-2021 Part 1

Policy ESD 5: Renewable Energy, the Council supports renewable and low carbon energy provision wherever any adverse impacts can be addressed satisfactorily. Issues of particular local significance are listed in the policy and include: - Landscape and biodiversity including designations, protected habitats and species, and Conservation Target Areas; - Visual impacts on local landscapes - The Green Belt, particularly visual impacts on openness.

Policy ESD 13: Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows. Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would: Cause undue visual intrusion into the open countryside Cause undue harm to important natural landscape features and topography Be inconsistent with local character Impact on areas judged to have a high level of tranquillity. In support of this policy, paragraph B.252 of the adopted plan identifies a number of key landform and landscape features. These include Otmoor and the River Ray floodplains, which will potentially be directly impacted by this proposal.

Policy ESD14: Oxford Green Belt. The site is within the Oxford Green Belt and this policy states that proposals within the Green Belt will be assessed in accordance with the NPPF and NPPG. Development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities.

The most relevant extracts from the NPPF are: 147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. 2 151. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources. The proposal is deemed to be inappropriate development in the Green Belt, therefore there is a need to demonstrate very special circumstances before it can be considered for approval.

Policy ESD 17: Green Infrastructure. The District's green infrastructure network will be maintained and enhanced through various measures, highlighting the importance of maintaining and enhancing the District's green infrastructure network. In support of this policy, paragraph B.277 of the adopted plan states that key components of green infrastructure are areas of open space, sometimes linked by public rights of way. Public rights of way are protected in law and comprise four types: footpaths, bridleways, restricted byways and byways open to all traffic (BOAT). The County Council has responsibility for Public Rights of Way, and as such publishes a Rights of Way Improvement Plan and promotes routes for walkers, cyclists and horse riders in order to encourage sustainable access to the countryside. Other dominant strategic features include statutory designated sites such as RSPB Otmoor reserve. The Conservation Target Areas (indicated on the Policies Map) are the most important areas for biodiversity in the District where targeted conservation action will have the greatest benefit, and form an important component of the green infrastructure network of the District which can be enhanced over the period of the plan.

Key Topography, Vegetation, Landscape Characteristics and Designated Areas:

The topography of the site rises gradually from the northern boundary adjacent to the River Ray corridor towards the south-west. Levels sit at ca. +56m - +59m AOD along the northern and eastern site boundaries. These levels rise to the south-west gradually to form a localised soft 'dome' in the south-western part of the main site area. The landform then continues to rise to the south of the main site area to the south-west and rises along the route of the proposed construction access track.

The boundaries of the field enclosures within the site boundary are generally defined by native hedgerow with hedgerow trees. Some are fragmented and with gaps, notably along the north-western site boundary and alongside part of the western edge of the public footpath broadly through the centre of the site. The Pre-development Arboricultural Report and Method Statement, Revision 1 (Wharncliffe Trees and Woodland Consultancy, October 2021) notes that the trees are located on field boundaries within and around the site and that hedgerows are a 'significant feature of the site'.

In the wider landscape, the landform continues to rise to the south-west of the proposed construction access track to a hill rising to ca. +102m AOD north of the settlement of Woodeaton. The remaining landscape is generally low-lying and with gentle undulations, influenced by the valley and floodplain landscape associated with the River Ray. The various settlements in the surrounding landscape, including Noke, Islip and Oddington, and the site are generally located on slightly higher landform (ca. +60-70m AOD) than the surrounding landform (ca. +50-60m AOD). Further to the south-east of the study area, the landform rises steeply to a ridge known as the 'Oxford Heights'. This rise in landform reaches a localised highpoint of ca. +141m AOD to the south-west of the settlement of Beckley.

The Woodeaton Quarry SSSI, Woodeaton Wood SSSI and Otmoor SSSI are all within close proximity (1km-1.5km approximately).

Public Rights of Way (PRoW) and Access:

A public footpath (ref. 309/1/10) runs through the centre of the site and partly along the northern boundary, which then extends north and south to the settlements of Oddington and Noke respectively. Several public footpaths also run through the Otmoor marshland to the east of the site.

