

Comments on and objection to the proposed Padbury Brook Solar Farm planning application

I own and occupy Oldfields House, Mill Road which is one of the nearest residential properties to the site. I also regularly walk the public footpath which runs within the site that is accessed from Oldfields Copse. Although helpful discussions with the applicant's representative have alleviated some of my original concerns, I still have strong and fundamental objections to the scheme on certain grounds.

Planning policy

Whilst national and local planning policies encourage schemes for renewable energy, that broad support is subject to site specific policy caveats which apply here. These are set out at local level in Cherwell Local Plan 2011-2031 Part 1 Policy ESD5: 'Renewable Energy' which supports such development provided that there is no unacceptable adverse impact, including cumulative impact, on certain issues which are considered to be of particular local significance in Cherwell. In addition, Policy ESD 13: 'Local Landscape Protection and Enhancement' provides that proposals will not be permitted if they would cause undue visual intrusion into the open countryside; undue harm to important natural landscape features and topography; be inconsistent with local character or impact on areas judged to have a high level of tranquillity.

National guidance advises that the need for renewable or low carbon energy does not automatically override environmental protections. The NPPF paragraph 158 provides support only if the impacts are or can be made acceptable. In this case, there are site specific factors and consequential adverse impacts which render it an entirely inappropriate site for such a scheme on such a large scale in this particular location.

The unacceptable adverse impacts that will arise fall under the following issues of particular local significance. These factors are recognised by Local Plan Policy ESD5:

- **Visual impact:** adverse effects on the local landscape character and visual impacts including upon users of the public footpath network;
- **Highways and access:** concerns relating to the use of the local access road by construction traffic including HGVs; and
- **Residential amenity:** there are potential adverse impacts upon residential amenity including visual, noise and disturbance. However, following discussions with the applicant's representative, and subject to the agreed revision of the Noise Assessment together with the revisions made to the pre-submission layout and the imposition of appropriate planning conditions, I am content that

these concerns in relation to residential amenity could be appropriately mitigated. Nonetheless, if those changes are not secured then a strong objection on this ground is maintained.

Taking these in turn:

The adverse impact on landscape character and visual amenity

National guidance advises that local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape. The NPPF section 15 recognises the intrinsic character and beauty of the landscape and the need to identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. Renewable and Low Carbon Energy (June 2015) advises that the deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes.

As the name of this project implies, this part of North Oxfordshire with the County boundary with North Bucks running just to the north of Padbury Brook, forms an integral and unique part of the Padbury Brook river valley landscape. Although not within a nationally designated landscape area, it nevertheless has far greater landscape value than many other parts of the district. Appreciation of its role as part of this landscape would be lost should the development proceed. Furthermore, the HS2 route lies to the north on the other side of the Padbury Brook and EWR to the south-east. There has been no cumulative assessment in combination with those major projects, notwithstanding the reference to cumulative impact in Policy ESD5.

The value of the landscape lies in the far reaching views that can be obtained over undulating ground interspersed with groups of mature trees. The public views from the highway and footpath network across the open undulating vistas create a sense of space and tranquillity. This is demonstrated by the photographs below which show the existing view north-east from the footpath (PROW 371/8b/10) where it emerges from the woodland adjacent to Mill Road across one of the fields that would be occupied by the solar panels and high fencing. The corresponding view in the opposite direction is from the Godington end of the public footpath, and the public highway leading to Godington from Poundon Road. The contrast with the developer's 'after' photomontage is most striking.





This viewpoint from the point at which the Fringford to Godington footpath (PROW 371/8b/10) enters the site from the ancient woodland is not one of the viewpoints utilised for photomontages submitted in support of the application. Although VP2 PROW 371/8b/10, looking south-west into the site has been included this is the point where the footpath leaves

the site and enters Oldfields Farm. It does not show the view towards the ridgeline at Godington, although it does reveal the openness of the landscape and the rise of the land towards the south-west away from the river valley bottom.

In contrast, VP1 which is described as 'PROW 371/8a/10 looking south towards the site' is on the other side of the ancient woodland and the road that runs through it. This is therefore of little value in assessing the effects on landscape character and visual impact of the site itself. It is not understood why this VP has been chosen, whilst the most important vista as seen from the other side of the ancient wood has not.

