

## **Stratton Audley Parish Council**

### **Response to Planning Application - Padbury Brook Solar Farm by Messrs JBM**

#### **Opposing the Development February 2023**

##### **Introduction and Context**

Stratton Audley Parish Councillors, having consulted extensively with JBM and the affected parish community, unanimously agreed to oppose the proposal at its Parish Council Meeting on 25th January. Local farmers and landowners report receiving frequent, often monthly, enquiries from companies such as JBM seeking land for development. A landowner who lives away from the community is seeking to lease her land to JBM. It is notable that every local landowner has rejected these advances.

In the light of the climate crisis, all Council Members support green energy initiatives, of which solar plays a small part in the UK (National Grid ESO Jan 2023 stats: 1.4% solar, compared to wind at 36.4% & nuclear at 14.1% of Britain's demand for the month) But this green energy must not be at any cost, and result in a net detriment to the country and communities it is designed to help. This is reflected in national and local plans policies which contain provisos in relation to adverse impacts having been satisfactorily addressed before such development can be permitted. Having weighed the factors for and against, the PC does not believe that this has been achieved and that the harm caused outweighs the benefit. The factors which swayed the Council's decision to oppose are detailed below.

##### **The Landscape and its despoilment for this and future generations**

The Cherwell Local Plan ESD5 recognises that Landscape and Visual Impacts on local landscapes, including cumulative impact, are of particular local significance in Cherwell. This is a rural landscape which can be seen to be substantially unchanged for the last 2 centuries where we have reliable OS mapping (see attachments) and likely much further back than that. Many of the comments from local residents are around the loss of this ancient landscape. JBM has made much in its application about what they say is the 'temporary' nature of a 40-year development which takes up nearly 150 acres. By any reasonable definition, this is at least 2 generations. Unless a resident is in their early 30s at the oldest, they will have little prospect of seeing the removal of the 'temporary' development. Furthermore, once planning permission has been granted, there is no reason why the Developer could not apply for this 'temporary' permission to be extended when

as the end of the permitted period approached, so, de facto, the permission needs to be considered to be permanent. If the development goes ahead, then a large slice of land between Stratton Audley and its neighbours is simply industrialised in the way that Bicester has expanded rapidly in recent years - the difference being that Bicester's development is controlled and planned and constrained in designated areas. This is not - it is an industrial development of 147 acres which dwarfs the village of Stratton Audley, which is circa 30 acres in size. As such it is hopelessly out of proportion in the context of its setting and the ancient field boundaries of the proposed site.

The mitigation proposed by JBM relies heavily on the planting of 'mature native trees' (both terms undefined) which they accept will take a minimum of 15 years before they start to provide adequate screening. It is clear that this will be a very visible development throughout its lifetime, irrespective of this mitigation, and in particular the siting of some of the battery units/stations adjacent to local roads at ground level cannot be the actions of a company that is serious about mitigation. According to the JBM site map some of these are situated as one station, two stations and three stations.

The overall length per station is 53.82 metres, or 176.58 feet, width 3.86 metres, or 12.68 feet, height 3.09 metres, or 10.14 feet. [see JBM document Battery Stations Ancillary Drawing Rev. A).pdf]

The single battery station equates to 4.4 shipping containers in length, the plot with three battery stations would be 13.2 shipping containers.

This further underlines the industrial nature of this 147-acre green energy generating plant. These storage units and the access services roads to access them will require tens of thousands of tons of gravel and concrete to be laid, further damaging the landscape.

It should also be noted that according to JBM, the solar panels extend up to 9ft to their top edge, a height which exceeds that of most of the existing hedgerows. This is far from low-profile, presumably necessitated because this is essentially a North-facing sloped site, and hence solar gain is lower.

If granted this development will fundamentally change the appearance and character of a beautiful rural area from whichever angle it is viewed, but particular mention should be made of the public footpath adjacent to the ancient woodland at Oldfield's Copse. This section runs for about 400 metres, and is part of an important and historic route connecting Fringford to Godington and beyond. The current vista across to the natural boundary formed by the Godington Ridge will simply cease to exist (see below)



The applicant's Landscape and Visual Impact Assessment does not include as a viewpoint the point from which the photograph was taken, which is where the public footpath enters the site. This is an important omission. It is one of the points from which the most extensive and open panoramic nature of the views to Godington Ridge and also in a Southerly direction towards the Poundon Road can be obtained. Similarly, the views from Godington, both towards Park Cottages and looking West from the site would show the huge extent of the site and the significant change to the character of the landscape.

The mitigation offered in relation to the footpath within the site is simply an attempt to achieve the complete screening of the development from it by new planting, maturing after 15 years. This part of the landscape would therefore undergo fundamental change, and completely lose its current open vistas across an undulating, and unchanged landscape.

Whilst the planting is maturing, it would simply be a view across a newly-industrialised landscape, pending its transformation into a corridor between the ancient woodland and newer screening.