National Cycle Network Route 51 lies ca. 3.2km to the north-west of the site.

A public bridleway (ref. 209/16/10) runs adjacent to the easternmost site boundary, which extends from Oddington to the north and continues south towards the eastern edge of Noke. Other bridleways within the immediate locality include: Noke Bridleway 309/8, which runs eastwards from the road into Noke village centre at St Giles Church to Rectory Farm then south to rejoin the road at Rectory Cottage. Noke Bridleways 309/7 and 309/13 (Prattle Lane), which connect BW209/16 through the eastern end of Noke village and across the B4027 to the C-class road into Woodeaton.

The Oxfordshire Way recreational route lies ca. 550m south of the main site area. The construction access track runs through a section of the Oxfordshire Way recreational route on its approach to the settlement of Noke. In the wider landscape, the network of PRoW comprises numerous routes through the local landscape connecting the various settlements. The Oxfordshire Way and Oxford Greenbelt Way transverse the local landscape, including on the relatively higher ground to the south through the settlement of Beckley.

Green Belt:

The site and study area lie within the Oxford Green Belt. The 2015 Oxford Green Belt Study identifies the site as within 'Broad area 3'.

Purpose 3 – rated high and of relevance to this site: To assist in safeguarding the countryside from encroachment: The broad area contains several rural in character villages, including Noke, being the closest, Islip and Charlton-on-Otmoor. Other significant features within the broad area include Otmoor, the River Ray and Holton Brook and their associated floodplains. There are several SSSI scattered throughout the broad area on the moor and in ancient

woodlands. The rest of the broad area is made-up of open agricultural fields with excellent views of the surrounding countryside.

Landscape Character:

The landscape setting in this area is sensitive, comprising open countryside, Ancient Woodland and historic villages with Conservation Areas and Listed buildings. The site is in proximity to the Oxford Heights landscape character area and the Wooded Hills and Valleys landscape sub-area. The local landscape context of the site includes the River Ray corridor to the north, extending to the edge of the Otmoor to the east and agricultural land to the west and south.

The landscape assessment has considered the wider landscape impact, including the potential cumulative impact the solar farm would have on the local and wider setting, which is in the Green Belt. This includes the impact from views but also on the fabric and character of the landscape itself. The site is in proximity to the Oxford Heights landscape character area and the Wooded Hills and Valleys landscape sub-area.

In terms of condition, the hedgerow vegetation across the site is generally fragmented and lost in places, however the eastern part of the site, located within the Otmoor CTA, is generally in a good condition and has a strong relationship with the wider Otmoor landscape further to the east. The mature vegetation of the much of the northern settlement edge of Noke and alongside the River Ray south of Logg Farm creates localised containment of the site. Minor parts of views are available across the site towards built form in Noke and also the Church in Islip. These elements influence the landscape character of the site and its local landscape context.

Overall, the physical landscape impacts are considered to be direct and will be limited to the extent of the site only. There will be no additional direct impacts on the wider landscape context. The LCTs surrounding the site are identified as 'Conservation' landscapes within the published guidance, rather than a 'Repair' landscape in which the vast majority of the site is located. So there may be an opportunity to enhance the areas of the site in line with the immediate surrounding area. This includes within the eastern area of the site adjacent to the wider landscape of Otmoor, identified within published guidance as a 'special feature' of 'international importance'.

The main impacts are likely to arise from the change in land use from predominantly agricultural field enclosures to a solar farm development at a local level. Such changes are temporary but considered to be long-term (min. of 40 years)..

Visual Amenity:

Overall, the greatest degree of visual impact is from those receptors along the PRoW network, passing through the site itself, the Noke to Oddington footpath (ref. 309/1/10). It extends north of the village of Noke passing through the centre of the Site in a general north-south; before heading east in a general east-west trajectory along the northern boundary of the Site; and then heading north in a general north-south connecting to the village of Oddington.