Furthermore, all the photomontages have the effect of flattening the undulations, in particular the rise to Godington and in the other direction to the Mill Road crossroads and beyond. For that reason, a physical site visit is necessary to appreciate the existing landscape and visualise the effects of the scheme rather placing too much reliance on the photomontages. Nonetheless, the photos and photomontages from viewpoints VP5 'PRoW 225/6/10 looking west towards the site' and V6 from Godington towards Park Cottages reveal the enormity and full extent of the site and the significance of the impact on the landscape even after the maturity of the proposed planting.

On the question of the impact on users of the footpath network and the experience they currently enjoy, as indicated above, the path that runs through part of the site connects Fringford to Godington and beyond. This section of the public footpath is described in the Planning Design and Access Statement as running along a 'short section of the northern boundary'. However, it is a section of about 400m in length. Furthermore, it is part of an important through-route, and provides the most visually appealing part of that route.

At best, the mitigation offered amounts to the complete screening of the development by new planting, albeit once it matures after 15 years. This part of the landscape setting to Padbury Brook would therefore undergo dramatic change from openness to tunnel vision with the footpath route within the site wedged between the ancient woodland on the adjacent land and the new planting. Until the new planting matures, the view would be of an industrialised countryside interrupting the flow and charm of the footpath experience.

The proposed mitigation represents an acknowledgement of failure to select the right site, and of the extent of the harm that would result to landscape character and visual amenity in this location. Its provision would serve to obscure the key landscape features of the area. The screening itself would be detrimental to and inconsistent with the

openness of local landscape character contrary to Policy ESD13. It should not be used in this way to hide incongruous and harmful development from public viewpoints. Thus, there is a fundamental objection on the grounds of harm to landscape character and adverse visual impact that screening could not overcome.

Furthermore, it would also be impossible to achieve an effective screen from all viewpoints given the topography of the land and the deciduous nature of the planting that would be appropriate in this location. It is noteworthy that the photomontages do not include those for the winter months, and it is deciduous native planting that is proposed. In addition, the length of time to reach maturity represents a large proportion of the development's estimated lifetime of 40 years, so for a substantial part of its existence the screen would be ineffective.

This section of the footpath is very well-used. It is one that I walk regularly, and I usually observe others doing the same. The views across the open fields contribute particularly to the enjoyment that is gained. The suggestion that the public footpath will be enhanced is refuted. There is no need for it to be widened or surfaced – once a footpath always a footpath with the access safeguards that that entails. The route is already of ample width to provide safe and easy access. Its surfacing would detract from rural character.

The applicant's Landscape and Visual Impact Assessment (LVIA) itself identifies harm including in relation to the landscape character of the site and its surrounding area; the landscape character of the Estate Farmlands LCT and the Rolling Farmland LCT, and visual effects on Public Rights of Way PRow 371/8b/ and PRow 225/6/10.

The LVIA assesses the impact on PRow 225/6/10 as major adverse and hence large. The effect on the landscape character of the site and its surrounding area with the change in character and loss of openness as a result of the site being developed has been assessed as major adverse and being large at completion and at year 15.

Thus, the LVIA identifies landscape and visual harm in these areas, albeit to a lesser extent than I consider to be applicable. It seems to me although the LVIA framework has been utilised, the professional judgement that has been made in those instances very much downplays the adverse impacts, and conversely, the benefits of the 'temporary' nature of the development and the mitigation by way of new planting are over-stated. I disagree with those judgements and respectfully suggest that there are good grounds to support the view that these adverse effects would be very significant indeed.

In summary, this location falls within a very special part of North Oxfordshire with its open undulating vistas and gentle charm. The proposed development would result in unacceptable harm to landscape character and visual amenity which could not be satisfactorily mitigated by the proposed landscaping. It would therefore be contrary to Cherwell Local Plan policies ESD5 and ESD13 and saved Local Plan policies C7, C8 and C9 of the Adopted Cherwell Local Plan 1996. The significant adverse landscape impacts and visual effects that would result from the scheme should be afforded very great weight in the overall planning balance.

Highways and access issues

Cherwell Local Plan Policy ESD5 identifies highways and access issues, including cumulative impact, to be of particular local concern in Cherwell. My concerns on this topic are in relation to the increase in HGV and other associated traffic that would use the proposed access route to the site during the construction period. The Transport Statement does not assess the safety and capacity implications of the use of the proposed route along the Godington/Poundon Road between the main A4421, past the Mill Lane crossroads and then onto the site access point. It simply considers the effects on the A4421 road and other strategic roads, not this local road serving the community.