JBM's own study also relies on the WHO noise levels to justify the significant additional noise levels associated with the development - this in an area of truly quiet countryside, a fast-diminishing commodity in recent years. The existing tranquility of the area which contributes so positively to the landscape character and the experience of users of the footpath would be adversely affected as a direct result of the introduction of noise-generating equipment such as inverters and the battery storage units onto the site. In that respect we note that the NPPF indicates that planning decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise.

Finally, there has been no cumulative assessment of the landscape impact upon the character of the area when considered together with HS2 and EWR.

## **Interim development in Future Years**

JBM has made mention of how relatively quick and easy the construction will be, taking only a half-year. However, given the rapid pace of both photovoltaic panel and battery technology advances, it is almost certainly the case that this site will be redeveloped, perhaps multiple times during its lifetime. JBM is silent on this, nor is it perhaps any particular concern of theirs, given its business model, which is to obtain sites and then sell them on with planning permission, once obtained. JBM currently has c30 such applications in progress. It is however something that does weigh heavily on residents who have already endured several years of East-West Rail and HS2 developments, and who would face the prospect of further disruption to build this and future iterations of the site.

## **Disruption During Construction**

The connecting cabling will, of course, take a relatively short time to be laid through what is a small village of some 180 properties. However it also has to pass another c4km along major arterial routes around Bicester to terminate in Skimmingdish Lane, causing significant delay and congestion on these already over-capacity routes (according to the application approved for the Experience Quarter at Bicester Heritage). Although the provision of the connecting cabling is not part of the current application, it would only be required should the Solar Development proposal be approved. There is therefore an intrinsic and direct link between the two schemes.

There will be extensive vehicle movements bringing in panels and the infrastructure necessary to mount them, as well as construction noise for the local area, detailed below. Even using the largest permitted vehicles, filled to their maximum, we estimate some 1000 vehicle movements will be needed to build the necessary infrastructure and deliver the panels to feed it.

## **Construction traffic and Highway Safety**

Cherwell Local Plan Policy ESD5 identifies highways and access issues, including cumulative impact, to be of particular local concern in Cherwell. The Parish Council has also had regard to expressions of local concern in relation to the increase in HGV and other traffic that would use the proposed access route to the site. The Highway Statement does not assess the safety and capacity implications of the use of the proposed route between the main A4421, past the Mill Lane crossroads and then onto the the site access point. It simply considers the effects on the A4421 road and other strategic roads, not this local road in the community. Furthermore, there is no assessment of the cumulative impact of the Solar 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 knowledge also reveals that both the junction with the A4421 and the Mill Road crossroads have been the site of numerous traffic accidents in recent years - indeed the PC Chair recently wrote to County Highways requesting the urgent reinstatement of no fewer than 6 safety signs along this stretch, all knocked down in recent accidents.

Given that background the Highways Statement is obviously deficient and the highway safety implications, including cumulative impact, should be given full and informed consideration. The local highways safety concerns have not therefore been satisfactorily addressed by the application.

## **Noise and Residential Amenity**

Cherwell Local Plan Policy ESD5 identifies residential amenity, including cumulative impact, to be of particular local concern in Cherwell. The Parish Council has noted the concerns in relation to the potential for adverse noise impacts to be experienced by residents close to the site. The Noise Assessment confirms the existence of very low background noise levels with day and night, as would be expected in such a rural location. As indicated above, the conclusion of the Noise Assessment places reliance on the WHO guidance rather than what is revealed by the BS 4142: 2014 assessment. This shows the likelihood of residents experiencing a significant adverse impact upon their quality of life due to noise.

We therefore believe that reliance placed upon the WHO Guideline to be misplaced and that further steps should be taken, and appropriate noise conditions imposed in order to mitigate and minimise noise impacts on residents in accordance with National Policy.

## **The Land Itself and its best and most productive use**

There remains scepticism in the community regarding the classification of the land as 3b by the consultants engaged by JBM, which removes many planning hurdles that would otherwise be in place. It is demonstrably the case that this is good, productive farmland, allowing a variety of crops to be grown, and is in constant cultivation. Were this land unproductive, one wonders why the landowner sought, and was granted permission for the construction of such a sizeable grain storage facility adjacent to the proposed development (see application 22/01503/AGN)

In the Landowner's application for the barn, prepared by Tayla Harding BSc (Hons) MSc, a rural practice surveyor, it cites the necessary storage space as required for a wheat yield of 3.5 tonnes per acre. This is equivalent to 8.6 tonnes per hectare. DEFRA's published 5-year UK average yield (2020) cites the UK average yield per hectare as 8.4, so this land is actually more productive than the UK average, using the Landowner's own figures submitted to Planning.



It is the case that whilst there are many many more solar developments being brought forward each month in the UK, farmland is a finite resource, constantly under pressure from a variety of developments, for which it offers low-cost and convenient sites. JBM's insistence that it would be used for low density pastoral grazing for sheep in no way compensates for its loss for generations, and it would clearly add to food insecurity at a time where events in Eastern Europe have cast a particular spotlight on this.