The proposed solar farm site impacts two bridleways. This includes the route adjacent to the key Otmoor perimeter bridleway between Oddington and Noke (Fencott & Murcott bridleway 16) and also Noke bridleway 8. I note that there are more than 700 horses registered to addresses in the OX5 postcode district, many of them kept within the immediate area around Otmoor, Noke, Islip and Oddington (where there is a livery yard at Logg Farm, some 300 metres from the proposed development) so would take the view that these bridleways are very popular and regularly used.

There are several other Public Rights of Way within the vicinity of the Site which extend across the wider landscape.

The Oxfordshire Way recreational route lies approx. 750m south of the main area of the Site proposed for solar development. The construction access track of the proposals runs through a section of the Oxfordshire Way recreational route on its approach to the settlement of Noke. From here there are short-distance views from the Oxfordshire Way as it extends west from the settlement of Noke (passing a Roman Villa site), the visual effects of which lessen as it continues northwest due to the falling elevation. It also includes long-distance views from the Oxfordshire Way and local road network near to Beckley to the south-east, which are within the context of existing development in the low-lying landscape.

In the wider landscape, potential views of the proposals are generally filtered by intervening vegetation. Those from elevated positions will be reduced by additional landscape planting along internal field boundaries within the site and along its boundaries.

Comments and Supporting Information from the LVIA:

This is a comprehensive submission and in order to consider impacts on landscape character at a more detailed level, the LVIA has also considered the character of the site and its local landscape context. At this level the assessment concludes that the proposed development will result in a 'moderate adverse' effect. At year 10 after completion, the magnitude of the impact of the proposed development will reduce, resulting in a 'minor to moderate adverse' effect.

However, of the sixteen viewpoints that were recorded on footpaths bridleways, and roads: VP1, VP2, VP5, VP6 and VP13 are locations where the solar panels will cause significant visual impacts for the receptor. At year 10 after completion the magnitude of impact in my assessment would be medium - high which, combined with the high sensitivity gives rise to a moderate - major adverse effect, Despite reinforcing intervening hedgerows and planting of large groups of native trees and shrubs around the perimeter and close to the site to mitigate the views of the solar farm, I question if this will benefit the visual receptors using these routes due to the impact of change and loss of views but also on adverse effect to overall fabric and character of the landscape itself.

I am though in agreement with the LVIA that a number of the more distant views towards the site are generally screened fully or in part by intervening existing and proposed vegetation which reduces the proportion of view the proposed development may populate. The intervening vegetation and level topography means the site is otherwise predominantly hidden, or views are heavily filtered, for visual receptors from the furthest viewpoints, to include 7-12 and 14-16. Viewpoint 4 however shows the site to be completely hidden by mature and close bound vegetation, and so feel that this is a pointless example due to the nature of the enclosed route.

The localised viewpoints 1 and 2 are without question the most significant visual effects to be experienced which are currently open with long ranging views. Even after 15 years the magnitude of change will be high as the grown up vegetation will create an enclosed space that some receptors may find oppressive and removes the 'open view' enjoyment the receptor currently benefits from when using this route.

I am pleased to see photomontages (four in total) included along with the consideration of a variety of receptors. However it would have been very helpful to have had a photomontage for viewpoint 3 (from the Otmoor bridleway) but in particular viewpoint 2 where the receptor crosses the centre of the site using the main footpath route from Noke to Oddington.

The three Illustrative Sections A-C interpret a clear account of the proposed mitigation measures and how the visual receptor might experience using the footpaths after completion. It would however have been helpful to compare these at Year 10 when the planting has established and how this might impact the views across the wider landscape. For example I note that in viewpoint 1 there are clear (distant) views across to the church of St Nicholas in Islip, which over time will be blocked by mitigation planting.

I feel that overall, the magnitude of impact on the local landscape is considered to be medium - high. This includes a judgement in respect to the design of the soft landscape scheme and its associated mitigation. Assessed alongside the medium to high sensitivity, this will result in a moderate - adverse effect.

At year 10 after competition, the proposed landscape planting strategy should be established sufficiently to help integrate the proposed development into the surrounding landscape character. However due to the magnitude of impact it will still be considered to have a moderate - adverse effect.