Furthermore, there is no assessment of the cumulative impact of the Solar Farm development construction traffic and the EWR construction traffic which continues to use it. This local road is in very poor condition as a result of its use by EWR construction traffic. Local residents are currently experiencing the severe impact of the EWR lorries using the road including the damage to the road surface and the potential harm to highway safety.

To my knowledge, both the junction with the A4421 and the Mill Road crossroads have been the site of numerous traffic accidents in recent years. There have been accidents on the local road this winter including on the 23 February 2023 which has seen a serious two car collision at the crossroads that required police and ambulance attendance. At the time of writing the safety sign by the crossroads and others along the road have been knocked down into the verge. In my view, the situation is already dangerous (an accident waiting to happen) and therefore no additional use by HGVs should be permitted. Whilst the Transport Statement attempts to put a gloss on the level of construction traffic movements, the number of movements is in fact very significant.

Given that background, the Traffic Assessment is obviously deficient and the highway safety implications, including cumulative impact, have not

yet been given full and informed consideration. The local highway safety concerns have not been satisfactorily addressed by the application.

In conclusion, the increased use of the local road by the construction traffic associated with the proposed development would exacerbate the potential harm to highway safety including that of pedestrians, equestrians, and cyclists contrary to Local Plan Policy ESD5. Unless these concerns can be satisfactorily addressed this is a factor to which substantial weight should be attached. The existing farm traffic is minimal and little, or no benefit would be gained from its removal.

Residential amenity

Visual amenity

Although there is no 'right to a view', general harm to the visual amenity of an area, including outlook from residential properties, is a factor which can be taken into account. With the mass of the solar panels and oppressive prison-style fencing and CCTV cameras proposed, the potential harm to visual amenity to neighbouring properties could be significant.

For that reason, the applicant has in response to those concerns amended the layout to include a buffer zone in the north-west corner of the field shown on Layout Plan 4 which abuts the Oldfields Farm boundary and has indicated that 'extensive' planting would take place along the boundaries of that field and within it. These matters should be secured by planning conditions relating to the provision and maintenance of landscaping and for the development to be constructed in accordance with that revised layout plan with the buffer zone thereafter retained for that purpose.

In that respect, reliance should not be placed upon existing hedges and trees that are outside the site, and hence the control of the developer, to screen the site from residences and public viewpoints. The recent issues, for example, with ash tree disease shows the fragility of even mature vegetation at the present time.

Noise and disturbance

Operational noise

National Guidance advises that protecting local amenity is an important consideration which should be given proper weight in planning decisions. Apart from the impact on visual amenity, local residents have serious concerns regarding noise emanating from the site.

The noise generated by the plant and equipment would have the potential to detract from the existing tranquillity of area which forms part of its

landscape character and impact adversely upon the living conditions of neighbours.

The battery storage systems generate a low frequency hum which can be acutely disturbing. Inverters can overheat in extremely hot weather requiring the use of noisy fans to provide cooling. There are various other aspects of solar farms that have potential to generate noise disturbance. The prevailing wind direction would carry that noise to my home and that of my immediate neighbour. This is a particularly tranquil location and any increase in noise would be noticeable and disturbing.

The Noise Impact Assessment indicates that an assessment has taken place against the criteria set out by BS 4142: 2014 using a background noise survey over a 7 day period in the summer and a computer noise model which incorporates the representative plant items in operation, including inverters and substation. As of course, there is nothing yet in place on site to measure.

This concludes that predicted Rating Levels from the development would be in excess of 10dB above the prevailing background level at my property during the day and in excess of 21dB over background levels at night. The same applies to other neighbours.

The key point is that BS 4142 states that a difference of around +10 dB or more is likely to be an indication of a significant adverse impact. Indeed, a difference of around +5 dB is likely to be an indication of adverse impact.

Thus, there is likely to be a significant adverse impact on the amenity of neighbours including myself due to noise disturbance. The noise assessment also reveals that these are very noisy items of plant that would also detract from the experience of users of the existing public footpath and the new permissive path.

The Noise Assessment rejects this finding by blaming the existing low background levels and drawing support from the WHO Guidelines for Community Noise 1999. It is predicted that the cumulative noise level from all items operating concurrently does not exceed 50 dB(A) during the daytime in the outdoor space at the nearest properties and is therefore not considered to exceed the criterion set out in the WHO guidelines for external amenity spaces.