This image was taken in 2022 from the public footpath at Oldfields Copse.

## Summary

Stratton Audley Parish Council urges Cherwell District Council to reject this proposal, in line with the increasing trend of rejection of solar schemes [Guardian 25/08/22] which are ill-considered, ill-planned and most of all ill-sited. The harm caused, both long and short term, is out of balance with the benefits claimed for the reasons detailed. Even with the recent rejections of Solar Developments, 2022 was still a record year for solar scheme approvals (some 80,000 - a 30% increase on 2021), with in excess of 4GW of capacity added, so the capacity claimed for this particular scheme would soon be replaced by other, better-sited and considered schemes, such are the number of development companies like JBM actively working in the sector.

We are genuinely concerned that future generations will look back on this current rush for highly profitable industrial-scale solar development and regret that their parents and grandparents were not more challenging and protective of their green heritage, balancing it with the need to ensure sustainable energy generation.

## **Mitigation Measures and further information to be sought**

Stratton Audley Parish Council urges Cherwell District Council to seek the following further information prior to reaching a final decision on this application:

- 1) A cumulative assessment of the landscape impact upon the character of the area in combination with other plans or projects, including the effects of HS2 and EWR.
- 2) A revised Transport Assessment that includes consideration of the local road that provides access to the site from the A4421 past Stratton Audley Manor and the Mill Road crossroads to the site entrance together with up-to-date details of accidents which have taken place and the existing condition of the road. It should be noted that this part of the access route is currently used by EWR HGV and other traffic.
- 3) A cumulative assessment of the highway safety and traffic management implications of the proposed development in combination with other plans or projects, including the effects of HS2 and EWR.
- 4) Further information supported by technical evidence to indicate why the Battery Storage Units cannot in this instance be sunk below ground level and moved away from the perimeter of the site (as has been the case on another JBM development)
- 5) Further information supported by technical evidence to indicate why the solar panels to be installed on the site cannot be lowered in height.

While Stratton Audley Parish Council urges Cherwell District Council to refuse this application, we put forward the following matters to be the subject of specific planning control without prejudice to our grounds of objection set out above. In the event that Cherwell District Council approved the application, Stratton Audley Parish Council would wish it to impose stringent, binding and specific mitigation measures as planning conditions to take effect prior to commencement of the development. These should include mitigation for the following topic areas:

- A) Depending on the outcome of the cumulative assessment of the landscape impact upon the character of the area, as outlined above: appropriate and specific conditions to mitigate and minimise the same.
- B) A condition requiring the Battery storage units to be sunk below ground level and moved away from the perimeter of the site.
- C) A lower maximum height than 9ft on the solar panels themselves such that they do not exceed current hedgerow height, not that of 15 years' growth.
- D) A condition requiring sheep to be grazed on the land during every year that the development is operational until its decommissioning.
- E) A condition requiring all the mitigation measures offered by JBM to be maintained throughout the entire lifetime of the site.

- F) A condition requiring noise emissions not to exceed existing background noise levels (as revealed by the Noise Impact Assessment) at the boundaries with neighbouring residential properties.
- G) A condition requiring the submission, approval and implementation of a noise mitigation scheme including the provision of full enclosure of the solar inverters, BESS inverters and BESS units as indicated by the worked example set out in the Noise Impact Assessment.
- H) The creation of a community fund as agreed, of at least £200,000 for Stratton Audley and £50,000 for Godington, payable prior to the commencement of the development, supported and secured by a Section 106 agreement to fund community projects, energy benefits and additional mitigation and monitoring measures to offset the disruption experienced by the residents of both villages and the Parish. It is further requested that, given the extreme likelihood of interim redevelopment of the site and the possibility that this will become a generating site in perpetuity, CDC stipulates that a condition is imposed that were this to happen the community fund benefits from the same sum each time, adjusted for RPI in the intervening period, and every intervening 20 years in the case that the site's life is extended via an extension to the 'temporary' development
- I) A commitment to ensure that all materials below ground as well as above are removed when it is decommissioned and the land restored to its former condition.
- J) An arboricultural report undertaken by a specialist chosen by CDC on the damage caused by cable laying adjacent to an ancient chestnut tree (subject of a TPO) in the centre of the village, and its recommendations up to and including re-routing of the cable be implemented in full.

Additional conditions may be required subject to what is revealed by the further information sought and to cover all matters of concern set out above.

Finally, in the event approval is granted it should be subject to there being no change in the law prior to development of the site. It is a matter of public record that the classification of land, and other planning matters relating to solar development is under review by central government, and it would be a matter of great regret were the development to be approved, only for planning guidance to change prior to the start of construction with no way to resolve this.

**Stratton Audley Parish Council**

**February 2023**







SP 1100 2321  
447500, 232100  
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51° 57' 00" N, 1° 00' 00" W



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