I see a significant issue in this regard but the imposition of the solar arrays and their ancillary infrastructure on what are currently open fields which would clearly result in an adverse impact on the character and appearance of the landscape. This would be readily apparent to users of the public footpaths, especially those that cross the site and pass close to it. These footpaths I would suggest are regularly used by local residents and visitors (especially those coming to the Oxford area) and for a visual receptor walking on the PRoW, crossing from Noke (south) to Oddington

(north) will experience a harmful visual effect from this development and will become aware of the views of the large solar farm.

The proposal would be an inappropriate form of development in the Green Belt and despite best attempts at providing a detailed landscape masterplan these mitigation measures are not considered sufficient enough to clearly outweigh the harm by reason of inappropriateness, thereby providing justification on the basis of very special circumstances. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

Several areas are shown on the ZTV as zones with potential visibility, for example from part of the Oxfordshire Way to the north of the site and also the PRow network within Otmoor to the east. However, the actual intervisibility was less clear when tested in the field, due to landform and intervening layers of vegetation along field boundaries and watercourses.

As mentioned in LVIA, supporting viewpoint photographs used were taken in mid October 2020 when deciduous vegetation was still in leaf and therefore likely to have provided the maximum visual screening effect, although the assessment says this was accounted for with the potential for decreased screening during the winter months.

GLVIA3 notes that for some types of development, the visual effects of lighting may be an issue, and in such cases, it would be important to carry out night-time assessment of the existing conditions in order to address the potential effects of lighting. This is as I understand it has not been carried out and so cannot be considered.

The assessment includes a section where a precedent (recently constructed) solar farm that went through the appeal process is discussed, (Appeal Ref: 13/00066/REFAPP). This solar farm falls within the northern edge of the defined Green Belt and is ca. 2.1km to the north-west of the Noke site area. I question whether this can be compared to the application site as it is some distance away from any villages and with its access point directly off the A34. In addition, the applicant's report notes that 8.06 of the 42 hectares are to be used as the developable site area for solar panels (site can be identified on the Constraints Map and on aerial images). Whereas the Noke site, covers a total area of approx. 43.78 ha, of which approx. 30 hectares will accommodate the ground mounted solar panels (paragraph 7.1, Planning, Design & Access Statement), making it nearly four times the size. In addition, having a second solar farm in such close proximity to the existing one adds to the cumulative impact on the Green Belt landscape in the vicinity referred to as 'sheer quantitative impact'.

Although the landscape masterplan is favourably comprehensive and offers a good level of detail (as shown in the supporting Soft Landscape Proposals sheets 1-7) in providing a screening by the 15th year of completion it would undoubtedly reduce the openness of the Green Belt and constitute encroachment into the countryside, causing significant harm. The application meets a number of the 'very special circumstances' for the need for renewable energy, however the size and magnitude of the application and the visual impact on the Green Belt is still seen as being inappropriate.

In the wider landscape, potential views of the proposals would generally be filtered by intervening vegetation and the elevated positions would be reduced by additional landscape planting along internal field boundaries within the site and along its boundaries. However, overall the scale and form of the proposed development will result in significant impacts at a localised level in particular to the site area and its immediate context.

The proposed development, by virtue of the cumulative landscape and visual impacts, would constitute inappropriate development in the Oxford Green Belt, and would result in harm to the openness of the Oxford Green Belt. In the absence of any very special circumstances to outweigh the harm identified the proposal is therefore contrary to Policy ESD14 of the Cherwell Local Plan 2011- 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

In order to safeguard the local amenities (including the footpaths, bridleways, cycle routes and road networks) of the area and protect the rural character of the landscape and to comply with Local Policies and NPPF guidance, I conclude that this application does not meet the very special circumstances criteria that would outweigh the permanent harm that would be caused by reason of inappropriateness. I consider that acceptance of this as a very special circumstance

would set an undesirable precedent and therefore that the cumulative impact of built form of solar panels and associated infrastructure would constitute inappropriate development in the Oxford Green Belt, harming the openness and conflicting with the aims of the designation.


Conclusion: Given the significant adverse effects, particularly the visual impact on the receptor, this application is considered to be unacceptable in landscape and visual terms.

Kind regards,

Julie.

Julie Baxter

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