However, the WHO guidelines provide general guidance in the context of critical health effects. They also state that special attention should be given to noise sources in an environment with low background sound levels, and to noise sources with low-frequency components such as this with lower limits than the guideline values recommended in those

instances including for indoors. Therefore, I believe that for those reasons, and for others, the reliance placed upon the WHO Guidelines is misplaced.

Even taking the noise assessment at face value, I believe that a potentially serious noise impact is revealed. That is leaving to one side my criticism of the background noise survey methodology and location of the survey equipment. I also do not agree that it is likely to represent an over-estimate of noise as is stated. That is not an assumption that can safely be made. The Noise Assessment seeks to put a gloss on the findings which I reject.

BS4142 reveals a significant adverse impact on the quality of life of residents. The scheme does not mitigate and minimise those adverse impacts as required by national policy, and certainly does not contribute to any improvement in the same. Hence it would be contrary to the Noise Policy Statement for England (NPSE).

Nevertheless, I have recently had most helpful discussions with a representative of the applicant regarding my concerns in this respect. It has been indicated to me that full enclosure of the noisy items of plant including the BESS, and the inverters will be provided, as indicated by the working example in the Noise Impact Assessment, so that there would be no increase in noise over and above existing background levels experienced by residents. This would be confirmed by the submission of a revised Noise Impact Assessment by the applicant, and secured by planning conditions. In addition, the site layout plan was amended prior to submission of the application to remove such items from the northernmost field that is closest to my home and that of my immediate neighbour. A planning condition is necessary to ensure the development takes place in accordance with the submitted plans.

Construction noise

The CTMP submitted in support of the application anticipates that vehicle movements associated with construction workers will occur between 6.00am and 7.00am and in the three hours up to the end of the working day plus one hour after (4.00pm to 8.00pm). HGV deliveries will be scheduled between 7.00am and 6.00pm. I am opposed to either vehicle movements or construction work taking place within such extensive and excessive hours. These should be subject to greater control by planning conditions in order to safeguard my living conditions and those of my neighbours, particularly those of us who are at home during the day.

The developer's representative has also indicated to me that the method of attaching the solar panels to the ground utilised by this developer would not involve piling and that a quieter method of construction would

be used. The precise method of construction should therefore be subject to planning condition given the proximity of residential properties and the potential for unacceptable noise disturbance.

Planning conditions

In the event that all such mitigation is secured by planning conditions, I confirm that this would overcome my objection on residential amenity grounds including noise and disturbance. At the end of this submission there is list of suggested conditions which includes noise conditions designed to achieve that purpose should the Council disagree with my objection and grant planning permission for the scheme. In order to safeguard the living conditions of myself and my neighbour, I have also included suggested planning conditions relating to construction hours, lighting and CCTV cameras and the siting of the proposed communication/weather mast.

Other matters

Alternatives

The Planning Design and Access Statement explains the Alternative Site Appraisal and Sequential Test that has been carried out. However, I do not consider that this represents a fair assessment of reasonable alternatives to the use of this particular site nor the genuine application of the sequential test.

I accept that grid connectivity provides a restriction on suitability of sites, and this site is in a suitable location in terms of distance to provide access to the grid. However, a wider approach should be taken rather than just affording consideration to one available grid connection point. If that were to be the only or main criterion used, as appears to be the case here, then inevitably such development will be sought on land that is really inappropriate for this purpose.

The basis for choosing this site seems to be that the landowner was prepared to make it available for use, unlike others in the locality, and that it was in an open and rural location that would provide a better economic return than, for example, brownfield land where competing uses increase land values. There has been little or no assessment of alternatives as regards the suitability of the site and its comparison with other alternatives on land use planning grounds. A broader and more comprehensive approach to the assessment of all reasonable alternatives should have been undertaken.

Biodiversity

Biodiversity net gain is a way to contribute to the recovery of nature while developing land. It will be a general requirement from November 2023 for all developments granted permission pursuant to the Town and Country Planning Act 1990, unless exempt. In terms of biodiversity gains included in the proposal, this is not an area that is deficient in this respect and given that background little real benefit would be gained. That should be reflected in the weight to be attached to this claimed benefit. There is already an extensive area of both ancient and relatively new woodland, together with blocks of grassland with beehives, bird, bat, and owl boxes and the like nearby. The proposed deer fencing would reduce the area available to the local deer population interrupting their normal routes and can cause fatalities. It would seem that bird and bat deaths can be common with such development as they mistake the surface of the panels for water. It should be noted that there are many bird species and bats close by including along the river corridor which provides a haven for wildlife.

Cumulative Impact

National guidance advises that cumulative impacts require particular attention, especially the increasing impact that large scale solar farms can have on landscape and local amenity. There has been no cumulative assessment of the proposed development either in landscape or highway safety terms. This represents a serious omission which needs to be addressed.

The Stratton Audley Parish already has the ongoing impacts of HS2 and EWR together with the Bicester Heritage Centre to the south. If this attractive area of countryside with its particular landscape quality is lost, then it will be more difficult going forwards to oppose the creeping industrialisation of the Stratton Audley village environs which contribute so much to its overall character and the enjoyment of its residents. This is an aspect which is recognised by the background to Policy ESD13

This area, and in particular the extended group of houses along Mill Lane, has already experienced the construction impacts of HS2 and EWR. They should not be expected to endure further noise and disturbance and dangerous highway conditions any longer or to a greater extent than has already been permitted.

Community Benefit

In the event that planning permission is granted for the scheme contrary to the objections of myself and others, I strongly support the payment of at least £200,000 and £50,000 for the benefit of the communities of

Stratton Audley and Godington. Such payments would reflect both national and local policies in relation to the provision of community local benefit as being a requisite aspect of such projects. It would comply with the relevant tests for such an obligation, and would enable delivery of necessary mitigation at local level.

I would also point out that the House of Commons Select Committee has recently recommended that communities living near new wind turbines and onshore solar farms should receive a 100% discount on their energy bills. That is not yet a firm proposal, but it shows the direction of travel at national policy level. A Community Fund of the magnitude previously offered by the applicant would certainly seem the minimum necessary and reasonable in all the circumstances.

Fire Safety

The Technical Statement on Battery Energy Storage System (BESS) confirms that this type of on-site equipment can catch fire. The outcome for myself and other neighbours with the prevailing wind blowing and drought conditions could be catastrophic. The applicant has put forward a proposed condition in the Technical Statement to safeguard against such events. Having discussed this with the applicant's representative, I agree that a condition along those lines would overcome my concerns on that matter. I have included this condition in the list at the end of this submission, as slightly amended to require accordance with the various other mitigation and safety measures included in the Technical Statement.

The Planning Balance

The applicant's assessment of the planning balance and their suggested weighting for benefits and impacts is set out in section 12 of the Planning, Design and Access Statement. I disagree with that assessment and weighting.

On the harm to the landscape, the applicant proposes that this should only be given limited weight. The applicant's LVIA indicates that a full cumulative assessment has not been undertaken as part of the report. That is an unfortunate omission. Furthermore, it acknowledges that the weight to be attached to identified landscape harm is, ultimately, a matter of professional planning judgement.

The LVIA itself identifies harm including in relation to the landscape character of the site and its surrounding area; the landscape character of the Estate Farmlands LCT; and the Rolling Farmland LCT together with adverse visual effects on Public Rights of Way PRoW 371/8b/ and PRoW 225/6/10.

As indicated above, I disagree with LVIA's assessment of the significance of that harm and the extent to which it could be lessened by mitigation. I consider that the combined landscape and visual harm identified is a factor of very great weight to be weighed against the scheme in the planning balance.

In reaching that conclusion, I obviously disagree with the applicant's submission that the 27.34% net gain in tree and hedgerow planting represents a major beneficial long-term effect on landscape character. I have already outlined my concerns in relation to the tree and hedge planting proposals and the effect that would itself have on landscape character and openness. It is certainly not a factor to which substantial weight can be given, as proposed by the applicant.

As set out above, I have concerns as regards the adequacy of the Transport Statement and the increased use of the local road by the construction traffic associated with the proposed development. This would exacerbate the potential harm to highway safety including that of pedestrians, equestrians, and cyclists contrary to Local Plan Policy ESD5. Whilst this concern relates only to the duration of the construction period, given the potentially serious consequences of this factor substantial weight should be attached to it. The existing farm traffic is minimal and little, or no benefit would be gained from its removal

The applicant attributes various weightings, and in some instances 'significant weight', to different aspects of benefits associated with climate change and renewable energy. Nonetheless, these matters contain an element of double-counting and over-weighting such that the degree of benefit attributed to them by the Applicant should be treated with extreme caution.

Whilst I accept that there are benefits associated with the development of renewable energy generators, this is not the only such site from which provision could be made. Although the impact on this area would be large, the anticipated provision is relatively small in the context of the UK and indeed this part of the country overall. The benefits associated with the provision of a renewable energy generator in this particular location taken together comprise a factor to which only moderate weight should be given.

The applicant also suggests that 'substantial' weight should be given to employment creation. I have not seen substantial evidence to support that assertion as a benefit worthy of such weight or indeed any weight. Likewise, the economic benefits claimed. These also are generic factors that would result wherever the proposed development is sited, and little weight should be attached to them.

The attributing of weight to soil resource is also unquantified and unsupported by evidence and should certainly not attract 'moderate weight'. The same applies to the diversification of the farm business. There has been no substantial evidence to indicate that the income would be utilised in this way nor details of the agricultural business or the need to diversify. I suggest that these are factors to which little weight should be attributed.

As indicated above, biodiversity net gain will soon be a requirements for all developments. The biodiversity net gain in this case should be seen in the context of the site and surroundings as a whole and the provision already made by many local farmers. This is an area that presently enjoys a wide and healthy biodiversity with blocks of uncultivated grassland and woodland within which numerous trees and new hedgerows have been planted in recent years. The field margins and hedgerows in the area, particularly along the banks of Padbury Brook currently provide habitat and connective routes for a variety of species. Whilst the aim of biodiversity net gain is to ensure that the habitat for wildlife that the site provides is in a better state than it was before development, that is in recognition of the potential harm that it could otherwise cause, and little real benefit to the biodiversity of the area would be gained overall from this factor.

The provision of community funds for Stratton Audley and Godington parishes would be a local benefit of some weight in the event that this was secured in an appropriate sum that reflects the potential impact on the community.

Taking all these different factors together, I believe that the adverse impacts of the scheme are unacceptable and strongly outweigh the benefits. Indeed, I consider that the Landscape and Visual Impact issue on its own would cause unacceptable harm such that it would outweigh all other considerations. Therefore, the planning balance in this case falls squarely on the side of refusing permission.

Other matters

There are various omissions in the Transport Assessment set out above and the absence of any cumulative assessment either for landscape or transport makes it unsafe to reach a positive decision on the application at this time.

Conclusion

I acknowledge that I have had useful discussions with the applicant's representative. This has resulted in some of my concerns being

satisfactorily overcome and the issues between us narrowed, subject to the imposition of appropriate planning conditions as set out below.

Nonetheless, my fundamental objection on landscape and visual impact grounds remains. The harm identified under this topic is unacceptable and strongly outweighs all the benefits of the scheme. It would therefore be contrary to relevant Development Plan and National policies referred to above.

Additional unresolved matters include highway safety and cumulative impacts with other plans and projects in the locality. Further information should be sought on those matters before any final decision on the application can safely be reached.

In conclusion, I urge the Cherwell District Council to value and respect this very special area within North Oxfordshire. It is an area to which the public already has access through the existing footpath network and can enjoy from various public viewpoints. The scheme would introduce industrial-style development on a large scale into this wonderful locality that should be valued and preserved for its intrinsic character and beauty in accordance with national policy. Since the adverse impacts of the proposal strongly outweigh the benefits, it should be opposed and rejected.

Proposed planning conditions – Padbury Brook Solar Farm

Whilst my strong view is that the fundamental harm outlined above could not be satisfactorily overcome by planning conditions or further 'tweaks' to the scheme, should the Council reach a different conclusion and decide to grant planning permission the following planning conditions are sought:

Temporary permission

1. The development hereby permitted shall be for a limited period being the period of 40 years from the date of commissioning of any part thereof. The use shall cease, the infrastructure shall be removed, and the land restored to its former condition within 6 months thereafter in accordance with the decommissioning and restoration condition set out below.

Reasons

In order to reflect the basis on which the application has been submitted, namely, that this is a temporary installation for 40 years which can quickly be decommissioned, and the land restored to its former agricultural use.

Decommissioning and restoration

2.(1) Within 3 months of the date that the undertaker decides to decommission any part of the solar farm works and grid connection works, the undertaker must submit to the local planning authority for approval a decommissioning environmental management plan and a decommissioning travel management plan for that part. Decommissioning will commence no later than 40 years following the date of final commissioning of the development hereby permitted or any part thereof.

(2) No decommissioning works shall be carried out until the local planning authority has approved the plans submitted in relation to such works.

(3) The plans must be implemented as approved.

(4) This requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development.

Reasons

In order to reflect the basis on which the application has been submitted, namely, that this is a temporary installation for 40 years which can quickly be decommissioned, and the land restored to its former agricultural use.

Battery safety management

3.(1) No development shall take place until a Battery Safety Management Plan ("BSMP") has been submitted to and approved in writing by the local planning authority.

(2) The BSMP must prescribe measures to facilitate safety during the construction, and operation and decommissioning of the battery storage facility including the transportation of new, used and replacement battery cells both to and from the authorised development.

(3) The BSMP must accord with the Battery Energy Storage Systems Technical Statement and, in particular, must include all the mitigation and safety measures referred to therein.

(4) The local planning authority must consult with the Health and Safety Executive and Oxfordshire Fire and Rescue Service before determining an application for approval of the BSMP.

(5) The BSMP must be implemented as approved.

Reasons

In order to safeguard neighbouring residents and the surrounding farmland, and buildings from any fire hazard.

Noise – level of noise on the boundaries

4. Following commissioning of the development hereby permitted or any part thereof, the level of noise emitted from the site shall not exceed the existing background noise levels set out in Table T10 of the Noise Impact Statement submitted in support of the application, as measured at the monitoring points for receptors NSR1, NSR2, NSR3, NSR4, NSR5, and NSR6.

Reasons

In order to safeguard the living conditions of neighbouring residents and the tranquillity of the surrounding area. The Noise Impact Statement indicates that this can be achieved following the implementation of mitigation measures designed to minimise and mitigate the impact of noise.

Noise – enclosure of plant

5. (1) Before the commissioning of the development hereby approved or any part thereof, the solar inverters, BESS inverters and BESS units shall be fully enclosed with a form of full enclosure constructed in a way which will minimise the transmission of noise emissions from those sources in accordance with a scheme that shall first have been submitted to and approved in writing by the local planning authority. The submitted scheme shall reflect the worked example set out in the Noise Impact Assessment and be designed to achieve a 20 dBA reduction from those noise sources.

(2) The measures implemented as approved shall be retained thereafter.

Reasons

In order to safeguard the living conditions of neighbouring residents and the tranquillity of the surrounding area. The Noise Impact Statement indicates that this mitigation can be provided, and the reduction in noise that could thereby be achieved.

Noise – siting of infrastructure

6. No solar inverters, BESS inverters or BESS units shall be sited within the field located in the northern part of the site through which the existing public footpath runs, and which adjoins the boundary with Oldfields Farm as shown on site layout plan No 4 (Drawing No 1051745-ADAS-XX-XX-DR-PL-8004).

Reasons

For the avoidance of doubt, and to safeguard the living condition of neighbouring residents.

Construction Hours

7. (1) Construction works shall take place only between the hours of 0800 to 1700 hours on Monday to Friday, and shall not take place at any time on Saturday, Sundays or on Bank or Public Holidays

Reasons

In order to safeguard the living conditions of neighbouring residents during the construction period.

Construction method management plan

8. (1) No development shall take place until a construction method management plan (CMMP) including written details of the means whereby the solar panels would be secured to the ground and the equipment to be utilised in that process has been submitted to and approved in writing by the local planning authority.

(2) The CMMP shall be implemented as approved.

Reasons

In order to safeguard the living conditions of neighbouring residents during the construction period.

Construction traffic management plan

9. (1) No development shall take place until a construction traffic management plan (CTMP) to include provision for traffic management measures, road surveys and repairs, and control over the hours at which HGV delivery and other vehicles may enter or leave the site, vehicle routeing and numbers of daily traffic movements, has been submitted to and approved in writing by the local planning authority, such approval to be in consultation with the relevant highway authority.

(2) The CTMP must be implemented as approved.

Reasons

In the interests of highway safety and to avoid traffic congestion

Landscape and Visual Impact¹

10. (1) Notwithstanding the details shown on Site Layout Plan No 1 (Drawing No 1051745-ADAS-XX-XX-DR-PL-8001), no development shall commence until a revised Site Layout Plan No 1 showing the BESS, spare containers and inverter containers sited in a position away from the

¹ This condition reflects the concerns of the Stratton Audley Parish Council on this topic.

perimeter of the site has been submitted to and approved in writing by the local planning authority.

(2) The development within this part of the site including the siting of the BESS, spare containers and inverter containers shall be carried out in accordance with the details shown on the revised Site Layout Plan No 1.

Reasons

To mitigate the visual impact of the proposed development when viewed from the public highway.

Landscape Environmental Management Plan

11. (1) No development shall begin until a written Landscape Environmental Management Plan (LEMP) (which accords with the LEMP submitted as part of the application) has been submitted to and approved in writing by the local planning authority.

(2) The LEMP must include details of:

a) all existing habitats, trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development and maintenance thereafter;

b) planting plans; written specifications; schedules of native specimen trees, hedgerows, shrubs and other plants noting species, supply sizes and proposed numbers/densities where appropriate;

c) how the landscaping and ecological measures will be managed and maintained during the operational life of the solar farm works to the date on which the decommissioning environmental management plan is implemented pursuant to condition [] above (decommissioning and restoration); and

(d) how any approaches and measures to secure the long-term design objectives and the biodiversity net gain referred to in the application supporting documents have been incorporated into the design of the solar farm works and grid connection works

(3) The LEMP must be implemented as approved.

Reasons

In order to mitigate the adverse landscape character and visual impact that would result from the development in this rural location and to ensure that this is provided.

Implementation and maintenance of landscaping

12. (1) All landscaping works must be carried out in accordance with the Landscape Environmental Management Plan (LEMP) approved under condition 10, and in accordance with the relevant recommendations of appropriate British Standards.

2) Any tree, hedge, or shrub planted as part of an approved LEMP that, within a period of **ten**² years after planting, is removed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or diseased must be replaced in the first available planting season with a specimen of the same species and size as that originally planted.

Reasons

In order to mitigate the adverse landscape character and visual impact that would result from the development in this rural location and to ensure that this is provided and secured.

Height of Solar Panels

13. Notwithstanding the details shown on the submitted plans, the proposed solar panels and frames to be installed, and any subsequent replacement thereof, shall not exceed [2.3m] in height above ground level.

Reasons

To safeguard landscape character and the visual amenities of the surrounding area.

Use of the site

13. Following the commissioning of the development or any part thereof, the land within the operational Solar Farm area shall thereafter be used for the grazing of a minimum of [] sheep for the period of not less than [] months each year until the decommissioning of the site takes place in accordance with condition [] above.

Reasons

To reflect the basis on which the planning application has been put forward and considered by the Council and to retain an agricultural element to the mixed use of the site.

² The developer's representative has indicated that a maintenance/replacement period of 10 years would be undertaken and that this will be reflected in the LEMP. That period should also be specified in this condition.

Lighting and CCTV cameras

14. Details of any floodlighting, other means of lighting or CCTV cameras to be utilised on the site shall be submitted to the local planning authority for approval in writing prior to the commissioning of the development or any part thereof. All lighting and CCTV cameras shall be positioned so that they face inwards towards the site. The development shall be carried out in accordance with the approved details.

Reasons

To safeguard the existing dark sky quality of the area, together with the character of the surrounding landscape and the amenities and privacy of neighbouring residents and users of the public footpath and permissive path.

Communication/weather station mast

15. Details of any communication or weather station mast to be positioned on the site shall be submitted to the local planning authority for approval in writing prior to the commissioning of the development or any part thereof. The development shall be carried out in accordance with the approved details.

Reasons

To safeguard the character of the surrounding landscape and the amenities and privacy of neighbouring residents and users of the public footpath and permissive path.

Permissive paths

16. (1) The proposed permissive path along the eastern flank of the site, creating a new link between the footpath to the north (PRoW Ref. '371 8b/10') and to the south ('PRoW Ref. '371 3/10'), as shown on the submitted plans, must be provided in accordance with those plans and be open to the public prior to the date of final commissioning in respect of any part of the development hereby permitted.

(2) The permissive path must be maintained by the developer and access by the public permitted for 364 days a year until commencement of decommissioning of the development.

Reasons

The proposed permissive path is referred to in the Design and Access Statement and put forward as providing an improvement to the local footpath network. The condition is necessary to secure the provision of the permissive path and its use and maintenance thereafter.

Public and permissive footpath associated chattels and other items

17. No information boards, benches, picnic tables and other such chattels or items shall be sited within the field located in the northern part of the site through which the existing public footpath runs, and which adjoins the boundary with Oldfields Farm as shown on site layout plan No 4 (Drawing No 1051745-ADAS-XX-XX-DR-PL-8004).

Reasons

For the avoidance of doubt, and to safeguard the rural character of the area, visual amenity, and the living conditions of neighbouring residents.